



DRAFT

# Effects Assessment Methodology

*February 2022*





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Effects Assessment Methodology*

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## Revision History

Rev #	Date	Revision Description
Draft	July 2021	Submission of Draft Effects Assessment Methodology.
Draft	February 2022	Submission of Updated Draft Effects Assessment Methodology to reflect ToR Amendments



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# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Effects Assessment Methodology*

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## Acronyms and Abbreviations

Agency, the ...	Impact Assessment Agency of Canada
CAR .....	Community Access Road
EA .....	Environmental Assessment
EAA.....	Environmental Assessment Act
IA .....	Impact Assessment
IAA.....	<i>Impact Assessment Act</i>
IS .....	Impact Statement
km .....	kilometre
LSA.....	Local Study Area
m.....	metre
MECP .....	Ontario Ministry of the Environment, Conservation and Parks
MFFN.....	Marten Falls First Nation
MNRF .....	Ontario Ministry of Natural Resources and Forestry
MTO.....	Ontario Ministry of Transportation
PDA .....	Project Development Area
ROW .....	Right-of-Way
RSA .....	Regional Study Area
SAR .....	Species at Risk
TISG .....	Tailored Impact Statement Guidelines
ToR.....	Terms of Reference
VC.....	Valued Component







# 1. Introduction

The Proponent of the Community Access Road (CAR or the Project) is Marten Falls First Nation (MFFN), a remote First Nation community in northern Ontario located at the junction of the Albany and Ogoki rivers, approximately 430 kilometres (km) from Thunder Bay, Ontario. The MFFN community is proposing an all-season CAR that will connect the MFFN community to Ontario's provincial highway network (Highway 643) to the south via the existing Painter Lake Road. MFFN, as the Proponent of the Project, has formed a MFFN CAR Project Team that includes MFFN CAR Community Member Advisors and MFFN CAR Project Consultants who act with input, guidance, and direction from the MFFN Chief and Council.

This document outlines the methodology for the effects assessment to support a coordinated Impact Assessment (IA) required for Project review by the Impact Assessment Agency of Canada (the Agency) under the federal *Impact Assessment Act* (IAA) and Environmental Assessment (EA) required for Project review by the Ontario Ministry of the Environment, Conservation and Parks (MECP) under the Ontario *Environmental Assessment Act* (EAA). The document was created for agency review and the manner in which components of the document will be consulted and engaged on with Indigenous communities and interested persons is detailed in Section 3.

## 1.1 Federal and Provincial Terminology

This document has been prepared using federal terminology, however, the respective provincial terminology has been provided in **Table 1-1** for reference. The terms can be used interchangeably.

**Table 1-1: Equivalent Federal and Provincial Terms**

Provincial Term	Federal Term
Alternative Methods	Alternative Means
Criteria	Valued Component
Impact Management Measure	Mitigation Measure
Net Effects	Residual Effects
Record of Consultation	Record of Engagement





## 1.2 Project Study Plans

Table 1-2 includes a list of the study plans that have been prepared for each environmental<sup>1</sup> discipline and the valued components (VCs) covered by the study plans where applicable. The effects assessment methodology included in this document applies to all environmental disciplines, while discipline-specific inputs into the effects assessment have been included in the discipline-specific study plans.

**Table 1-2: Project Study Plans and Valued Components**

Environmental Discipline	Study Plan Name	Valued Component(s)
<b>Aboriginal and Treaty Rights and Interests</b>	■ Aboriginal and Treaty Rights and Interests Study Plan	<ul style="list-style-type: none"> <li>■ Indigenous Current Use of Lands and Resources for Traditional Purposes</li> <li>■ Cultural Continuity (ability to practice and transmit cultural traditions)</li> </ul>
<b>Acoustic and Vibration Environment</b>	■ Acoustic and Vibration Environment Study Plan	<ul style="list-style-type: none"> <li>■ Noise</li> <li>■ Vibration</li> </ul>
<b>Archaeological and Cultural Heritage</b>	■ Cultural Heritage Study Plan	<ul style="list-style-type: none"> <li>■ Archaeological Sites and Resources</li> <li>■ Built Heritage Resources and Cultural Heritage Landscapes</li> </ul>
<b>Atmospheric Environment</b>	■ Atmospheric Environment and Greenhouse Gases Study Plan	<ul style="list-style-type: none"> <li>■ Air Quality</li> <li>■ Greenhouse Gas Emissions</li> </ul>
<b>Climate Change</b>	■ Climate Adaptation and Resiliency Study Plan	<ul style="list-style-type: none"> <li>■ Climate Change</li> </ul>
<b>Economy</b>	■ Economic Study Plan	<ul style="list-style-type: none"> <li>■ Regional Economy</li> <li>■ Labour Force and Employment</li> <li>■ Government Finances</li> </ul>
<b>Fish and Fish Habitat</b>	■ Fish and Fish Habitat Study Plan	<ul style="list-style-type: none"> <li>■ Lake Sturgeon (<i>Acipenser fulvescens</i>)</li> <li>■ Walleye (<i>Sander vitreus</i>)</li> <li>■ Brook Trout (<i>Salvelinus fontinalis</i>)</li> <li>■ Northern Pike (<i>Esox lucius</i>)</li> <li>■ Lake Whitefish (<i>Coregonus clupeaformis</i>)</li> <li>■ Chain Pickerel (<i>Esox niger</i>)</li> <li>■ Yellow Perch (<i>Perca flavescens</i>)</li> <li>■ Cisco (<i>Coregonus artedii</i>)</li> <li>■ Burbot (<i>Lota lota</i>)</li> <li>■ Longnose Sucker (<i>Catostomus catostomus</i>)</li> <li>■ White Sucker (<i>Catostomus commersonii</i>)</li> </ul>

1. The use of the term environment in this document is inclusive of the components of the environment that are included in the Ontario Environmental Assessment Act definition, which includes a general description of the social, cultural, built, and natural environments.





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Environmental Discipline	Study Plan Name	Valued Component(s)
		<ul style="list-style-type: none"> <li>■ Forage / Prey Species (including species such as Lake Chub [<i>Couesius plumbeus</i>])</li> <li>■ Lower Trophic Organisms (e.g., benthic invertebrates)</li> </ul>
<b>Groundwater and Geochemistry</b>	■ Groundwater and Geochemistry Study Plan	■ Groundwater
<b>Human Health and Community Safety</b>	■ Human Health and Community Safety Study Plan	<ul style="list-style-type: none"> <li>■ Public Safety</li> <li>■ Public Health</li> <li>■ Diet</li> <li>■ Environmental Factors Influencing Health</li> </ul>
<b>Land and Resource Use</b>	■ Land and Resource Use Study Plan	<ul style="list-style-type: none"> <li>■ Land Use Compatibility</li> <li>■ Parks and Protected Areas</li> <li>■ Extractive Industry</li> <li>■ Forestry Industry</li> <li>■ Energy and Linear Infrastructure</li> <li>■ Recreation and Tourism</li> </ul>
<b>Physiography, Geology, Terrain and Soils</b>	■ Physiography, Terrain and Soils Study Plan	■ Physiography, Terrain and Soils
<b>Social</b>	■ Social Study Plan	<ul style="list-style-type: none"> <li>■ Housing and Accommodation</li> <li>■ Community Service and Infrastructure</li> <li>■ Transportation</li> <li>■ Community Well-being</li> <li>■ Populations and Demographics</li> </ul>
<b>Surface Water</b>	■ Surface Water Study Plan	■ Surface Water
<b>Vegetation</b>	■ Vegetation Study Plan	<ul style="list-style-type: none"> <li>■ Wetland and Riparian Ecosystems</li> <li>■ Upland Ecosystems</li> <li>■ Designated Areas (Areas of Natural and Scientific Interest, Environmentally Significant Areas, Significant Woodlands, Critical Landform / Vegetation Associations)</li> <li>■ Traditional Use Plants and Species at Risk (SAR)<sup>2</sup> Plant Populations (including species with special conservation status or rarity in the province)</li> </ul>
	■ Peatlands Study Plan	■ Peatland Ecosystems (bogs and fens)
<b>Visual Aesthetics</b>	■ Visual Aesthetics Study Plan	<ul style="list-style-type: none"> <li>■ Visual Contrast / Character</li> <li>■ Visibility</li> <li>■ Visual Sensitivity</li> </ul>
<b>Wildlife</b>	■ Wildlife Study Plan	■ Bats (including SAR-bats such as: Little Brown Myotis [ <i>Myotis lucifugus</i> ], Northern Myotis [ <i>Myotis</i>

2. For the purpose of this document, Species at Risk (SAR) is defined as follows, which is consistent with the definition in the Vegetation and Wildlife Study Plans:

- Any species listed under Schedule 1 of the federal Species at Risk Act, S.C. 2002, c. 29 as Threatened, Endangered, or Extirpated; and / or,
- Any species listed under the provincial Endangered Species Act, 2007, S.O. 2007, c. 6 as Threatened, Endangered, or Extirpated.





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

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Environmental Discipline	Study Plan Name	Valued Component(s)
		<i>septentrionalis</i> ] and Tricolored Bat [ <i>Perimyotis subflavus</i> ]) ■ Fur Bearers (proxy VC <sup>3</sup> American Marten [ <i>Martes americana</i> ], Beaver [ <i>Castor canadensis</i> ] and Wolverine [ <i>Gulo gulo</i> ]) ■ Amphibians and Reptiles ■ Pollinating Insects
	■ Ungulates (Moose and Caribou) Study Plan	■ Moose ( <i>Alces alces</i> ) ■ Caribou, boreal population ( <i>Rangifer tarandus</i> )
	■ Bird Study Plan	■ Forest Birds (proxy VC of Red-eyed Vireo [ <i>Vireo olivaceus</i> ] for deciduous forest, Ovenbird [ <i>Seiurus aurocapilla</i> ] for mixedwood forest, Dark-eyed Junco [ <i>Junco hyemalis</i> ] for coniferous forest and disturbed forest ■ Raptors (proxy VC of Osprey [ <i>Pandion haliaetus</i> ] for diurnal raptors and Boreal Owl [ <i>Aegolius funereus</i> ] for nocturnal raptors ■ Shorebirds (proxy VC of Wilson's Snipe [ <i>Gallinago delicata</i> ]) ■ Waterfowl (proxy VC of Mallard [ <i>Anas platyrhynchos</i> ]) ■ Bog / Fen Birds and Other Wetland Birds (proxy VC of Palm Warbler [ <i>Setophaga palmarum</i> ] for bogs, Common Yellowthroat [ <i>Geothlypis trichas</i> ] for fens; and Northern Waterthrush [ <i>Parkesia noveboracensis</i> ] for swamps. ■ SAR birds: Canada Warbler ( <i>Cardellina canadensis</i> ), Chimney Swift ( <i>Chaetura pelagica</i> ), Common Nighthawk ( <i>Chordeiles minor</i> ), Eastern Whip-poor-will ( <i>Antrostomus vociferous</i> ), Eastern Wood-Pewee ( <i>Contopus virens</i> ), Evening Grosbeak ( <i>Coccothraustes vespertinus</i> ), Olive-sided Flycatcher ( <i>Contopus cooperi</i> ), Bald Eagle ( <i>Haliaeetus leucocephalus</i> ), Peregrine Falcon ( <i>Falco peregrinus</i> ), Short-eared Owl ( <i>Asio flammeus</i> ), Bank Swallow ( <i>Riparia riparia</i> ), Barn Swallow ( <i>Hirundo rustica</i> ), Black Tern ( <i>Chidonias niger</i> ), Rusty Blackbird ( <i>Euphagus carolinus</i> ), Yellow Rail ( <i>Coturnicops noveboracensis</i> ).

It should be noted that while there is not a consultation study plan, the Project has developed the *Consultation and Engagement Plan to Support the Environmental Assessment / Impact Statement (AECOM 2020)* (referred to as the Impact Statement [IS] / EA Consultation Plan).

3. A proxy VC is used when looking at the effects of one species that represents many others.





## 2. Purpose and Objectives

The key objectives of conducting an IA / EA for a proposed project are to describe the existing environment, gather sufficient information to predict effects (positive and negative, direct and indirect) on the environment, assess alternatives, determine measures needed to avoid or minimize adverse Project effects and enhance beneficial Project effects where feasible, and to undertake consultation and engagement throughout.

This document describes the methods that will be followed in the IA / EA to identify, assess and evaluate the potential effects of the Project (i.e., the effects assessment methodology). The temporal (i.e., Project phases) and spatial (i.e., study areas) extents within which potential effects will be considered and can be reasonably expected to be affected by construction and operations and maintenance of the CAR are defined, and the approach to assess potential effects and select the preferred route of the Project is described.

The purpose of this document is to explain:

- How Indigenous communities, government agencies and interested persons will have opportunities to provide input on the effects assessment methodology and how feedback will be integrated;
- An effects assessment methodology that will be followed to develop a description of the potential residual and cumulative effects of the Project on the environment;
- How sustainability principles will be considered in the selection of the preferred alternative to the Project;
- The assessment and evaluation of the advantages and disadvantages of the alternative means, resulting in a transparent and defensible selection of the preferred alternative; and
- Concordance of the methodology with federal and provincial requirements and guidance, including the Agency's Tailored Impact Statement Guidelines (TISG), dated February 24, 2020 (the Agency 2020), for this Project and applicable provincial agency comments on the approved Ontario EA Terms of Reference (ToR), including the amendments noted in the Notice of Approval, dated October 8, 2021 (MECP 2021).

The effect assessment methodology outlined in this document is in accordance with the Project TISG (the Agency 2020), Practitioner's Guide to Federal Impact Assessments under the Impact Assessment Act (Government of Canada 2020), the Project's approved ToR (AECOM 2020), the amendments described in the ToR Notice of Approval, and the Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (MOE 2014), as well as additional guidance materials as noted in the relevant sections of this document. The TISG also states that information from any relevant ongoing and completed regional





assessment in the proposed area of the Project should be used to inform the effects assessment for the Project. The Agency released a draft Agreement to Conduct the Regional Assessment of the Ring of Fire, inclusive of a draft Terms of Reference, for comment on December 3, 2021; however, the regional assessment is not sufficiently advanced at this time to inform the Project effects assessment methods. Should information from the regional assessment that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the assessment for the Project. However, the effects assessment methods will be consulted and engaged on early in the IA / EA process and finalized taking into consideration the input received based on information available at that time.

For the purposes of establishing appropriate context, this document begins with background and relevant information on:

- The approach to Project consultation and engagement (**Section 4**);
- How Indigenous Knowledge will be collected and used in the IA / EA (**Section 5**); and
- The spatial and temporal boundaries that will be used for the IA / EA (**Section 6**).

## 2.1 Approach to Handling Confidential Information

### 2.1.1 Indigenous Knowledge

Permission from the Indigenous community to which information is relevant will be sought before including all or part of the information in the IS / EA Report, regardless of the source of the Indigenous Knowledge. The use and publication of sensitive and / or confidential Indigenous Knowledge information will be governed by Indigenous community-specific Indigenous Knowledge Sharing Agreements. Sensitive and / or confidential information collected through Indigenous Knowledge Sharing Agreements will be protected from public or third-party disclosure and will be established between the Proponent and Indigenous communities participating in the Indigenous Knowledge Program prior to the sharing and use of any sensitive information. Instances where Indigenous Knowledge sharing has taken place during consultation activities (e.g., meetings) will be recorded in the Record of Consultation and Engagement.





## 3. IS / EA Report Consultation and Engagement Process

### 3.1 Interested Persons and Government Agencies

The Proponent will provide Project notices and advise of opportunities for consultation and engagement with interested persons<sup>4</sup> which includes, at a minimum, members of the public outlined in the *Public Participation Plan for the Marten Falls Community Access Road Project Impact Assessment* (the Agency 2020a) (referred to as the Public Participation Plan). Government agencies and interested persons will have the opportunity to comment on components of the effects assessment methodology throughout the IA / EA consultation and engagement process. This will include the opportunity to provide input on the existing environment conditions, VCs, effects assessment methods, effects assessment results, and recommended mitigation and follow-up program measures as applicable (including those methods, results, and mitigation measures specific to the cumulative effects assessment). Consultation on the discipline study plans and this EA Methodology Document will be focussed, providing the content in user friendly formats, as the documents themselves are technical documents whose primary purpose is for agency review. A variety of activities will be offered so that members of the public are informed of the IA / EA process and results as it progresses and are aware of the opportunities and means to provide their input. This document has recognized public and agency input received on the Project to date. The Project's approach to handling confidential and sensitive information is outlined in **Section 2.1**.

### 3.2 Indigenous Communities

The Proponent will provide Project notices and opportunities for consultation and engagement with Indigenous communities identified in **Table 3-1**, which is inclusive of all Indigenous communities identified in the *Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment* (the Agency 2020b) (referred to as the Indigenous Engagement and Partnership Plan). Indigenous communities will be provided the opportunity to be involved at critical decision-making points throughout the IA / EA process so that the Proponent can consider and incorporate, where appropriate

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4. Interested persons, as defined in the IS / EA Consultation Plan, are individuals and groups (e.g., associations, non-governmental organizations, industry, and academia) who could have an interest in the Project, including but not limited to communities in the region, those with commercial interests (e.g., forestry, trappers, outfitters, other mineral tenure holders in the area) and recreational users or those with recreational interest (e.g., campers, hunters, and environmental groups).





Indigenous Knowledge and Indigenous land and resource use information into the Project as it pertains to the existing environment conditions, VCs, effects assessment methods, effects assessment results, and recommended mitigation and follow-up program measures (including those methods, results, and mitigation measures specific to the cumulative effects assessment). Consultation on the discipline study plans and this EA Methodology Document will be focussed, providing the content in user friendly formats, as the documents themselves are technical documents whose primary purpose is for agency review. A variety of activities will be offered so that Indigenous communities are informed of the IA / EA process and results as it progresses and are aware of the opportunities, means and timelines to provide their input. The document has recognized Indigenous community input received on the Project to date. Indigenous communities will have the opportunity to comment on components of the effects assessment methodology throughout the IA / EA consultation and engagement process.

MFFN will offer targeted consultation opportunities to each Indigenous community listed in **Table 3-1** to specifically discuss aspects of the cumulative effects assessment. As part of the cumulative effects assessment undertaken as part of this IA / EA, these consultation efforts (as well as those conducted with any other organization or agency) will be tracked and summarized in a cumulative effects consultation report. The report will also include comment / response tables to show how comments received on the cumulative effects assessment were considered and / or incorporated.

Furthermore, MFFN will prepare a separate written progress report on the consultation activities associated with each of the following consultation and engagement milestones as described in Table 11-2 of the ToR:

- Notice of Commencement of Provincial EA
- Effects Assessment Methods; and
- Identification of Preferred Alternative.

The consultation progress reports will meet the requirements set out in Amendment 3 of the provincial ToR Notice of Approval.

**Table 3-1: Identified Neighbouring Indigenous Communities, including their Provincial Territorial Organizations and / or Tribal Council Affiliations**

Tribal Council Affiliation	Indigenous Community or Organization
<b>Matawa First Nations Management</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>■ Marten Falls First Nation (Proponent and potentially affected Indigenous community)</li> <li>■ Aroland First Nation</li> <li>■ Constance Lake First Nation</li> <li>■ Eabametoong First Nation</li> </ul>







	<ul style="list-style-type: none"> <li>■ Ginoogaming First Nation</li> <li>■ Neskantaga First Nation</li> <li>■ Nibinamik First Nation</li> <li>■ Webequie First Nation</li> </ul>
<b>Matawa First Nations Management and the Union of Ontario Indians / Nishnawbe Aski Nation</b>	<ul style="list-style-type: none"> <li>■ Long Lake #58 First Nation*</li> </ul>
<b>Mushkegowuk Council</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>■ Attawapiskat First Nation</li> <li>■ Fort Albany First Nation</li> <li>■ Kashechewan First Nation</li> </ul>
<b>Shibogama First Nations Council</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>■ Kasabonika Lake First Nation</li> <li>■ Kingfisher Lake First Nation</li> <li>■ Wapekeka First Nation</li> <li>■ Wawakapewin First Nation</li> <li>■ Wunnumin Lake First Nation</li> </ul>
<b>Independent First Nations Alliance</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>■ Kitchenuhmaykoosib Inninuwug First Nation</li> </ul>
<b>Independent First Nations</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>■ Mishkeegogamang First Nation</li> <li>■ Weenusk First Nation</li> </ul>
<b>Nokiiwin Tribal Council</b>	<ul style="list-style-type: none"> <li>■ Animiigoog Zaagi'igan Anishinaabek First Nation (AZA)**</li> </ul>
<b>Métis Nation of Ontario</b>	<ul style="list-style-type: none"> <li>■ Métis Nation of Ontario; Region 2**</li> </ul>
<b>Independent Métis Nation</b>	<ul style="list-style-type: none"> <li>■ Red Sky Independent Métis Nation**</li> </ul>

Notes: \* The MECP indicated in a letter to MFFN that Long Lake #58 First Nation was moved from interest-based to rights-based.

\*\* Indigenous communities or organizations identified by the MECP who should be consulted on the basis that they may be interested in the Community Access Road.

### 3.3 Consideration of Identity and Gender-Based Analysis Plus in Engagement

To fulfill requirements of the IAA, the Consultation and Engagement Program will consider a diverse range of perspectives from interested persons and interested Indigenous communities and their members identified in the Agency's Indigenous Engagement and Partnership Plan and the Public Participation Plan. This will include at a minimum providing ongoing opportunities for engagement to:

- **Neighbouring Indigenous communities, including relevant subpopulations:**
  - Women;
  - Youth; and
  - Elders.
- **Non-Indigenous communities including:**
  - Women;





- Youth; and
- Activity-based subgroups (e.g., recreationalists, snowmobilers, tourism establishment operators).

The Proponent will also consult and engage with other subpopulations identified by communities during consultation and engagement. The information from these activities and any additional identity groups identified by communities through consultation and engagement will be considered by applicable environmental disciplines for the purposes of data collection and considering disproportionate effects.

During consultation and engagement, these aforementioned groups will be consulted and engaged with on targeted input. Input will be gathered through other disciplines such as Social, Economic, Health and Community Safety, and Aboriginal and Treaty Rights and Interests. The Socio-economic Data Collection Program is expected to include targeted interviews, focus groups, questionnaires and other niche tools to gather information from diverse populations to resolve gaps in socio-economic secondary data. These diverse populations include the aforementioned identity groups, which are also referenced in the IS / EA Consultation Plan and those identified by communities during consultation and engagement. The importance of soliciting inputs and perspectives from diverse subgroups has also been factored into the Indigenous Knowledge Program and associated materials (see **Section 4**)

When feedback is received from interested persons and Indigenous communities, issues, comments and questions will be tracked, which is consistent with the process described in the IS / EA Consultation Plan. Specific to Gender-Based Analysis Plus objectives, this will include efforts to engage with diverse populations. It is expected this will include activities specific to subgroups and tabulation of consultation and engagement participation with respect to identity factors. This will provide summary statistics to demonstrate the diversity achieved in consultation and engagement.





## 4. Consideration of Indigenous Knowledge in the IS / EA Report

The following provides a general description of how Indigenous Knowledge will be considered in the IA / EA process. The extent to which Indigenous Knowledge is considered by each specific VC will vary depending on the nature of the VC, the potential for Project effects on the VC and whether Indigenous knowledge that relates to a VC is provided / obtained. As such, not all aspects of the general approach described below may apply to all VCs / discipline-specific study plans.

There are two concurrent and complementary avenues for Indigenous communities and groups to be engaged with and provide input on the Project: the Indigenous Knowledge Program and the Consultation and Engagement Program. Both programs serve to support the collection of Indigenous perspectives, values, and input on the Project, including Aboriginal and Treaty Rights and how they may be impacted by the Project, to be integrated throughout the IA / EA process. However, the Indigenous Knowledge Program specifically aims to solicit and incorporate information that is considered sensitive and may have confidentiality requirements, including Indigenous Knowledge and information on Indigenous land and resource use. Indigenous Knowledge Sharing Agreements will be established between the Proponent and Indigenous communities participating in the Indigenous Knowledge Program prior to the sharing and use of any sensitive information.

All Indigenous communities and groups identified by the MECP and the Agency through the Indigenous Engagement and Partnership Plan have the opportunity to participate in the Indigenous Knowledge Program. The Indigenous Knowledge Program provides interested Indigenous communities an opportunity to: share existing Indigenous Knowledge and information on Indigenous land and resource use and cultural values that may be relevant to the Project, and / or complete Project-specific studies to collect and share Indigenous Knowledge and information on Indigenous land and resource use and cultural values. The Indigenous Knowledge Program includes opportunities for Indigenous communities and groups to meet with the Proponent to discuss the program, ask questions, and share concerns and interests. In support of this, the Proponent has created an Indigenous Knowledge Program Guidance Document (the Guidance Document) that provides:

- An overview of the Indigenous Knowledge Program and information on how Indigenous Knowledge, Indigenous land and resource use and cultural values and practices can be collected and / or shared;





- Information on how Indigenous Knowledge and information on Indigenous land and resource use and cultural values and practices may be used in the planning and design processes; and
- A suite of guidance materials that were developed based on the information requirements of both the federal and provincial assessment processes, including: question guides to support the collection of information on historical and current community context; Indigenous Knowledge that may be relevant to the various technical disciplines; information on Indigenous land and resource use, and cultural values and practices and associated spatial data; and perspective on potential Project-related effects and associated mitigation and / or enhancement measures.

The Guidance Document will also support participating Indigenous communities in providing Project-specific information in a manner that facilitates meaningful incorporation into the IS / EA Report.

The IS / EA Consultation Plan outlines the process for obtaining information and feedback about the Project from Indigenous communities (i.e., the Consultation and Engagement Program). All Indigenous communities identified by the MECP and the Agency have the opportunity to participate in the Consultation and Engagement Program through community-specific meetings, Public Information Centres, web conferences, and other formats. All Indigenous communities identified by the MECP and the Agency will be provided information related to the Project and invited to participate at various points throughout the IA / EA process.

There are also opportunities for technical teams to engage with Indigenous communities to solicit perspectives and information relevant to the Project, including information related to collection of existing information and the development of the IS / EA Report. The Proponent also invites feedback and inputs throughout the Project via the Project website and ongoing communications with the Proponent.

The Indigenous Knowledge and Consultation and Engagement programs are designed to be complementary and provide multiple opportunities for communities to offer feedback and information, including perspectives on Aboriginal and Treaty Rights and interests and how these may be impacted by the proposed Project. Relevant information collected through both the Indigenous Knowledge and Consultation and Engagement programs, including potential effect pathways on Aboriginal and Treaty Rights and interests, will be shared with each of the relevant disciplines throughout the IA / EA to: guide and inform VCs; support characterization of the existing environment; identify the potential effects of the Project on VCs; help identify mitigation measures and potential monitoring programs; and ultimately guide Project planning. The nature of how the Indigenous Knowledge becomes integrated into the IS / EA Report will be dictated by the specific information provided by each Indigenous community and the parameters set out in





the Indigenous Knowledge Sharing Agreements. A description of how Indigenous Knowledge was considered in the IA / EA and in each of the technical discipline areas will be included in the IS / EA Report.

It is also important to note that information collected through the various activities (e.g., field studies and programs, effects assessments) of each discipline area (e.g., wildlife, vegetation, cultural heritage) will be shared with the Indigenous Knowledge Program leads. This will support the establishment of the existing environment and the effects assessment for the Aboriginal and Treaty Rights and Interests environmental discipline, as well as the identification of potential mitigation measures and monitoring programs, given the interrelated nature of Indigenous peoples and other environmental disciplines.

The Proponent will strive to respectfully collaborate with Indigenous communities on how Indigenous Knowledge and information on Indigenous land and resource use and cultural values will become part of the IS / EA Report, and how potential effects to Aboriginal and Treaty Rights and interests will be assessed. It is expected that measures to support this may include but are not limited to: engaging Indigenous communities to solicit information on Indigenous Knowledge and Indigenous land and resource use and cultural values to inform baseline conditions, providing Indigenous communities with draft sections of the IS / EA Report to illustrate how Indigenous Knowledge and information on Indigenous land and resource use and cultural values has been integrated and to confirm it has been presented appropriately, and completing collaborative working sessions with Indigenous communities for the effects assessment on Aboriginal and Treaty Rights and Interests. Further information on how potential effects on Indigenous rights will be assessed is provided in the Aboriginal and Treaty Rights and Interests Study Plan.





## 5. Effects Assessment Approach

The IA / EA will consider the alternative means of carrying out the undertaking, which for the Project is the identification and assessment of alternative routes for a CAR and the associated temporary infrastructure. The alternative routes that will be considered for assessment and evaluation in the IA/ EA are Alternative 1 and Alternative 4 identified in **Figure 5-1**. Each alternative starts at Painter Lake Road and runs north before turning east toward MFFN roughly following the west / north side of the Albany River. The alternative routes parallel, overlap and cross each other at multiple locations. The key distinguishing points of the alternative routes are described below.

**Alternative 1:** ..... This alternative has a longer route length, avoids crossing the Ogoki Provincial Park, and the northern portion of the route is aligned along higher ground and sources of aggregate around an area of large mineral claims before connecting east-west to MFFN. A corridor approximately 10 metres (m) to 20 m wide along a majority of the north-south portion of the alternative has limited vegetative growth from historical clearing that had been undertaken to facilitate geotechnical work in the region (Canada Chrome Corporation 2010).

**Alternative 4:** ..... This alternative has a more direct (i.e., shorter) route, crosses the Ogoki Provincial Park, and is aligned further east to avoid Anishinabek Knowledge<sup>5</sup> values near the Albany River crossing before connecting east-west to MFFN. An Ogoki River crossing option to the west is also part of this alternative.

Temporary infrastructure (i.e., ancillary infrastructure) will also be required to construct and operate the CAR. Temporary infrastructure for each alternative route will be identified and assessed and considered in the evaluation of the alternatives. Temporary infrastructure includes pits and quarries, access road, staging areas, stockpile areas and camps. The temporary nature of the infrastructure is dependent on the purpose and need of the infrastructure and how it supports either the construction and / or operations and maintenance of the CAR. For example, constructions camps are anticipated to be decommissioned at the

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5. The term *Anishinabek Knowledge* is used to describe Indigenous Knowledge associated specifically with Anishinabek communities including MFFN, while the term *Indigenous Knowledge* is used when referring to knowledge from Indigenous communities that may include non-Anishinabek communities.





end of construction whereas pits and quarries may be operational during both the construction and operations phases.

An assessment and evaluation of the alternative means will be undertaken and documented in the IS / EA Report. The following is a high-level overview of the approach for the identification, assessment and evaluation of the potential effects that will be followed:

- Review construction and operations activities to identify potential interaction(s) that could result in environmental effects;
- Characterize the existing environment using a combination of existing information and Project-specific investigations;
- Identify VCs and indicators based on standards, guidelines, objectives or other accepted ecological thresholds, where available, to measure changes to the environment;
- Identify potential environmental effects and recommend mitigation measures to avoid or minimize identified effects, as well as identify opportunities to enhance benefits to the environment;
- Predict and assess potential environmental effects remaining after taking into consideration the recommended mitigation measures (i.e., residual effects) using direction, magnitude, geographic extent, duration, frequency, reversibility and likelihood;
- Identify the preferred alternative through a comparative analysis of the advantages and disadvantages between the alternatives by considering the environmental effects (positive and negative), cost and constructability of each alternative;
- Compare the preferred alternative against the no-action (null) alternative;
- Predict cumulative effects that may result from a combination of the residual effects of the preferred alternative with the effects of other past, present and reasonably foreseeable projects; and
- Identify a follow-up program for the preferred alternative that includes monitoring to verify the prediction of the effects assessment and effectiveness of the mitigation measures, and a requirement for monitoring of the commitments made in the ToR and IS / EA Report.

The specific location of the Project components of the CAR, including the roadway, is not yet known and will be determined in the IA / EA. Throughout the planning and design phase, modifications to Project design are anticipated to occur based on information that arises through advancement of design, environmental investigations and studies, and the Indigenous Knowledge and consultation programs. Therefore, it is possible that additional viable alternative routes may be identified that warrant consideration in the IA / EA. Information that becomes known may also suggest all of or portions of Alternative 1 and / or Alternative 4





are no longer considered reasonable. In the event these cases occur, consideration will be given to determine whether changes to route alignment and / or alternative routes should be reflected in the IA / EA as appropriate.

## 5.1 Class Environmental Assessments

The Project may also require the completion of Provincial Class EAs. Where possible, the co-ordinated IS / EA Report will be prepared in a manner that meets the requirements of Class EAs confirmed applicable to the Project. A review of Class EAs as well as consultation with government agencies has been undertaken and the following Class EA processes have been identified as applicable to the Project based on information available at the time of preparing this document:

- MECP Provincial Parks and Conservation Reserves Class EA for disposition of land tenure and new road within a provincial park; and
- Ministry of Natural Resources and Forestry (MNRF) Resource Stewardship and Facility Development Class EA for the disposition of rights to Crown resources.

The Project may also be subject to the Ontario Ministry of Transportation (MTO) Provincial Transportation Class EA should the CAR be considered a provincial highway under the *Public Transportation and Highway Improvement Act*. Options for ultimate road ownership and access are being considered in discussion with the Province. The intent for the CAR (i.e., public or private) may determine other provincial and federal environmental approvals, including additional EA process requirements. MTO will be consulted throughout the IA / EA process and when information is available, will assess whether additional requirements should be included in the IS / EA Report to retain flexibility until a decision is made, including any MTO Class EA process requirements if applicable. Ultimate ownership of the road may also trigger an additional class of project under the MECP Class EA to deregulate park land and modify the boundary of a provincial park for the CAR.

The IS / EA Report, and appropriate notices, will specify the intent to meet some or all of the Class EAs applicable to the Project in conjunction with the co-ordinated IA / EA requirements. Where applicable, the exact Class EA requirements will also be listed to provide transparency with respect to how Class EA triggers will be addressed.







# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

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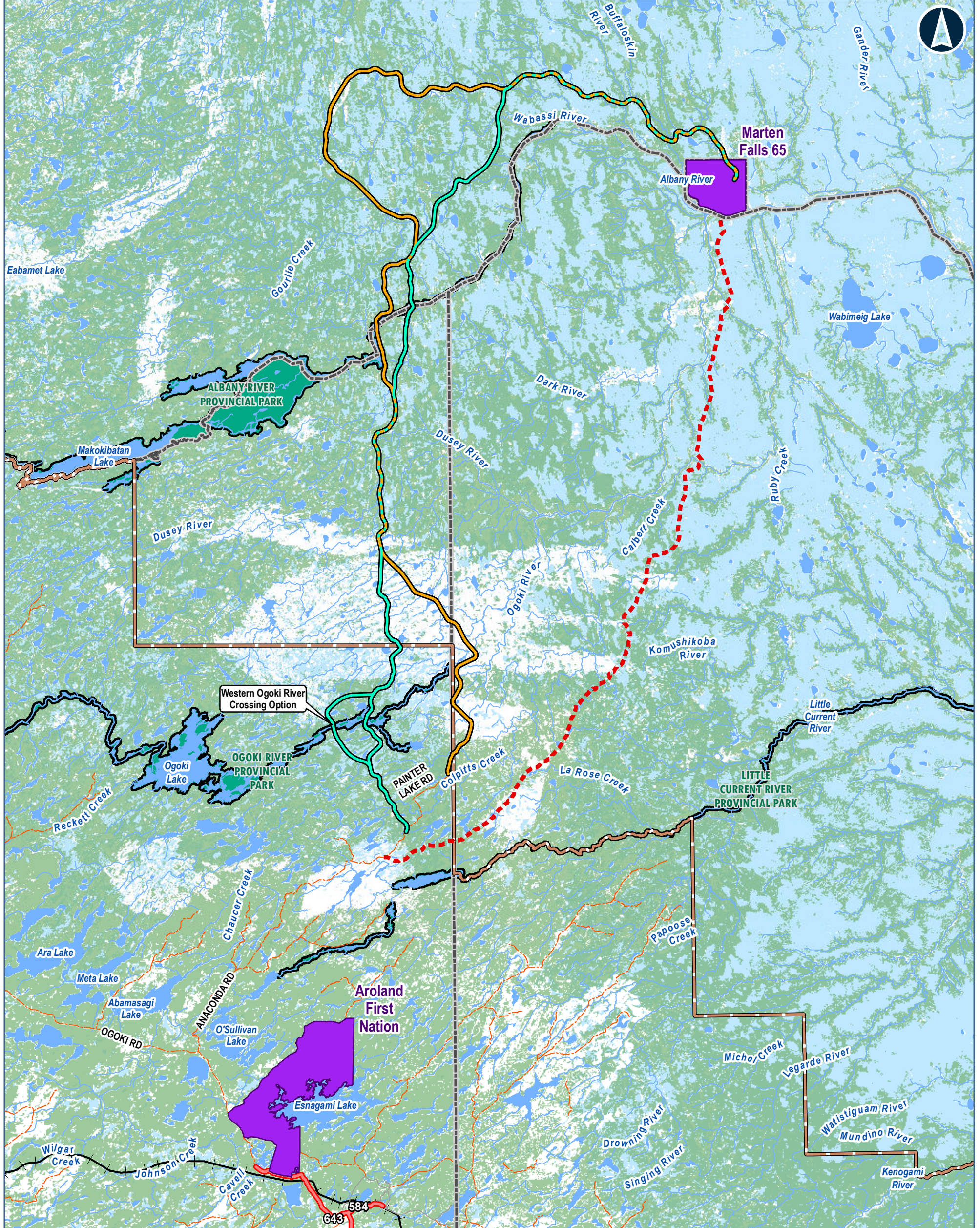
It is noted that the July 2020 amendments to the EAA<sup>6</sup> included changes to the provincial EA process that may result in requirements for the Project that are different than what is outlined above. Further details on implementation of the amendments were provided in November 2021, and included information on amendment proposals for Class Environmental Assessments that if implemented could impact the Project<sup>7</sup>. MFFN will consult with government agencies throughout the IA / EA process to confirm applicable requirements from the EAA amendment.

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6. On July 21, 2020, Ontario passed Bill 197, the COVID-19 Economic Recovery Act, 2020. Through Schedule 6 of this Act, Ontario made amendments to the EAA.

<sup>7</sup> Moving to a project list approach under the Environmental Assessment Act: <https://ero.ontario.ca/index.php/notice/019-4219>





**Legend**

**Route Alternatives**

- Alternative 1
- Alternative 4

**General Features**

- Highway
- Local Road
- Resource / Recreation Road
- MFFN Existing Winter Access Road
- Railway

**Notes:**  
None

**Data Source:**  
Base Data: Provided by MNR 2019; Route Infrastructure - Provided by AECOM 2019. Contains Information licensed under the Open Government Licence Ontario.  
Aerial photography provided by: Service Layer Credits:

- Provincial Park
- Woodlands
- Waterbody
- Wetlands
- First Nation Reserve
- Far North Boundary
- District Municipal Boundary

**MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD**

Alternative Routes

Datum: NAD 1983 UTM Zone 16N

Dec, 2020	1:600,000 * when printed 11"x17"
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**Figure 5-1**

Contains information provided by Ontario Ministry of the Environment, Conservation and Parks or by Ontario Ministry of Natural Resources and Forestry (Copyright: Queen's Printer of Ontario 2020), through a Sensitive Data License Agreement. This drawing has been prepared for use of AECOM client and may not be reproduced or relied upon by third parties, except as agreed by AECOM and its client, as required by law or for use by governmental reviewing agencies. AECOM accepts no responsibility, and denies any liability whatsoever, to any party that modifies this drawing without AECOM express written consent. The use of Sensitive Data in this drawing does not constitute an endorsement by the Ministry for this drawing or by AECOM of the Sensitive Data.



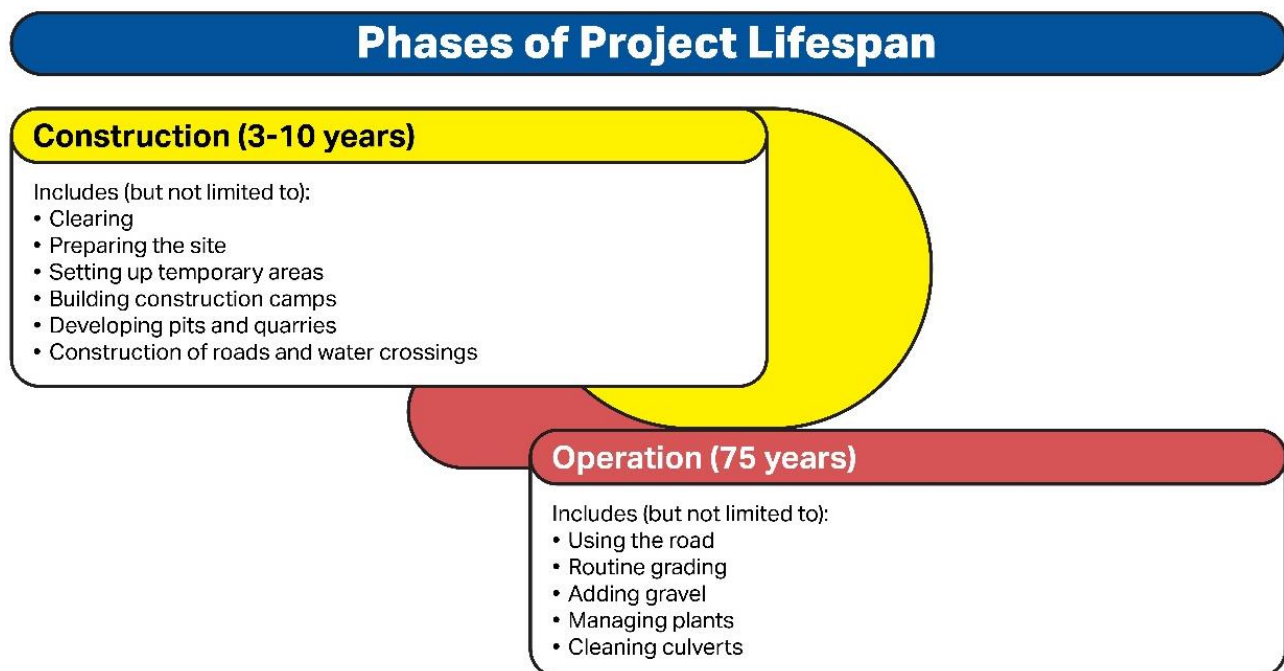
## 6. Assessment Boundaries

### 6.1 Temporal Boundaries: Project Phases

Project phases, which are temporal boundaries, are developed to establish the timeframes within which potential effects of the Project will be considered in the IA / EA. The Project is planned to occur in two phases, which are briefly described below and shown in **Figure 6-1**.

- **Construction Phase:** The time from start of construction, including site preparation activities, to the start of operations and maintenance of the CAR. Decommissioning of construction works is included in the construction phase. The construction phase is anticipated to take approximately 3 to 10 years to complete.
- **Operations and Maintenance Phase:** The operations and maintenance phase starts once construction activities are complete and lasts for the life of the Project. The operations and maintenance phase of the Project is considered to be 75 years based on the expected timeline for when major refurbishment of road components (e.g., bridges), is anticipated.

**Figure 6-1: Project Schedule**





There are currently no plans to decommission the CAR should it be constructed as there is no expected / known end date for its need. Therefore, future suspension, decommissioning and eventual abandonment of the CAR will not be considered in the IS / EA Report. It will be considered if and when a decommissioning or abandonment application is made for the road.

In determining the temporal boundaries, in particular the long operations and maintenance phase, consideration was given to the long-term effects on the well-being of present and future generations (Sustainability Principle #2<sup>8</sup>). The final temporal boundaries to be used in the IS / EA Report will be based on regulatory agency guidance, professional judgement and input received through the Project consultation process.

## 6.2 Spatial Boundaries: Study Areas

Study areas identify the geographic extents within which potential effects of the Project are likely to occur, and will be considered in the IS / EA Report. The existing conditions and potential effects are documented for three study areas selected for the Project:

- **Project Development Area (PDA):** area of direct disturbance;
- **Local Study Area (LSA):** the area where most of the direct effects of the Project are likely to occur; and
- **Regional Study Area (RSA):** the area where indirect effects of the Project are likely to occur.

The PDA encompasses the 100 m wide CAR right-of-way (ROW), temporary construction access roads, work areas, worker camps, and pits, quarries and associated access roads. The preliminary LSA currently being considered within the scope of the ongoing provincial regulatory review process generally includes the area within 2.5 km of the centreline of Alternative 1 and Alternative 4. The preliminary study area generally allows for the documentation of existing conditions and prediction of potential environmental effects for the Project. A 5 km wide study area also allows for route refinements during development of Project design (e.g., adjustment of the alignment to avoid sensitive features).

The specific location of Project components, including the roadway, quarries, pits and temporary infrastructure, are not yet known and will be documented in the IS / EA Report. While most of the Project components are expected to be located within the preliminary 5 km wide study area, benefits (e.g., reduced environmental disturbance, avoidance of sensitive features, technical considerations, concerns received through consultation) for locating Project components on lands outside of the 5 km wide study area may

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8. Sustainability Principles #2 is one of four sustainability principles included in Section 25 of the Project's TISG as further elaborated on Section 10.4.





become known during the IA / EA process. If the need to locate Project components outside the 5 km wide study area is determined to be required or of benefit to the Project, the study area would be adjusted. Potentially affected areas would be subject to characterization of existing conditions including Indigenous Peoples' rights and interests, assessment and evaluation, and the changes would be consulted on with neighbouring Indigenous communities and interested persons.

The study area for each environmental discipline may vary from the above-described general study area based on the potential for the Project to directly or indirectly affect each environmental discipline; therefore, discipline-specific LSAs and RSAs have been defined for the Project. In defining the final LSAs and RSAs, each environmental discipline will consider:

- Location and other characteristics of the environmental discipline relative to the Project;
- The anticipated extent of the potential Project effects;
- Federal, provincial, regional, and local government administrative boundaries;
- Input received during consultation and engagement;
- Indigenous groups listed in **Table 3-1**;
- Community knowledge and Indigenous Knowledge;
- Current or traditional land and resource use by Indigenous communities;
- Exercise of Aboriginal and Treaty Rights of Indigenous peoples, including cultural and spiritual practices; and
- Physical, ecological, technical, social, health, economic and cultural considerations.

The study areas included in this document are preliminary, covering the extent to which readily available information suggests the Project, may have noticeable effects on the environment. The size, nature and location of past, present and reasonably foreseeable projects will be taken into consideration in the cumulative effects assessment. The appropriate study area(s) to assess cumulative effects are dependent on the VCs predicted to have direct residual adverse effects as a result of the Project, and therefore, cannot be defined until the IS / EA Report has sufficiently advanced.

As further detailed in **Section 3**, the Proponent will continue to provide opportunities for neighbouring Indigenous communities and interested persons to provide input and inform the effects assessment, including the LSAs and RSAs.

The currently proposed LSA and RSA boundaries for each environmental discipline are detailed in the individual discipline study plans. Where appropriate, the size of the study area in hectares will be identified in the IS / EA Report.





## 7. Existing Environment

The EAA and Project-specific TISG require a description of the environment that may be affected or reasonably expected to be affected, directly or indirectly, by the Project alternatives. The description of the environment will address components of the environment that are included in the EAA definition, which includes a general description of the social, cultural, economic, built and natural environments. The description of the environment will also meet the requirements in TISG Section 7 through 12 (the Agency 2020). Similar environmental features are grouped into environmental disciplines for characterization and assessment of effects. The IS / EA Report will include a description of baseline conditions for each environmental discipline listed in Error! Reference source not found. based on a combination of existing information and Project-specific investigations. The existing environment will be characterized within the study areas identified in **Section 6.2**.

The methods used to characterize the existing environment for each discipline are detailed in the Project's discipline-specific study plans, including an initial list of preliminary data sources. Information that is planned to be used to describe the environment within the IS / EA Report includes, but is not limited to the following:

- Review of available data and information;
- Data collected through field investigations;
- High resolution imagery obtained from Light Detection and Ranging data;
- Geographic Information System data analysis;
- Modelling, where applicable;
- Input from government and other interested persons;
- Indigenous Knowledge shared by Indigenous communities; and
- Marten Falls First Nation Community Based Land Use Plan.

Existing information will generally be used to characterize existing conditions in the RSA and Project-specific investigations, where undertaken, will generally be focused on characterizing the existing conditions in the PDA and LSA. Project-specific field investigations will be undertaken for input into the assessment and evaluation of effects of the alternatives, and to support permits and approvals required for the Project.

Ongoing effects to VCs may be occurring due to past and present activities. The IA / EA will recognize that historical and current activities may have changed the conditions of the environment observed today. Since these ongoing effects are taking place prior to construction, operations and maintenance of the Project, they have become part of the existing conditions. Therefore, the description of existing conditions that will be documented within the IS / EA Report represents a cumulative description of the effects of other past and present activities. To better understand the cumulative effects of the past and present activities, relevant





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information shared through the Indigenous Knowledge Program will inform a description of historical conditions and the existing conditions will be contextualized by looking at how land use has changed as a result of these past and existing activities.





## 8. Identify Valued Components and Indicators

VCs are the environmental, health, social, economic or additional elements or conditions of the natural and human environment that may be impacted by a proposed project and are of concern or value to the public, Indigenous peoples, federal authorities and interested parties (the Agency 2020c). The potential effect on each VC is measured through perceived changes to one or more indicators that are assigned to each VC. Indicators represent the resource, feature or issue related to the VC that, if changed, may demonstrate an effect on the environment. A preliminary list of VCs has been developed to assess the effects of the Project on the environment. The preliminary list of VCs is linked where possible to the components of the environment listed in the EAA including natural, social, economic and cultural environments and to the VCs identified in the TISG (the Agency 2020).

The VCs selected for the Project and covered by the discipline-specific study plans consider those suggested in the TISG and the following factors:

- VC presence in the study area;
- the extent to which the VC is linked to the interests or exercise of Aboriginal and Treaty rights of Indigenous peoples, and whether an Indigenous group has requested the VC;
- the extent to which the effects (real or perceived) of the Project and related activities have the potential to interact with the VC;
- the extent to which the VC may be under cumulative stress from other past, existing or future undertakings in combination with other human activities and natural processes;
- the extent to which the VC is linked to federal, provincial, territorial or municipal government priorities (e.g., legislation, programs, policies);
- the possibility that adverse or positive effects on the VC would be of particular concern to Indigenous groups, the public, or federal, provincial, territorial, municipal or Indigenous governments; and
- whether the potential effects of the Project on the VC can be measured and / or monitored or would be better ascertained through the analysis of a proxy VC.

The proposed VCs and indicators, including rationale for selection, to be used to assess and evaluate the alternatives in the IA / EA are provided in the discipline-specific study plans under separate covers. Both







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quantitative and qualitative indicators have been identified. An example of a quantitative indicator is the potential for a project to result in changes to air quality; where a baseline can be established, and potential Project-related emissions can be modelled based on predicted equipment and vehicle use during construction and operations. In some cases, changes in VCs can also be described in a qualitative manner in addition to or where quantitative evaluation is not achievable or not appropriate. For example, changes to the landscape could affect the aesthetic value of the landscape.

The final list of VCs will be provided in the IS / EA Report and will be based on regulatory agency guidance, professional judgement and input received through the Project Consultation and Engagement Program.





## 9. Project-Environment Interactions

The Project activities that may result in changes to the environment are described within the identified temporal and spatial boundaries. This includes identification of both direct and indirect changes by comparing the existing setting to the conditions anticipated to occur as a result of the Project. For each environmental discipline, the likely Project-environment interactions will be identified based on professional judgment, activities listed in TISG Section 3.2 (the Agency 2020) as well as projects of similar magnitude and / or location.

A preliminary analysis of Project-environment interactions are provided in the discipline-specific study plans. These will be confirmed during the IA / EA to identify the Project-environment interactions that are likely to have a potential effect, and to identify measures to avoid or minimize potential negative effects and enhance benefits.

### 9.1 Construction Phase

The following activities are highly probable to occur during the construction phase of the Project and will result in interactions with the environment.

#### ✦ Mobilization of Equipment and Supplies

The use of heavy equipment and light-duty vehicles will be required throughout the construction phase of the Project. Heavy equipment will be used for activities such as vegetation removal and aggregate hauling, while light-duty vehicles will be used to access the job site. Adequate areas will be needed for storage of heavy equipment when not in use and maintenance activities will also need to be performed, both routinely and during equipment malfunctions. Existing roads will be used wherever possible to access the Project ROW. These roads may need to be altered / improved (e.g., widened, graded) so that they can safely handle construction-related traffic.

#### ✦ Temporary Construction Staging Areas

Areas for receiving and storing construction materials and equipment (e.g., laydowns and staging areas) will be required to be constructed and used at various points along the Project ROW to make them more easily accessible to construction crews. These laydowns and storage areas may require vegetation removal and grubbing / grading to allow for a flat surface to be created where material can be stored in a safe manner. Flat bed and other trucks will be used to transport construction material to and from the staging and laydown areas.





✦ **Temporary Access Roads and Trails**

Temporary access roads and trails will be required to be constructed and used during construction of the Project to access various locations along the ROW. This may include shooflies to aid in construction around sensitive features / watercourses as well as access roads to potential pits and quarries. In each instance, vegetation will need to be removed but to a lesser extent than the width of the ROW and grubbing / grading may be needed to allow for the safe passage of construction vehicles along the temporary access roads.

✦ **Temporary Construction Camps**

Due to the remote nature of the Project location, the use of temporary worker camps will likely be required to facilitate construction efforts. Vegetation will need to be cleared in areas where the temporary camps will be erected, and grubbing / grading will be required to allow for the camps to be set up on a solid foundation. During use of the temporary camps, water (both potable and waste) and refuse will need to be managed and transported to and from the camp site. It is anticipated that all domestic sewage generated during construction of the Project will be contained temporarily on-site in approved holding storage systems until it can be disposed of at an off-site, approved waste facility capable of accepting the domestic sewage volumes. Although the Project does not anticipate the need for an on-site domestic sewage wastewater treatment facility, the EA will conservatively assess potential effects of on-site sewage waste treatment to the environment.

✦ **ROW Clearing and Grubbing**

Vegetation will be cleared and removed, and the soil will be grubbed (to remove remaining stumps) to prepare the ROW for road construction. Hazard trees (those with potential to fall onto the work site) along the edge of the ROW will also be removed. Vegetation clearing and grubbing will also occur at laydown and staging areas and at temporary construction camps. Trees will mainly be removed using heavy machinery, although hand-clearing (e.g., chainsaws) may be used for small-scale efforts such as those around sensitive features.

✦ **Brush and Timber Disposal**

Where possible, usable timber will be segregated and collected for reuse. Timber and materials that would typically be considered unusable may also be stockpiled to restore areas temporarily disturbed during construction. All other unusable timber and material will be collected and burned at designated sites. When on Crown land, forest resources licensing requirements will be adhered to.

✦ **Pits and Quarries**

Pits and quarries will be developed to provide crushed rock and granular materials for construction of the road and temporary access roads. Most of the rock required for construction is expected to come





from quarry sites adjacent to the proposed CAR. Where this is not possible, potential sources further away, possibly outside of the Project Development Area may need to be developed for constructing the Project.

✦ **Drilling / Blasting / Aggregate Production**

To obtain the necessary aggregate material, drilling and blasting will need to occur at potential aggregate sources. Heavy machinery, such as drill rigs, aggregate production equipment and explosives will be required to access the potential aggregate sources. Explosives will be transported, handled, and stored in compliance (magazines) with regulations and only used by professionals. Large-scale heavy equipment will be required to crush the aggregate to the desired size and the material stockpiled until it is used. Aggregate is expected to be transported where needed with the use of large haul trucks.

✦ **Road Construction (stripping, subgrade excavation, embankment fill placement, grading, ditching)**

Construction activities will begin with contouring and blasting of rock outcrops along the ROW. Organic materials will be stripped, stockpiled and may be used along the road grade slope and / or back slopes to foster regeneration. Materials, including rock fill, aggregate and composite material will be loaded, hauled, dumped, spread, graded, compacted, trimmed, and shaped before final surfacing with gravel. A geotextile fabric will be placed in poor subgrade areas to improve the integrity of the CAR. Roadway signs will be installed, sedimentation control measures will be implemented, and disturbed areas will be prepared for re-vegetation or will be seeded, as required.

✦ **Bridge and Culvert Installation (approach embankments, foundations, substructures, superstructures, traffic protection, erosion controls)**

Where required, water crossing structures (e.g., bridges and culverts) will be installed along both the CAR and temporary access roads. Proper water crossing techniques and mitigation measures will be implemented to minimize effects to the feature being crossed. Where culverts are required, they will be sized appropriately after the necessary approvals have been obtained.

✦ **Construction Site Restoration**

Following construction, site restoration efforts will commence which will include rehabilitating areas where temporary infrastructure existed, installing proper earth stabilization and erosion controls, and contouring the land to match pre-construction conditions to allow for original drainage patterns to be restored. Remaining construction refuse will be removed from site and any temporary water crossings or access roads will be dismantled. Vegetation will be allowed to naturally revegetate in temporarily disturbed areas.





## 9.1.1 Construction Phase – Decommissioning

### ✦ Pits and Quarries

Pits and quarries that have not been identified for longer term operations and maintenance use, will be decommissioned following construction activities and where appropriate, rehabilitated to allow for revegetation and habitat restoration.

### ✦ Temporary Infrastructure (Camps, Roads/Trails and Staging Areas)

Temporary infrastructure during the construction of the CAR will be decommissioned and rehabilitated to allow for habitat restoration. This includes dismantling temporary camps, removing construction refuse from the temporarily disturbed areas and reclaiming the area. Soil may need to be tilled to alleviate any compaction from construction traffic to allow for vegetation regrowth.

## 9.2 Operations Phase

### ✦ Road Usage

Vehicles anticipated to use the CAR include personal vehicles (e.g., cars, vans, small trucks, motorcycles), and commercial vehicles including larger trucks up to the legal road limits on weight and size. The number of anticipated vehicles to use the CAR during the operations and maintenance phase is not known at this time but will be determined in the IA / EA, along with other anticipated vehicle use information that can be reasonably obtained (e.g., type of vehicles). Although the CAR will be designed using an Annual Average Daily Traffic amount of up to 400 vehicles and in accordance with relevant design guides and regulations, the effects assessment will consider the anticipated use of the CAR by the MFFN community only (i.e., shipment of supplies and community use for travel, recreation and other community uses<sup>9</sup>), which is expected to be lower than Annual Average Daily Traffic amount used for design.

### ✦ Road Maintenance

Maintenance activities will occur over the life of the CAR. These include routine grading, adding gravel, bridge maintenance, vegetation management, snow clearing, ROW maintenance of sightlines, sign and guardrail maintenance and cleaning culverts. Where possible, aggregate materials will be sourced from borrow and pits and quarries developed during Project construction and will be deposited on the road

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9. Access for hunting, fishing and resource use purposes are restricted under the Public Lands Act during the key tourism season. Therefore, associated vehicular traffic is anticipated to be negligible and vehicle numbers for operations and maintenance will focus on MFFN community use of the CAR and not other types of traffic.





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Effects Assessment Methodology*

surface using dump trucks, dozers and graders. Dust suppression may be applied to road surfaces during the summer months and during the winter, ploughs, graders, loaders and dump trucks may be used to clear snow. Road maintenance will follow typical MTO standards and requirements. Vegetation control applications are typically done without the use of chemicals and road maintenance in the winter is typically done using sand and snow ploughs (not salt). However, the EA will conservatively assess the potential effects of salt, pesticide and dust suppressant use, and where effects are predicted, recommend impact management measures.





## 10. Assess Residual Effects

A stepwise process will be used to assess the environmental effects of the Project alternatives in a systematic and transparent manner once the relevant Project works and activities and their interactions, assessment boundaries, and relevant VCs and indicators are identified. The residual effects assessment method includes the following steps:

- Identify potential environmental effects;
- Identify technical and economically feasible mitigation measures to avoid or minimize identified effects and enhance benefits;
- Predict residual effects following implementation of mitigation measures; and
- Evaluate the predicted residual effects using direction, magnitude, geographic extent, direction, frequency, reversibility and likelihood.

### 10.1 Identify Potential Effects

The residual effects assessment will consider the potential interactions between Project activities and the environment within the identified spatial and temporal boundaries. A comparative analysis of the baseline condition of each environmental discipline based on the identified VCs and predicted conditions considering the anticipated effects from the Project alternatives will be conducted to determine the potential effects of the Project. The potential effects include those that are direct and indirect. A direct effect occurs when there is a change due to a project activity, whereas an indirect effect occurs when a change to one VC resulting from a project activity causes a change to another VC (e.g., changes in vegetation could affect wildlife). Potential direct and indirect effects will be identified during the EA. Effects can be neutral or negative, or in some cases may be beneficial and have a positive effect.

### 10.2 Identify Mitigation and Enhancement Measures

Once potential effects have been identified, the effects assessment will explore technically and economically feasible mitigation measures to avoid or minimize the identified negative effects and enhancement measures to increase positive effects. These measures will consist of industry-standard practices, federal and provincial standard specifications, regulator-mandated measures, best management





practices, Indigenous and community recommendations, and recommendations from industry and environmental professionals based on expertise, scientific publications, experience and judgement.

Recommended environmental monitoring will verify the potential environmental effects predicted in the IS / EA Report, evaluate the effectiveness of mitigation and enhancement measures, and identify the process the Proponent will follow if mitigation and enhancement measures are not effective.

The IS / EA Report will include a table showing concordance with Section 20 TISG Requirements. TISG Section 20 requirements have not been included in the concordance table in Section 15 of this document as it is too early in the effects assessment process to provide meaningful responses.

## 10.3 Assess Residual Effects

Residual effects are the effects remaining after the application of mitigation measures. The assessment of residual effects is consistent with the Sustainability Principle #3 (from TISG Section 25) in that it identifies positive effects and negative changes to the baseline conditions that are predicted to persist despite efforts to minimize or avoid changes through the identified mitigation measures. The analysis of potential effects against the identified mitigation measures is undertaken to predict the residual effects to be assessed. Where a potential effect has been identified, but implementation of mitigation measures is likely to avoid or sufficiently minimize the potential for an effect, the result is no residual effect or change to baseline condition. The predicted residual effects will be carried forward to the effects assessment and are characterized in detail using the characteristics outlined in **Table 10-1**.

The assessment will include both direct and indirect effects of each alternative. For each residual effect predicted, the direction, magnitude, geographic extent, duration, frequency, reversibility and likelihood (**Table 10-1**) will be described<sup>10</sup>. The residual effects characteristics are then combined to describe each residual effect taking into consideration context, degree of uncertainty related to the data and methods, input received during consultation and professional judgement. Section 13 of the TISG provides additional direction on the effects assessment methods for Vegetation and Wildlife, including birds and SAR, specifically the requirement to use scope, severity and irreversibility criteria to characterize the magnitude and degree of effects on the VCs of these disciplines. The Agency has also issued guidance for the *Assessment of Potential Impacts on the Rights of Indigenous Peoples* (the Agency 2020d) that provided specific direction for assessing effects to the Aboriginal and Treaty Rights and Interest discipline. Further

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10. TISG Section 13.1 identifies additional effects characteristics for certain disciplines (e.g., wetlands, birds, terrestrial wildlife, species at risk). These additional effects characteristics are described in the discipline-specific study plans.







information on the discipline-specific effects assessment methods for the *Impact Assessment Act* process are detailed within the corresponding discipline-specific study plans developed for the Project.

**Table 10-1: Residual Effects Characteristics**

Effects Characteristic	Definition	Description
<b>Direction</b>	<ul style="list-style-type: none"> <li>Direction of change from existing conditions</li> </ul>	<ul style="list-style-type: none"> <li><u>Positive</u>: net gain or positive effect</li> <li><u>Neutral</u>: no change to existing condition</li> <li><u>Negative</u>: net loss or adverse effect</li> </ul>
<b>Magnitude</b>	<ul style="list-style-type: none"> <li>Magnitude is the expected change from existing conditions</li> </ul>	<ul style="list-style-type: none"> <li>Negligible, low, medium, high, very high</li> </ul>
<b>Geographic Extent</b>	<ul style="list-style-type: none"> <li>The spatial area that the effect is expected to occur</li> </ul>	<ul style="list-style-type: none"> <li><u>PDA</u>: effect is confined within the direct physical disturbance of the Project</li> <li><u>Local</u>: effect extends into the LSA</li> <li><u>Regional</u>: effect extends into the RSA</li> <li><u>Beyond Regional</u>: effect extends beyond the RSA</li> </ul>
<b>Duration</b>	<ul style="list-style-type: none"> <li>The period of time that the effect is expected to occur</li> </ul>	<ul style="list-style-type: none"> <li><u>Short-term</u>: effect ends before the end of construction</li> <li><u>Medium-term</u>: the effect occurs during construction and ends soon after operation begins and/or operation and maintenance and ends soon after the activity causing the effect ends</li> <li><u>Long-term</u>: the effect occurs during construction and persists into operation</li> </ul>
<b>Frequency</b>	<ul style="list-style-type: none"> <li>How often the effect is expected to occur</li> </ul>	<ul style="list-style-type: none"> <li><u>Infrequent</u>: The effect is expected to occur rarely</li> <li><u>Frequent</u>: The effect is expected to occur intermittently</li> <li><u>Continuous</u>: the effect is expected to occur continuously</li> </ul>
<b>Reversibility</b>	<ul style="list-style-type: none"> <li>The ability to return to existing conditions</li> </ul>	<ul style="list-style-type: none"> <li><u>Reversible</u>: the effect is not permanent</li> <li><u>Irreversible</u>: the effect is permanent</li> </ul>
<b>Likelihood</b>	<ul style="list-style-type: none"> <li>Probability that the effect will occur</li> </ul>	<ul style="list-style-type: none"> <li><u>Unlikely</u>: the effect is not likely to occur</li> <li><u>Possible</u>: the effect may occur, but is not likely</li> <li><u>Probable</u>: the effect is likely to occur</li> <li><u>Certain</u>: the effect will occur</li> </ul>

For magnitude, discipline-specific definitions apply and are provided within the discipline-specific study plans developed for the Project. Ecological and socio-economic context may also be relevant when describing a residual effect. Context relates to the existing setting, its level of disturbance and resilience to adverse effects. Context can also relate to timing as it applies to assessing the worst-case scenario for all





interactions including for example migratory or calving season for wildlife. Where appropriate, information regarding residual effects will be disaggregated by sex, gender, age and other community relevant identify factors to identify disproportionate residual effects for diverse subgroups. Effects characteristics will be described using both quantitative and qualitative information.

### 10.3.1 Alternative Route Segments

The proposed alignment of Alternative 1 and Alternative 4 parallel, overlap and cross each other at multiple locations. Where the alternative routes parallel, one route may provide comparatively more advantages than disadvantages and be considered preferred. Therefore, to undertake the assessment and evaluation outlined in **Section 10**, the alternatives will be divided into segments and assigned unique identifiers, which are described as segments between lettered nodes as shown on **Figure 10-1**. The assessment and evaluation will be done on each segment, with the residual effects (**Section 10.3**) and advantages and disadvantages (**Section 11**) compared as follows:

- Segment BE of Alternative 1 vs. Segment AE of Alternative 4;
- Segment CD (western option) of Alternative 4 vs. Segment CD (eastern option) of Alternative 4;
- Segment FG of Alternative 1 vs. Segment FG of Alternative 4; and
- Segment HI of Alternative 1 vs. Segment HI of Alternative 4.

Segments EF, GH and IJ correspond to the segments of Alternative 1 and Alternative 4 that overlap. The residual effects of these segments will be assessed in the EA and are anticipated to become part of the preferred alternative.

The result of the comparisons will be the identification of the preferred alternative, which will be the combination of segments and associated temporary infrastructure that has comparatively more advantages and less disadvantages.







## 10.4 Consideration of Sustainability Principles

The following provides a generic description of how sustainability principles will be considered in the effects assessment. The extent to which sustainability principles apply to a specific VC will vary depending on the nature of the VC and the potential for Project effects on the VC.

The effects assessment approach for the Project has included the consideration of the sustainability principles outlined in the Project TISG (the Agency 2020) and the Agency's guidance on sustainability. The sustainability principles that have been considered include:

- Consider the interconnectedness and interdependence of human-ecological systems;
- Consider the well-being of present and future generations;
- Consider positive effects and reduce adverse effects of the Project; and
- Apply the precautionary principle by considering uncertainty and risk of irreversible harm.

The interconnectedness and interdependence of human-ecological systems will be considered through the assessment of potential indirect effects of each alternative, as described in **Section 10.1** and **10.3**. As noted in **Section 10.1**, an indirect effect occurs when a change to one VC resulting from a project activity causes a change to another VC (e.g., changes in vegetation could affect wildlife).

The well-being of present and future generations will be considered in the effects assessment through the application of the long operations phase temporal boundary of 75 years (**Section 6.1**) and through the effects characteristics description of duration and reversibility for each residual effect predicted (**Section 10.3**)

The consideration of positive effects and reducing adverse effects of the Project is fundamental to the effects assessment methodology through the identification of mitigation measures to reduce potential adverse effects (**Section 10.2**) and the identification of the preferred alternative through the evaluation of advantages (e.g., positive effects) and disadvantages (e.g., adverse effect).

The effects assessment will apply the precautionary principle by clearly describing and documenting all uncertainties and assumptions underpinning the analysis and identifying information sources, as well as taking a conservative approach to the prediction of effects where uncertainty exists. The effects assessment will consider risk of irreversible harm through the effects characteristics description of reversibility for each





residual effect predicted (**Section 10.3**) and will describe uncertainty associated with the assessment of residual effects.

The scope of the sustainability assessment will be defined by issues of importance identified by Indigenous communities and interested persons through consultation and engagement activities, while also ensuring to be inclusive of the diversity of views expressed. The selection of VCs that will be the focus of the sustainability assessment will be aligned with the issues of importance identified by Indigenous communities and interested persons, as well as residual effects identified through the effects assessment process. The sustainability assessment will describe how the planning and design of the Project, in all phases including follow-up monitoring, considered the sustainability principles.





# 11. Evaluation of Alternatives

Once the potential residual effects of all alternative route segments have been assessed, the next step is to consider the environmental effects, cost and constructability of the alternative route segments, and compare their advantages and disadvantages, ultimately resulting in the identification of a preferred alternative. Identification of the Preferred Alternative is a consultation and engagement milestone for the Project and has associated consultation and engagement activities and targeted input, as further detailed in the Project’s IS / EA Consultation Plan (AECOM 2020).

Preliminary cost and constructability criteria and indicators have been included in **Table 11-1**. The final list of cost and constructability criteria and indicators will be provided in the IS / EA Report and will be based on regulatory agency guidance, professional judgement and input received through the Project Consultation and Engagement Program.

The following is a summary of evaluation steps that will be followed to complete the final corridor routing analysis:

1. Assign relative preference ranking to each VC for each alternative route segment based on potential for effects and for the cost and constructability criteria; and
2. Compare the relative preference ranking of alternative route segments.

**Table 11-1: Cost and Constructability Evaluation Criteria Considered in the Final Alternative Analysis**

Criteria	Indicator
<b>Route Alternative Lengths</b>	<ul style="list-style-type: none"> <li>■ Distance in kms</li> <li>■ Travel time in hours</li> </ul>
<b>Waterbody Crossings</b>	<ul style="list-style-type: none"> <li>■ Number of waterbody crossings</li> </ul>
<b>Distance to Potential Aggregate Sources</b>	<ul style="list-style-type: none"> <li>■ Distance in kms</li> </ul>
<b>Capital Cost Estimates</b>	<ul style="list-style-type: none"> <li>■ Cost in dollars to construct minor water crossings (i.e., clear-span bridge or culvert)</li> <li>■ Cost in dollars to construct major water crossings (i.e., multi-span bridge)</li> <li>■ Cost in dollars to construct road (including access roads, mobilization, and construction camps)</li> </ul>
<b>Annual Maintenance Costs</b>	<ul style="list-style-type: none"> <li>■ Cost in dollars to maintain and repair roads and bridges</li> </ul>





<b>Climate-induced Hazard Potential</b>	<ul style="list-style-type: none"><li>■ Historical evidence of natural hazards and extreme weather events (flash flooding, prolonged flooding, ice breakup / jamming, wildfires, drought);</li><li>■ Geotechnical indicators (extent of geological hazards, problematic soil conditions, slumps and slope stabilities, collapsible silts)</li></ul>
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After completing Steps 1 and 2 above, the analysis will identify advantages and disadvantages of the residual effects (direct and indirect) and cost and constructability between the alternative routes for each segment (**Figure 10-1**) and the required associated infrastructure. The preferred alternative will be selected as the alternative that has comparatively more advantages and less disadvantages. The preferred route and associated required infrastructure will form the Project.

An analysis of the advantages and disadvantages of the preferred alternative against the no-action alternative will also be undertaken, which will involve a comparison of the predicted residual effects of the Project against the existing conditions without the Project. The assumption is that future conditions will be very similar to existing conditions as no other off-reserve infrastructure for MFFN community or other purposes is expected to be constructed if the MFFN CAR is not constructed. The analysis of the advantages and disadvantages of the preferred alternative against the "no-action" alternative will focus on the valued components and indicators determined to have residual effects from the Project.





## 12. Cumulative Effects Assessment

In addition to including an assessment of the residual effects of the Project, the draft and final IS / EA Report will include an assessment of the Project's potential cumulative effects. The TISG requires the consideration of cumulative effects and the MECP's *Code of Practice for Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario* (Code of Practice; MECP 2020) encourages proponents to provide information about potential cumulative effects since cumulative effects are part of the MECP's Statement of Environmental Values, which are principles the ministry considers when making environmentally significant decisions.

The Agency defines cumulative effects as "changes to the environment, health, social and economic conditions, as a result of the Project's residual environmental, health, social and economic effects combined with the existence of other past, present and reasonably foreseeable physical activities" (the Agency 2020). A cumulative effects assessment therefore recognizes that incremental changes over time and space could result in an effect.

The TISG states that cumulative effects may result if:

- the Project may cause a direct residual adverse effect to one or more VCs, taking into consideration implementation of mitigation; and
- the same VC(s) may be affected by other past, present or future physical activities.

The method for assessment of cumulative effects is consistent with the TISG, Operational Policy Statement: Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012 (Canadian Environmental Assessment Agency 2013), and the Interim Technical Guidance for Assessing Cumulative Environmental Effects under the Canada Environmental Assessment Act, 2012 (Canadian Environmental Assessment Agency 2018). The identification and assessment of cumulative effects to be completed and described within the IS / EA Report will be undertaken as follows:

- Identify and assess the residual adverse effects of the Project;
- Define the spatial and temporal boundaries for cumulative effects based on the residual adverse effects predicted;
- Identify other past, present and reasonably foreseeable activities with effects likely to overlap in type of effect (i.e., VC), temporally (i.e., time) and spatially (i.e., space) with the predicted residual adverse effects of the Project; and







- Predict potential cumulative effects and identify additional mitigation.

The TISG and Amendment 1.3 of the Project's ToR Notice of Approval state that information generated through ongoing or completed regional assessments applicable to the Project will also be used to inform the cumulative effects assessment.

The cumulative effects assessment is conducted at a more general level of detail than the effects assessment outlined in **Section 10** since the other activities are more remote in time and space. Only those activities known (i.e., publicly known) at the time of preparing the IS / EA Report will be included in the cumulative effects assessment. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.

## 12.1 Valued Components to be Included in the Cumulative Effects Assessment

The IS / EA Report will identify potential cumulative effects of the preferred alternative with other past, present and reasonably foreseeable activities with effects likely to overlap in type of effect, time and space. The cumulative effects assessment builds on the results of the effects assessment described in **Section 10** and will consider the incremental changes that are predicted to have a likely residual adverse effect on a VC. The VCs that do not have a residual effect predicted, or the residual adverse effect is of negligible magnitude, unlikely or possible to occur, or positive in direction, will not be carried forward into the cumulative effects assessment. The preferred alternative and associated residual adverse effects are not known at this time and are dependent on the IA / EA being sufficiently advanced (i.e., the preferred alternative identified). Therefore, the residual adverse effects and associated VCs that will be selected for inclusion in the cumulative effects assessment cannot be identified at this time.

Although likely residual adverse effects are currently unknown, in accordance with the TISG, the cumulative effects assessment will include the consideration of cumulative effects to the rights of Indigenous peoples and cultures. The Proponent will strive to respectfully collaborate with Indigenous communities on how Aboriginal and Treaty Rights and Interests may be impacted cumulatively. MFFN will engage with Indigenous communities through the Indigenous Knowledge Program and the Consultation and Engagement Program. The draft IS /EA Report, including the draft cumulative effects assessment results





and the cumulative effects consultation report as required by the amendments noted in the ToR Notice of, will be provided to all Indigenous communities for review and feedback prior to submitting the final IS / EA Report to the Agency and MECP. In relation to caribou boreal population (*Rangifer tarandus*), the TISG also identifies the need to assess cumulative effects to caribou at the PDA, LSA and RSA scale, as well as the implicated Ontario caribou ranges and the federal Far North caribou range.

Once the Project is defined (Section 11), the rationale for the VC(s) selected to be the focus of the cumulative effects assessment can be described. The rationale for the exclusion of other VCs from the cumulative effects assessment will also be provided.

## 12.2 Spatial and Temporal Boundaries

The spatial and temporal boundaries for the cumulative effects assessment will be identified once the preferred alternative has been selected and the effects assessment is completed. The appropriate spatial and temporal boundaries to assess cumulative effects will be based on the VCs predicted to have direct residual adverse effects as a result of the Project.

Temporal boundaries for the cumulative effects assessment will correspond to the duration that the likely residual adverse effects of the Project are predicted to occur. The TISG indicates the cumulative effects assessment should look at potential effects throughout the lifecycle of the Project, including decommissioning and abandonment; however, there are currently no plans to decommission the Project. Therefore, the IA / EA will be limited to identifying and assessing cumulative effects during the Project construction, and operations and maintenance phases.

Spatial boundaries, which are the study area(s) within which the geographic extent of cumulative effects will be studied, may vary by each VC selected (e.g., caribou).

The IS / EA Report will describe the methods used to determine the temporal and spatial boundaries for identifying and assessing cumulative effects. Finalization of the boundaries will be informed through consultation with Indigenous communities, agencies and interested persons.





## 12.3 Other Past, Present and Reasonably Foreseeable Activities

Activities that will be considered in the cumulative effects will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the IS / EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate (Canadian Environmental Assessment Agency 2018). Reasonably foreseeable activities that will not be considered are those for which formal plans have not been publicly disclosed and information is not available. If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.

To identify other activities within the cumulative effects assessment study area(s), the following publicly available information sources will be reviewed during development of the IA / EA:

- The Agency: Canadian Impact Assessment Registry;
- Canadian Nuclear Safety Commission: Environmental reviews for completed and ongoing EAs;
- Major Projects Management Office: Project inventory, list and tracker;
- Canadian Energy Regulator: Major Applications and Projects before the Regulator;
- Government of Ontario: Environmental Registry of Ontario;
- MECP: Environmental Assessments website;
- MTO: Ontario's Northern Highways Program;
- Ontario Energy Board: Applications before the Board;
- Infrastructure Ontario: Projects website;
- Independent Electricity Systems Operator projects and funding programs website;
- HydroOne Networks Inc.: Major Projects website;
- Ontario Power Generation: Projects website;
- Ontario Water Power Association: Notices website;
- The Municipality of Greenstone website;
- Regional assessment(s), where applicable; and
- Community Based Land Use Plans, where available.





Using professional judgement, past, present and reasonably foreseeable activities identified during the review of the above noted sources and based on comments received through the Consultation and Engagement Program will be screened to focus the cumulative effects assessment on those activities whose effects are likely to act cumulatively with the Project. The questions listed below will be used to confirm which activities should be considered to predict cumulative effects. If effects of the other activities are expected to overlap in type, time and space, it will be assumed that those activities will act cumulatively and be assessed for cumulative effects with the Project.

- Do the projects overlap in type of effects?
- Do the projects overlap in timing of effects?
- Do the projects overlap in the location of effects?

Since there are no plans to decommission the CAR, effects of the Project may occur over a very long timeframe. However, to effectively assess cumulative effects, an assumed timeline is needed. The operations and maintenance phase of the Project is considered to be 75 years based on the expected timeline for when major refurbishment of road components will be needed (Section 6.1). Therefore, the other activities that will be included in the cumulative effects assessment will be those activities that occurred in the past and have ongoing effects, as well as present and reasonably foreseeable activities occurring within the 75 years following the completion of construction.

The IS / EA Report will describe the other activities that have been or that are likely to be carried out that could cause effects to the selected VCs within the defined temporal and spatial boundaries, and whose effects would act cumulatively with the residual adverse effects of the Project. The TISG identifies a preliminary list of other activities for consideration in the cumulative effects assessment. Amendment 1.2 of the Project's ToR Notice of Approval states that any cumulative effects assessment developed as part of the EA for the proposed Webequie Supply Road and proposed Northern Road Link will be considered by MFFN in the development of the IS / EA Report<sup>11</sup>. Information on these two undertakings can only be considered if it is publicly available by the time MFFN is ready to prepare the IS / EA Report. In addition, comments and concerns received through the Consultation and Engagement Program during development of the ToR have also suggested other activities for consideration in the assessment. The other activities for

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11. In February 2020, the Minister of Environment and Climate Change determined that a regional assessment will be conducted in an area centred on the Ring of Fire mineral deposits in northern Ontario. In October 2020, MFFN and Webequie First Nation entered into a voluntary agreement with the MECP to make the proposed Northern Road Link Project subject to the EAA. In October 2021, the ToR for the Webequie Supply Road Project was approved by the MECP. However, these undertakings are not sufficiently advanced at this time to inform the Project effects assessment methods. Should information from the regional assessment and the cumulative effects assessment of the two road projects that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the assessment for the Project. However, the effects assessment methods will be consulted and engaged on early in the IA / EA process and finalized taking into consideration the input received based on information available at that time.





the cumulative effects assessment that have been suggested are listed below and depicted in **Figure 12-1**. Only activities where location information was available are shown on the figure.

- Historical and existing mineral developments, such as Goldcorp's Musselwhite Mine, DeBeers' Victor Mine and Greenstone Gold's Hardrock Mine;
- Other historical infrastructure projects, such as the Ogoki and Long Lac diversions;
- Webequie First Nation's Webequie Supply Road;
- Rapid Lynx Broadband Project;
- Power transmission projects;
- Upgrades to the Anaconda and Painter Lake forestry roads<sup>12</sup>;
- Marten Falls and Webequie First Nation's Northern Road Link Project;
- Railway transload facility;
- Activities within Forestry Management Units;
- Mining activities associated with the following deposits<sup>13</sup>:
  - Eagle's Nest;
  - Black Thor;
  - Black Bird;
  - Big Daddy;
  - Black Label;
- Transportation of ore; and
- Mineral exploration activity / mining claims, such as Zenyatta Venture's Albany Graphite Project.

During the IA / EA each of the above listed activities will be reviewed and screened (i.e., whether they overlap in type of effect, time, and space) to determine whether they may act cumulatively with the Project and therefore should be included in the cumulative effects assessment. Publicly available resources will also be reviewed to identify other activities that should be added to this list and screened for the cumulative effects assessment.

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12. The current understanding is that upgrades to the Anaconda and Painter Lake forestry roads are required to commence construction of the CAR. As such, this project will be completed prior to the start of the construction of the CAR and therefore the upgrades to these roads would not overlap in time or space with the construction or operation of the CAR. Based upon this understanding, the upgrades to Anaconda and Painter Lake forestry roads will not be included in the CAR cumulative effects assessment.

13. At this time, only the Eagle's Nest deposit has publicly available information about potential future development that can inform the cumulative effects assessment of the Project with reasonably foreseeable activities. As noted earlier, reasonably foreseeable activities that will not be considered are those for which formal plans have not been publicly disclosed and information is not available. Therefore, the Black Thor, Black Bird, Big Daddy or Black Label deposits cannot be assessed as reasonably foreseeable activities in the cumulative effects assessment if plans for future development have not been disclosed at the time of preparing the IS / EA Report. However, these deposits can be reviewed for cumulative effects due to past and existing mineral exploration.





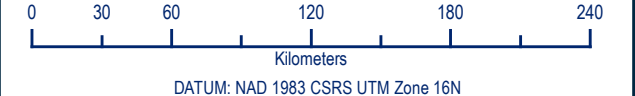
**Legend**

- MFFN CAR Route Alternatives
- Other Projects and Activities**
  - Points of Interest
  - Northern Road Link Route Alternatives
  - Webeque Supply Road
  - Rapid Lynx Broadband Project
  - Wataynikaneyap Power Project - Phase 1
  - Wataynikaneyap Power Project - Phase 2
  - East-West Tie Transmission Line
  - Mineral Claim
  - Railway Transload Facility
- General Features**
  - Highway/Major Road
  - Winter Road
  - Railway
  - MFFN Existing Winter Access Road
  - Provincial Park
  - Waterbody
  - Neighbouring Indigenous Communities
  - Métis Nation of Ontario, Region 2
  - Far North Boundary
  - Forest Management Unit
  - Airstrip

**Notes:**  
First Nation Reserves of MFFN CAR Neighbouring Indigenous Communities are shown.

**MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD**

**Other Project and Activities for the Cumulative Effects Assessment**



**Data Sources:**  
 Basedata - Provided by MNRF 2019; Route Infrastructure - Provided by AECOM 2019, NRCAN, ENDM  
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<b>Figure 12-1</b>			



## 12.4 Assess Cumulative Effects

Once other past, present, and reasonably foreseeable activities have been screened, those activities that may act cumulatively with the Project will be carried forward in the cumulative effects assessment. The IS / EA Report will then identify and describe potential cumulative effects for each VC selected by reviewing the effects of the Project with and without the other activities, using a hierarchy and with effects to both local and large populations considered.

If the effects of other activities are anticipated to act cumulatively with the Project, the cumulative effects assessment will explore additional technically and economically feasible mitigation measures beyond those that are planned or anticipated to be implemented by the proponents of the other activities. The additional mitigation measures will be recommended to avoid or minimize the identified adverse cumulative effects. These measures will consist of industry-standard practices, federal and provincial standard specifications, regulator-mandated measures, best management practices, Indigenous and community recommendations, and recommendations from industry and environmental professionals based on expertise, scientific publications, experience, and judgement. It is important that mitigation measures are achievable, measurable, verifiable, and monitored for compliance and effectiveness during all temporal phases as part of the Project monitoring plan (**Section 13**).

Cumulative effects remaining after mitigation measures have been implemented will be described using the same methods identified in **Section 10.3**. Where appropriate / practicable, the level and severity of the adverse cumulative effects will be quantified to help inform magnitude.





## 13. Follow-up Programs

A follow-up program verifies the accuracy of the effects assessment and evaluates the effectiveness of mitigation measures. Identification of follow-up programs for the Project are not described in this document as the information needed to determine environmental monitoring requirements is dependent on the outcome of the effects assessment and consultation with Indigenous communities, agencies and interested persons. Therefore, the Proponent will include information on follow-up programs, that address the requirements outlined in Section 26 of the TISG, in the IS / EA Report and will identify the compliance and effects monitoring activities to be undertaking during all phases of the Project, as required.

The IS / EA Report will include a table showing concordance with Section 26 TISG Requirements. TISG Section 26 requirements have not been included in the concordance table in Section 15 of this document as it is too early in the effects assessment process to provide meaningful responses.







## 14. Assumptions

Any assumption used in the effects assessment, for example the assumed average daily traffic on the CAR, will be clearly identified and a rationale provided in the IS / EA Report.





## 15. Concordance with Federal and Provincial Guidance

This section provides the best information currently available on how federal and provincial requirements identified for the Project to date will be addressed. Table 15-1 and 15-2 provide comments received through the ToR process related to the effects assessment methodology and responses provided by the Project. Table 15-3 includes requirements in the ToR Notice of Approval related to the effects assessment methodology. Table 15-4 includes effects assessment related TISG requirements.

The final concordance with federal and provincial requirements will be included in the IS / EA Report, and will be based on regulatory agency guidance, professional judgement and input received through the Project consultation and engagement process.





## 15.1 Provincial Concordance

**Table 15-1: Draft ToR Comments and Responses**

ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
1	Draft ToR Comment #31 Commenter: Ministry of Economic Development, Job Creation and Trade	<ul style="list-style-type: none"> <li>The Ministry of Energy, Northern Development and Mines and Ministry of Indigenous Affairs are best positioned to comment on the economic benefits of the Ring of Fire resources development.</li> </ul>	<ul style="list-style-type: none"> <li>A regional assessment of the Ring of Fire region will be conducted by the Agency pursuant to <i>the Impact Assessment Act</i>. The Ring of Fire development is outside the scope of this Project which is focused on an all-season community access road to Marten Falls First Nation.</li> <li>MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 1</li> <li>Section 12.3</li> </ul>
2	Draft ToR Comment #34 Commenter: Ministry of Economic Development, Job Creation and Trade	<ul style="list-style-type: none"> <li>Our particular interest in reviewing Environmental Assessments and Terms of Reference is on the descriptions of potential for economic development benefits extending across the province or broad regions of the province. In Sections 5.1 and 6, it is noted that the terminus of the proposed road could serve as a staging point for and extension to the Ring of Fire mineral deposits. We are not qualified to speculate on the likelihood or extent of resource development of the Ring of Fire region, and it would be premature to forecast in any degree of detail the indirect economic impact of such resource development to the rest of the province.</li> </ul>	<ul style="list-style-type: none"> <li>The MFFN CAR Project Consultant agrees with this assessment and does not consider conducting quantitative analyses of indirect or induced effects as a component of the cumulative effects assessment that is to be included as part of the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
3	Draft ToR Comment #35 Commenter: Ministry of Economic Development, Job Creation and Trade	<ul style="list-style-type: none"> <li>However, we suggest that the possibility of broad supply chain economic benefits reaching beyond the local community, should the Marten Falls Community Access Road ultimately help facilitate access to the Ring of Fire, could be acknowledged by a simple statement at some point in the above sections.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.2.10 of the ToR acknowledges that the potential economic effects to the regional economy will be assessed for the Project. A qualitative assessment of these effects to the regional economy will be included in the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
4	Draft ToR Comment #51 Commenter: Ministry of Transportation	<ul style="list-style-type: none"> <li>The purpose and scope of the cumulative effects assessment should be a subject for discussion in the development of the Terms of Reference.</li> </ul>	<ul style="list-style-type: none"> <li>Additional information on the purpose of the cumulative effects assessment has been added to Section 7.2 of the ToR. The ToR indicates that the scope of the cumulative effects assessment will be identified in the EA. The release of the Draft ToR is an opportunity to provide comments on the purpose and scope of the cumulative effects assessment for the Project.</li> <li>Comments received on cumulative effects will be addressed during the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>
5	Draft ToR Comment #80 Commenter: Ministry of the Environment, Conservation and Parks	<p><b>#14 Section 7.2 Page 47</b></p> <ul style="list-style-type: none"> <li>Cumulative Effects and Work Plan - Section 7.2 identifies that as part of the assessment, consideration will be given to confirming whether environmental effects of the undertaking could be combined with effects of other past, present, or reasonably foreseeable projects (cumulative effects). Further details are required for the ministry, other stakeholders, and communities to confirm the scope</li> </ul>	<ul style="list-style-type: none"> <li>The Terms of Reference (ToR) includes a commitment to prepare a Work Plan at the onset of the environmental assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>
6	Draft ToR Comment #83 Commenter: MECP	<p><b>#17 Section 8 Page 54</b></p> <ul style="list-style-type: none"> <li>Consultation on Assessment Methodology - MFFN acknowledges that the proposed methodology will be open to input during the draft ToR review, but also says a more detailed method will be presented in the EA. Page 47 indicates the effects assessment criteria will be developed during the EA. While it is appropriate to defer some detailed study planning to the EA phase, the ToR should include commitments for how technical reviewers, and other interested persons, will be consulted during the development of specific evaluation methodologies or technical study plans. It is strongly recommended that those opportunities for review occur prior to the completion of studies (e.g., prior to the submission of a draft or final EA document). It is not clear whether MFFN plans to consult on the more detailed methodology and criteria during the EA phase or if the ToR phase is the main opportunity to provide input.</li> <li>Please indicate how consultation on the ToR has informed the preliminary criteria and indicators. Please clarify when MFFN will consult and provide opportunity for input on the detailed assessment</li> </ul>	<ul style="list-style-type: none"> <li>The ToR provides a high-level overview of the steps that will be followed to identify, predict, and describe potential effects. The ToR is the main opportunity to provide input on this general approach. The ToR will include a commitment to prepare a Work Plan at the onset of the environmental assessment, including an opportunity for technical review by applicable agencies. This Work Plan will describe the process for each step identified in the ToR (i.e., interactions, potential effects, impact management measures, net effects, etc. per Section 8 of the ToR).</li> <li>Indigenous communities and the public will have an opportunity to comment on assessment methods during the EA (key milestones of the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS). The criteria and indicators proposed in the ToR are preliminary, and have been provided for the purposes of gathering feedback for refinement in the EA. An updated has been included in the Proposed ToR to reflect comments received on the Draft ToR. The final list of criteria and indicators</li> </ul>	<ul style="list-style-type: none"> <li>Entire Document</li> <li>Section 3</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
		method, including criteria and indicators (and study plans as MECP has proposed), with agencies, communities, and stakeholders during the EA phase in order to finalize the methodologies before EA studies get advanced.	to be used in the EA will be based on information that arises throughout the study process and incorporate comments received through consultation. <ul style="list-style-type: none"> <li>The preliminary criteria and indicators included in the Draft ToR have been updated to reflect comments received during consultation on the Draft ToR. Certain criteria and a number of indicators have been edited and/or added in response to comments received. Furthermore, the list of potential data sources that will be reviewed during development of the EA has been expanded to include many data sources suggested by stakeholders during consultation on the Draft ToR.</li> </ul>	<ul style="list-style-type: none"> <li>Discipline-specific study plans under separate cover</li> </ul>
7	Draft ToR Comment #74 Commenter: MECP	<b>#8 Section 7.1.1 Page 19</b> <ul style="list-style-type: none"> <li>Study Areas - Section 7.1.1 identifies that the study area will be refined in the EA through the identification of discipline-specific local and regional study areas. If specific study areas are not included in the ToR, the ministry strongly encourages the proponent to consult on the scope of study areas at the beginning of the EA phase.</li> <li>Please include the commitment to consult on the scope of the study areas during the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Agencies, Indigenous communities, and the public will have an opportunity to comment on study areas (site, local and regional) during the EA (key milestones of the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS).</li> </ul>	<ul style="list-style-type: none"> <li>Section 6.2</li> <li>Section 3</li> </ul>
8	Draft ToR Comment #82 Commenter: MECP	<b>#16 Section 8 Page 54</b> <ul style="list-style-type: none"> <li>Work Plans - Section 8 describes the approach that will be taken to evaluate alternative methods during the EA, including proposed criteria and indicators (presented in Appendix A). The information presented is high level and does not provide an opportunity for technical review of the methodologies that will be applied to evaluate those specific criteria and indicators.</li> <li>It is strongly recommended to include commitments to develop work plans at the outset of the EA phase, including opportunities for technical review by agencies and others.</li> </ul>	<ul style="list-style-type: none"> <li>The ToR includes a commitment to prepare Work Plans at the onset of the environmental assessment, including an opportunity for technical review by applicable agencies. Other agencies, Indigenous communities and the public will have an opportunity to comment on assessment methods during the EA (key milestones of the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS) as well as continued opportunity during the review of the Draft and Final EA / IS.</li> </ul>	<ul style="list-style-type: none"> <li>Entire Document</li> </ul>
9	Draft ToR Comment #91 Commenter: MECP	<b>#25 Appendix A</b> <ul style="list-style-type: none"> <li>Criteria and Indicators - In the description of the assessment method in Section 8, it is stated that the environment, cost, and constructability of the alternative routes will be considered and compared. However there are no cost or constructability-related criteria provided in Appendix A. The Plain Language Guide to the ToR includes six proposed technical criteria and the Alternatives Assessment Supporting Document includes two other constructability considerations.</li> <li>In Appendix A and elsewhere as required, please include the proposed cost/constructability/technical criteria planned to be used in the alternative route assessment.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed cost and constructability of the alternatives will be considered as part of the evaluation of advantages and disadvantages to be undertaken in the EA. Clarification has been added in Section 8.3 of the ToR.</li> </ul>	<ul style="list-style-type: none"> <li>Section 11</li> </ul>
10	Draft ToR Comment #105 Commenter: MECP	<b>#6 Section 7.1.4.12, pages 39-44.</b> <ul style="list-style-type: none"> <li>It is good to read that "The Socio-economic Assessment will integrate information from the Indigenous Knowledge...program...". A similar statement could be added to each discipline.</li> <li>It is our expectation that the proponent will consider all information made available to it during the EA process, including Indigenous Knowledge. Sensitive information provided to a proponent by a community that is to remain confidential can be withheld from the Crown, but the proponent must still consider this information in its assessment.</li> <li>Please clarify that sensitive information that is to remain confidential will be considered in the EA, but may not be disclosed to the Crown or otherwise be made public.</li> <li>Please also add a line to each discipline to the effect that Indigenous Knowledge will be integrated, as applicable.</li> </ul>	<ul style="list-style-type: none"> <li>A critical component of the EA is the integration of Indigenous Knowledge into Project planning and design. A statement has been added to each discipline noting that information from the Indigenous Knowledge Program will be integrated into each discipline.</li> <li>Input that can be publicly shared as part of the Record of Consultation have been appended to the Proposed ToR. Sensitive and confidential information will not be shared publicly but will be considered in the EA. MFFN has been and will continue to work with communities to ensure an appropriate community-specific data sharing agreement is in place.</li> </ul>	<ul style="list-style-type: none"> <li>Section 4</li> <li>Section 2.1.1</li> </ul>
11	Draft ToR Comment #106 Commenter: MECP	<b>#7 Section 7.2, page 47</b> <ul style="list-style-type: none"> <li>In the brief discussion that precedes Table 7-4, it would be good to acknowledge that the effects assessment criteria to be developed during the EA will be informed by consultation.</li> <li>Please reference that consultation will be used to help develop the assessment criteria during the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.2 has been updated to reflect that effects assessment criteria to be developed during the EA will be informed by consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> </ul>





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12	Draft ToR Comment #161 Commenter: MECP	<p><b>#5 9.1 Environmental Commitments Pg. 59</b></p> <ul style="list-style-type: none"> <li>■ Broad statement of a commitment to develop and implement measures that may relate to effects that may be an issue.</li> <li>■ In the EA ensure, itemized impacts to natural environment and human health. Include risk level and mitigation factors to minimize environmental and health impacts.</li> <li>■ Ex, waste oil spills, med level, training on prevention, spill kits, contract with approved hauler to remove waste material.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 9.1 of the ToR includes a commitment to the development and implementation of impact management measures during the EA. This commitment applies to each environmental discipline identified in the ToR, including the natural environment and human health, where potential effects are predicted due to the Project.</li> <li>■ Section 5.2.2 of the ToR states that a Spill Management Plan will be developed to manage accidental releases. Specific impact management measures, such as those noted in the comment (e.g., training and prevention, spill kits on site, etc.), and recommendations for waste management and spills response will be developed during the EA.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 10.2</li> </ul>
13	Draft ToR Comment #172 Commenter: MECP	<p><b>#7 s.7.1.1 / pg. 19</b></p> <ul style="list-style-type: none"> <li>■ The draft ToR limits the Study Area to only a 5 km width (2.5 km on either side of the ROW). This limited extent is inappropriate to assess the impacts to SAR that use broad landscapes, specifically Caribou (Boreal population) and Wolverine. Multiple spatial extents need to be considered as part of the Study Area (e.g., Project Footprint, Local Study Area, Regional Study Area) to appropriately consider and assess impacts of the Project to SAR.</li> <li>■ It is recommended that 20 km (10 km on either side of the ROW) be used to define the Local Study Area to ensure all potential impacts to Caribou sub-range habitat features (e.g., category 1 habitat such as nursery areas and winter use areas) are considered. This aligns with provincial policy direction (i.e., General Habitat Description for the Forest-dwelling Woodland Caribou (<i>Rangifer tarandus caribou</i>) (2013) (GHD)) and best management practices for caribou.</li> <li>■ Further, the range-level direction provided in the GHD, Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014) (RMP) and Ontario's Woodland Caribou Conservation Plan (CCP) needs to be considered, which acknowledges impacted range(s) be used to define the Regional Study Area.</li> <li>■ Update section 7.1.1 and Figure 6-1 in ToR to identify the Study Area at multiple spatial scales, including Project Footprint, Local Study Area and Regional Study Area. Update information provided in section 7 of ToR to reflect the updated Study Area in the Existing Environment and Potential Environmental Effects.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 7.1.1 [of the ToR] states that discipline specific local and regional study areas will be refined in the EA. Information provided in this comment will be considered when developing study areas. Agencies, Indigenous communities, and the public will have an opportunity to comment on study areas during the EA (see EA Consultation Plan regarding consultation at key milestones).</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 6.2</li> </ul>
14	Draft ToR Comment #190 Commenter: Aroland First Nation	<p><b>3.2 Federal Environmental Assessment Requirements "The Government of Canada conducts Impact Assessments (IAs) under the Impact Assessment Act 2019"</b></p> <ul style="list-style-type: none"> <li>■ Please change section heading to "Federal Impact Assessment Requirements"</li> </ul>	<ul style="list-style-type: none"> <li>■ The suggested edit to the heading of Section 3.2 [of the ToR] has been revised as suggested.</li> </ul>	<ul style="list-style-type: none"> <li>■ No Reference</li> </ul>
15	Draft ToR Comment #191 Commenter: Aroland First Nation	<p><b>3.3 Canada Ontario Agreement on Environmental Assessment Co-operation</b></p> <ul style="list-style-type: none"> <li>■ AFN prefers that both Canada and Ontario conduct separate impact assessments under respective Environmental Assessment and Impact Assessment legislation. As MFFN notes in the draft ToR, Aboriginal and Treaty Rights are guaranteed under section 35 of the Constitution Act, which includes recognition of existing Aboriginal and Treaty Rights to hunt, trap, fish, gather and manage the lands for all First Nation, Inuit, and Metis people of Canada. As part of these rights, the Government of Canada has the Duty to Consult Indigenous communities for this Project. The Government of Ontario has sub-national, and different, relationship with AFN. The Government of Canada's Impact Assessment Act contains specific provisions with respect to section 35 of the Constitution Act for the Impact Assessments it conducts. The Government of Ontario's Environmental Assessment Act does not contain such specific provisions.</li> <li>■ MFFN should proceed with a federal Impact Assessment and a parallel Ontario Environmental Assessment. Where practical, MFFN should consider opportunities to co-ordinate EA and IA documentation as noted in comments below</li> </ul>	<ul style="list-style-type: none"> <li>■ MFFN will be proceeding with a federal Impact Assessment and an Ontario Environmental Assessment. However, as outlined in the Co-operation Plan for the Marten Falls Community Access Road Project Impact Assessment, dated February 24, 2020 and prepared by the Impact Assessment Agency of Canada (the Agency) with input from the Ontario Ministry of the Environment, Conservation and Parks (MECP) "A co-ordinated federal and provincial assessment process should result in one body of proponent documentation related to the assessment, which is known as the Impact Statement for the Agency, and as the Environmental Assessment report for MECP. This Co-operation Plan recognizes that the alignment of respective timelines does not supersede the legislative obligations prescribed in the Impact Assessment Act and Ontario's <i>Environmental Assessment Act</i>, as well as the completeness of any information submitted by the proponent."</li> <li>■ The Co-operation Plan for the Marten Falls Community Access Road Project Impact Assessment is available on the Impact Assessment Agency of Canada's website.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 1</li> </ul>
16	Draft ToR Comment #192 Commenter: Aroland First Nation	<p><b>3.4 Preparation of the Environmental Assessment</b></p> <ul style="list-style-type: none"> <li>■ AFN has no objections to the EA being prepared in accordance with subsections 6.1 (3) and 6(2)(c) of the EAA.</li> </ul>	<ul style="list-style-type: none"> <li>■ Thank you for your comment.</li> </ul>	<ul style="list-style-type: none"> <li>■ No Reference</li> </ul>





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17	Draft ToR Comment #194 Commenter: Aroland First Nation	<p><b>3.4.1 Environmental Assessment and Project Management Principles</b></p> <ul style="list-style-type: none"> <li>The project management principles include: "Minimize potential harm and enhance benefits to the environment by recommending impact management measures and opportunities to enhance societal benefits." However, the project management principles do not reference the federal Impact Assessment principle to assess how the project may contribute to the social and economic wellbeing</li> <li>AFN submits that MFFN should align this principle with the federal Impact Assessment principle:               <ul style="list-style-type: none"> <li>"Minimize potential harm, enhance benefits to the environment, and enhance social and economic wellbeing by recommending impact management measures and opportunities to enhance societal benefits with respect to both positive impacts and negative impacts."</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Project will meet the requirements of both the Ontario <i>Environmental Assessment Act</i> and the federal <i>Impact Assessment Act</i>. However, the ToR is prepared to meet provincial requirements and therefore may not reflect all federal requirements.</li> <li>Section 7.1.2 of the ToR includes the full definition of environment as included in the <i>Environmental Assessment Act</i>. The Ontario <i>Environmental Assessment Act</i> defines the environment to mean in part "the social, economic and cultural conditions that influence the life of humans or a community," which addresses concerns regarding the Project's assessment of its contribution to social and economic wellbeing. Further, the preliminary potential effects listed in Table 7-6 in Section 7.2 of the ToR includes effects on social (includes well-being) and the economy.</li> </ul>	<ul style="list-style-type: none"> <li>Section 1</li> <li>Section 7</li> </ul>
18	Draft ToR Comment #195 Commenter: Aroland First Nation	<p><b>3.4.1 Environmental Assessment and Project Management Principles</b></p> <ul style="list-style-type: none"> <li>The project management principles make no mention of monitoring, follow-up and compliance aspects of the EA. AFN submits that MFFN should include an additional principle:               <ul style="list-style-type: none"> <li>"MFFN will work collaboratively Indigenous peoples and Indigenous communities to enhance monitoring, follow-up, and compliance."</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The project management principles included in Section 3.4.1 [of the ToR] are a reflection of those included in the MECP document Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario, and therefore will not be edited.</li> <li>However, MFFN agrees it is important to work collaboratively with Indigenous peoples and Indigenous communities to enhance monitoring, follow-up and compliance, and foresees this as part of the consultation undertaken for the EA. Section 9.2 of the ToR outlines the Projects' environmental monitoring commitments, which includes the follow-up and compliance aspects of the EA, and Table 4-2 of the Consultation Plan includes consultation activities aimed at receiving input on the impact management measures and monitoring measures. The ToR also identifies MFFN's plan that Indigenous knowledge will help determine appropriate impact management measures and monitoring methods (Section 3.4.2).</li> <li>Table 4-2 of the Consultation Plan has been updated to clarify input will be sought on impact management and monitoring.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 4</li> <li>Section 13</li> </ul>
19	Draft ToR Comment #196 Commenter: Aroland First Nation	<p><b>"3.4.1 Environmental Assessment and Project Management Principles"</b></p> <ul style="list-style-type: none"> <li>The project management principles make no mention of Gender-based analysis plus (GBA+). According to the Canadian Impact Assessment Agency in its document "Gender- Based Analysis Plus in Impact Assessment" <a href="https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/gender-based-analysis-plus-impact-assessment-fact-sheet.html">https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/gender-based-analysis-plus-impact-assessment-fact-sheet.html</a>:               <ul style="list-style-type: none"> <li>"Gender-based analysis plus (GBA+) is an analytical framework that asks important questions about how designated projects may affect diverse groups. It considers the potential for disproportionate effects based on sex and gender, as the name suggests, in addition to the potential for disproportionate effects on groups represented by the "+" component of "GBA+", which may include groups identified by age, place of residence, ethnicity, socio-economic status, employment status or disability. GBA+ provides a framework and analytical tools to guide an impact assessment of a project, with the intent of identifying those effects that may disproportionately affect any groups identified in respect of a specific project. It informs decision-making by seeking to answer what is known about possible project impacts and transparently outline to the public and decision makers what is not known."</li> </ul> </li> <li>AFN submits that MFFN should include an additional principle: MFFN will apply Gender-based analysis plus (GBA+) to the EA to consider the potential for disproportionate effects based on sex and gender, and including groups identified by age, place of residence, ethnicity, socio-economic status, employment status or disability.</li> </ul>	<ul style="list-style-type: none"> <li>A GBA+ framework will be utilized for the federal Impact Assessment that is also to be completed for the Project to consider gender and other identity factors.</li> <li>The Project management principles included in Section 3.4.1 [of the ToR] are a reflection of those included in the MECP document Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario, and therefore will not be edited.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.3</li> <li>Section 10.3</li> </ul>
20	Draft ToR Comment #197 Commenter: Aroland First Nation	<p><b>"3.4.1 Environmental Assessment and Project Management Principles"</b></p> <ul style="list-style-type: none"> <li>The project management principles make no mention of the precautionary principle is referenced in the Mandate of the federal Impact Assessment Act and will thus apply to this project.</li> <li>AFN submits that MFFN should include the precautionary principle in line with the federal Impact Assessment:               <ul style="list-style-type: none"> <li>"Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation, and as such the EA will clearly describe and document all uncertainties and assumptions underpinning an analysis."</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Project will meet the requirements of both the Ontario Environmental Assessment Act and the federal Impact Assessment Act. However, the ToR was prepared to meet provincial requirements and therefore may not reflect all federal requirements.</li> <li>The project management principles included in Section 3.4.1 [of the ToR] are a reflection of those included in the MECP document Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario, and therefore has not been edited.</li> <li>The spirit of the precautionary principle is reflected in the ToR. Specifically, that uncertainty in the assessment will be reduced by making conservative assumptions (Section 8 [of the ToR]). The EA will clearly describe and document all uncertainties and assumptions made in the assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 1</li> <li>Section 10</li> <li>Section 14</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
21	Draft ToR Comment #198 Commenter: Aroland First Nation	<p><b>4. Purpose of the Study</b></p> <ul style="list-style-type: none"> <li>The Project is proposed to provide reliable all- season multi-purpose ground access between MFFN and the provincial highway network.</li> <li>However, the proposed Project with a 100 metre (m) wide ROW cleared to a width of 60 m will also create a new corridor right-of- way which can enable future parallel linear infrastructure such as telecommunication services, electrical transmission line services, and energy transportation pipelines. Potential future parallel linear infrastructure will provide substantial opportunities enhance social and economic well-being (see above comment on principles).</li> <li>AFN submits that the Purpose of the Project be amended:               <ul style="list-style-type: none"> <li>– “The Project is proposed to provide reliable all-season multi-purpose ground access between MFFN and the provincial highway network and establish a corridor right- of-way that will enable future parallel linear infrastructure.”</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure, such as telecommunication services, electrical transmission line services and energy transportation pipelines as suggested, paralleling the CAR in the future. Although a 100 m wide right-of-way is proposed, the purpose of the Project remains limited to providing “reliable all-season multi-purpose ground access between MFFN and the provincial highway network”. Therefore, the Project is not being planned or designed to accommodate for other infrastructure.</li> <li>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
22	Draft ToR Comment #199 Commenter: Aroland First Nation	<p><b>4. Purpose of the Study</b></p> <ul style="list-style-type: none"> <li>“AFN has no objections to the Project supporting a multi-purpose road built to meet industrial use specifications, provided that the Project study includes meaningful assessment of opportunities enhance social and economic” well-being (see above comments on potential future parallel linear infrastructure and principles).</li> <li>AFN submits that in order for the Project to support a multi- purpose road built to meet industrial use specifications, it should also explicitly support enable future parallel linear infrastructure and opportunities enhance social and economic well-being made possible by such parallel linear infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure paralleling the CAR in the future. Although the road is proposed to be built to meet industrial use specifications with 100 m wide right-of-way, the purpose of the Project remains limited to providing “reliable all-season multi- purpose ground access between MFFN and the provincial highway network”. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of industry and linear development in the region. Therefore, the Project is not being planned or designed to accommodate for other infrastructure.</li> <li>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the Project; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment, which would consider potential benefits on social and economic well-being.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
23	Draft ToR Comment #200 Commenter: Aroland First Nation	<p><b>4. Purpose of the Study</b></p> <ul style="list-style-type: none"> <li>“MFFN states that the “EA will confirm the preferred route, identify the potential effects of the Project and recommend impact management measures to avoid, eliminate or minimize potential environmental effects.”</li> <li>AFN submits that this statement be amended:               <ul style="list-style-type: none"> <li>– “The EA will confirm the preferred route, identify the potential effects of the Project, identify and recommend impact management measures to avoid, eliminate or minimize potential environmental effects, and identify opportunities enhance social and economic well-being.”</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 3.4.1 of the Terms of Reference states that the project management principles of the Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario will be incorporated throughout the environmental assessment (EA). Enhancing societal benefits to the environment is one of these principles. The environment, as defined by the Ontario Environmental Assessment Act and being used for the Project, includes “the social, economic and cultural conditions that influence the life of humans or a community”.</li> <li>The preliminary potential effects listed in Table 7-6 of the ToR includes effects on social well-being and the economy. Section 7.2 of the ToR has been updated to clarify that potential effects on the environment includes both positive and negative effects to show that opportunities to enhance societal benefits, including those related to social well-being and the economy, will be part of the EA. The ToR will also be updated to indicate that opportunities to enhance benefits to the environment will be identified when recommending impact management measures in the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 5</li> <li>Section 11</li> </ul>
24	Draft ToR Comment #201 Commenter: Aroland First Nation	<p><b>5.1 Rationale for the Proposed Undertaking</b></p> <ul style="list-style-type: none"> <li>This section makes no mention of MFFN’s deficits with respect to low-cost energy services/energy reliability, and telecommunication services – services that could be enabled through parallel linear infrastructure within a 100 m wide ROW cleared to a width of 60 m.</li> <li>AFN submits that MFFN should adjust the Rationale for the Proposed Undertaking to include recognition of the significant deficits experienced by the MFFN with respect to low-cost energy services/energy reliability, and telecommunication services, while also revising the Purpose of the Project as discussed above.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure, such as telecommunication services, electrical transmission line services and energy transportation pipelines as suggested, paralleling the CAR in the future. Although a 100 m wide right-of-way is proposed, the purpose of the Project remains limited to providing “reliable all-season multi-purpose ground access between MFFN and the provincial highway network”. Therefore, the Project is not being planned or designed to accommodate for other infrastructure.</li> <li>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>





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25	Draft ToR Comment #203 Commenter: Aroland First Nation	<b>5.2 Description of the Undertaking</b> <ul style="list-style-type: none"> <li>5.2.1 Project components" Project components are not currently anticipated to include use of the ROW for parallel linear infrastructure.</li> <li>Project components should also include options and opportunities for accommodating future parallel linear infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure, such as telecommunication services, electrical transmission line services and energy transportation pipelines as suggested, paralleling the CAR in the future. Although a 100 m wide right-of-way is proposed, the purpose of the Project remains limited to providing "reliable all-season multi-purpose ground access between MFFN and the provincial highway network". Therefore, the Project is not being planned or designed to accommodate for other infrastructure.</li> <li>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
26	Draft ToR Comment #205 Commenter: Aroland First Nation	<b>6.2 Approach to Considering "Alternatives To"</b> <ul style="list-style-type: none"> <li>The "Do Nothing" alternative should include discussion of economic and social development related to other linear infrastructure that is economically prohibitive without the existence of a primary ROW.</li> <li>AFN submits that MFFN should include discussion of the absence of other linear infrastructure with regard to the "Do Nothing" alternative.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. The Project is not being planned or designed to accommodate for other infrastructure. However, MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure, such as telecommunication services, electrical transmission line services and energy transportation pipelines as suggested, paralleling the CAR in the future.</li> <li>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
27	Draft ToR Comment #208 Commenter: Aroland First Nation	<b>6.3.1 Identification of Alternative Methods</b> <ul style="list-style-type: none"> <li>Alternative methods are limited to two route alternatives.</li> <li>Along with including all four route alternatives as alternative methods, the EA should consider additional alternative methods, including: <ul style="list-style-type: none"> <li>Alternative methods for enabling the ROW to include future parallel linear infrastructure such as telecommunication services, electrical transmission line services, and energy transportation pipelines</li> <li>Alternative methods for accessing crushed rock and granular materials through rock quarries and borrow areas</li> <li>Alternative methods for connecting the CAR to the Ontario provincial highway network</li> <li>Alternative methods for the disposal of domestic waste generated during construction</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Linear Infrastructure: MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure paralleling the CAR in the future. However, the Project is not being planned or designed to accommodate for other infrastructure because the purpose of the Project remains limited to providing "reliable all-season multi-purpose ground access between MFFN and the provincial highway network". With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</li> <li>Ancillary Infrastructure (i.e., temporary infrastructure required for construction): Sections 6 and 8 of the Terms of Reference (ToR) have been updated to clarify that the alternatives assessment and effects assessment will include temporary infrastructure components of the Project, such as aggregate sites.</li> <li>Provincial Highway Connection: The Project is being developed on the basis of utilizing existing roads as much as possible</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> <li>Section 5</li> </ul>
28	Draft ToR Comment #229 Commenter: Aroland First Nation	<b>9.2 Environmental Monitoring</b> <ul style="list-style-type: none"> <li>For the Project to proceed through AFN's traditional territory, AFN will need to provide its consent.</li> <li>Section 9.2 should include reference to environmental monitoring commitments and accommodations developed between MFFN and AFN should AFN provide its consent for the Project to proceed.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN agrees it is important to work collaboratively with Indigenous peoples and Indigenous communities to identify environmental monitoring commitments and foresees this as part of the consultation undertaken for the EA. Section 9.2 of the ToR outlines the Project's environmental monitoring commitments and Table 4-2 of the Consultation Plan includes consultation activities aimed at receiving input on impact management measures and monitoring measures. The ToR also identifies MFFN's plan that Indigenous knowledge will help determine appropriate impact management measures and monitoring methods (Section 3.4.2). No change is proposed to the ToR as the commitment to identify environmental monitoring commitments with Indigenous communities is captured in the documentation.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 4</li> </ul>







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29	Draft ToR Comment #237 Commenter: Attawapiskat First Nation	<ul style="list-style-type: none"> <li>■ The draft Terms of Reference (ToR) for this road project makes clear that the primary purpose of the road is to open the region to mineral development via an all-season road to the Ring of Fire. Attawapiskat First Nation questions whether Marten Falls First Nation (MFFN) is in fact the proponent of this project, and whether the planning of the project is truly "community-led," as is claimed in Section 2.1.1 (p. 3). Marten Falls First Nation is named in the ToR as the proponent, yet the rationale for the proposed undertaking is repeatedly framed in terms of Ontario's economic interest and the development of otherwise inaccessible mineral deposits. The draft ToR states that MFFN is not conducting an assessment of alternatives to the undertaking "since the proposed Project has already been identified in the provincial Infrastructure Plan." "It is understood," the draft ToR explains, "that the government would have considered the alternatives to the proposed Project when committing to provide funding for an all-season access road" (Section 6.2, p. 16).</li> <li>■ The draft ToR cites Ontario's Infrastructure Plan as a rationale for building a road from Nakina to MFFN (Section 5.1, p.11). Building Better Lives: Ontario's Long-Term Infrastructure Plan (2017) states that the province is "supporting Marten Falls First Nation to plan and construct an access road connecting the community to the existing provincial highway network at Aroland /Nakina." According to the Infrastructure Plan, "Ontario will continue to support Marten Falls to undertake further technical and environmental studies that could inform planning and development of a north-south access road tied to the business case for, and development of, chromite mining in the Ring of Fire. Building these roads is a critical step in realizing the economic benefits of one of the largest mineral-development opportunities in Ontario in almost a century." The Plan goes on to say that "Ontario is working to support these First Nations as they address all regulatory requirements, so that this unique environment is protected" (p. 93).</li> <li>■ Our community has been told a very different story about the rationale for this road. In an informal briefing to Charles Hookimaw, the Attawapiskat First Nation Director of Lands and Resources, on August 13, 2019, a consultant for the proponent emphasized that an all-season road would ensure better access to goods and services for a remote First Nations community currently accessible only by winter road. The briefing gave the strong impression that supporting "future industry in the region, e.g., mining" was not the primary rationale for building the road. The briefing of August 13, 2019 also did not mention that development in the Ring of Fire will be used as one of the screening criteria for selecting the alternative routes studied in the EA. This fact was left out of the presentation to our community, but it was included in the proponent's presentation to Public Stakeholders /Government Agencies (see Record of Consultation Appendices, Section 8.1.1, Presentations to Neighbouring Communities and Section B.2 Presentation to Public Stakeholders /Government Agencies). It is worth emphasizing that the briefing was an informal, "off the record" conversation that occurred between a single officer of the Attawapiskat First Nation, and a consultant for the proponent. The Attawapiskat First Nation is therefore concerned, both by the rationale for the consultation process, and by the apparently differing rationales for the road itself.</li> <li>■ The Plain Language Summary of the draft ToR, which is meant for distribution in our community, provides further misleading information, stating on p. 2 that the road is needed because</li> <li>■ "Marten Falls First Nation (MFFN) is a remote First Nation community in northern Ontario, located at the junction of the Albany and Ogoki rivers. MFFN has a winter access road but it isn't reliable and makes transportation of goods and people difficult. All season road access connecting MFFN to the existing provincial highway network is needed to improve the well-being of the community."</li> <li>■ Attawapiskat First Nation requests information on the role of Ontario and private industry in funding the construction of the Marten Falls Community Access Road. Attawapiskat First Nation also requests information on Ontario's role in addressing regulatory requirements, given the apparent conflict of interest between Ontario's role as environmental regulator and Ontario's role as project facilitator.</li> </ul>	<ul style="list-style-type: none"> <li>■ MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. Although the road is proposed to be built to meet industrial use specifications, the primary use of the CAR will be to service MFFN. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs. That is, the CAR is proposed to address the problem of unreliable community access to MFFN and not for the purpose of opening the region to mineral development. Section 4 of the Terms of Reference (ToR) emphasizes that reliable access will increase travel safety, reduce the price of food, fuel, and supplies, and provide the community with future economic development opportunities.</li> <li>■ Although the Infrastructure Plan includes a commitment of support from the province to MFFN for technical and environmental studies for an access road from MFFN to the Ring of Fire, that road is not part of this Project. MFFN is conducting an EA for a multi-use road that will provide all-season community access, not an industrial supply road to the Ring of Fire. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the ToR.</li> <li>■ On March 2, 2020, the Government of Ontario, Marten Falls First Nation and Webequie First Nation announced their agreement to advance planning and development of a proposed Northern Road Link. The proposed Northern Road Link would provide reliable, all-season road access to potential mine sites in the Ring of Fire region. The requirement for an environmental assessment (EA) specific to the proposed Northern Road Link will be confirmed by the joint proponent of MFFN and Webequie First Nation in consultation with the provincial and federal government. This is a new proponent and is separate from the proponent of the CAR Project, where only Marten Falls is the proponent. An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project and would be subject to approvals separate from this Project.</li> <li>■ Provincial interest, which is supported by MFFN, is for one road to serve both community access and industrial supply needs. As such, MFFN has decided the Project will be built to industrial use specifications for multipurpose use. Since the CAR may be used by private, commercial and industry, the ToR acknowledges potential benefits and effects that may occur due to multipurpose use, which includes the possibility of mining industry use of the road.</li> <li>■ MFFN acknowledges that the messaging around the purpose of the Project and identification of alternatives routes has evolved since the initial PIC in April/May 2019. The purpose of the Project has always first and foremost been to provide year-round access to MFFN. One of the benefits of better access would be increased opportunities for local economic development (as stated in the meeting on September 13, 2019). While the presentation material at the PIC specifically referenced Ring of Fire development, access to the Ring of Fire is not part of the scope of this Project. Other mining opportunities in the study area of the Project were reviewed when looking at the potential for economic development opportunities associated with the alternative routes. The information MFFN shared with Attawapiskat on August 13th and September 13th, 2019 regarding the Project was the current information on the Project at that time. MFFN in no way meant to message two different purposes for the Project or the decision-making process followed to identify the alternatives routes for the EA, but rather each were refined over time during development of the ToR. The potential development associated with the Ring of Fire will be considered for inclusion in the cumulative effects assessment for the CAR.</li> <li>■ The MFFN CAR Project Team sent Attawapiskat First Nation the Notice of Commencement, field study notices, Project fact sheet and newsletters, invitations to two Public Information Centres, and Draft ToR materials. On August 13, 2019 the MFFN CAR Project Team met with Charles Hookimaw, Community Planner, to discuss the Project with a presentation and printed maps. Between September and November 2019, numerous calls were made about scheduling a follow-up meeting.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.3</li> </ul>





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		<ul style="list-style-type: none"> <li>As such, and for the reasons discussed above, the draft ToR does not meet the standards of the Attawapiskat First Nation for appropriate consultation as affirmed by the Supreme Court of Canada in Haida Nation (2004)." at the end of the final paragraph of section one (I) of the document.</li> </ul>	<p>ENDM planned an in- community meeting for March 2020 and invited the MFFN CAR Project Team; however, this meeting was postponed by ENDM. On March 31, 2020 Attawapiskat First Nation indicated they are no longer holding face-to-face meetings due to COVID-19 and the MFFN CAR Project Team indicated they would continue to meet via telephone or online if Attawapiskat First Nation was interested. The MFFN CAR Project Team has received Attawapiskat First Nation's feedback on the Draft ToR and is in the process of addressing the concerns raised in the Proposed ToR. In way of next steps, the Proposed ToR will be submitted to the Ministry of the Environment Conservation and Parks (MECP) for review and a decision. You will be notified when the ToR is submitted to the MECP and will receive a second opportunity to review and comment on this revised ToR.</p> <ul style="list-style-type: none"> <li>The role of the provincial government and appropriate consultation as affirmed by the Supreme Court of Canada in Haida Nation (2004) is outside the scope of what MFFN is responsible for responding to as the proponent for the EA. We have referred your comment to Ontario so they can respond to you directly on this matter.</li> </ul>	
30	Draft ToR Comment #239 Committer: Attawapiskat First Nation	<ul style="list-style-type: none"> <li>3. Attawapiskat First Nation requires that the Consultation Plan for Attawapiskat First Nation adopt a rights-based approach to assessing the environmental impacts of the proposed project. The EA must directly consider the effects of the proposed project to our Aboriginal and/or Treaty Rights, which are protected under Section 35 of the Constitution Act, 1982. As currently drafted, the ToR uses biophysical indicators as proxies for considering impacts to the rights and interests of neighbouring communities. The Consultation Plan needs to engage Attawapiskat First Nation on the scope and nature of the rights and interests affected by the proposed project. This requires Attawapiskat First Nation to have detailed, up-to-date information on the various long-term development scenarios resulting from the proposed road, and information on the cumulative impacts the road will bring to our lands and waters, fish, and wildlife populations.</li> </ul>	<ul style="list-style-type: none"> <li>The Consultation Plan indicates that we will use the Consultation Plan as the foundation but apply unique consultation efforts for each community, as needed. This can be in the form of a strategy rather than a full plan. A rights-based approach can be considered for an Attawapiskat-focused strategy for engagement during the EA.</li> <li>Neighbouring Indigenous Communities will be provided with regular Project updates and are encouraged to check the website and sign-up for the Project mailing list or contact the Project Team at any time.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.2 Section 12</li> </ul>
31	Draft ToR Comment #255 Committer: Attawapiskat First Nation	<p><b>Section 7.1.4.11 (p.38-39):</b></p> <ul style="list-style-type: none"> <li>Attawapiskat First Nation knowledge is not restricted to information on traditional land and resource use and cultural practices. Our Indigenous knowledge should inform the EA's understanding of the conditions that support the exercise of our Aboriginal and/or Treaty rights, and how the cumulative impacts of the proposed road will change the conditions that support the exercise of our rights. Indigenous knowledge from our community must also inform the types of technical investigations that need to be completed to respond to the questions and concerns of our land users.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.4.2 of the ToR outlines the approach to working with potentially affected Indigenous Communities, including Attawapiskat First Nation, to inform and confirm the proposed criteria and indicators, inform the existing baseline conditions, identify, and predict potential effects, and help determine appropriate impact management measures and monitoring methods. Information provided by potentially affected Indigenous Communities will help to inform potential effects to Aboriginal and Treaty Rights (Section 7.2.1 of the ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 4</li> </ul>
32	Draft ToR Comment #257 Committer: Attawapiskat First Nation	<p><b>Section 7.1.4.12 (p. 41):</b></p> <ul style="list-style-type: none"> <li>Attawapiskat First Nation considers that the development of the proposed road is premature and contrary to the objectives of the Far North Act, given that Marten Falls First Nation, as well as several First Nations with areas of shared use, have not yet completed Community Based Land Use Plans.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN recognizes that CBLUPs may be currently underway or not yet started. In the absence of completed plans, MFFN is engaging with neighbouring Indigenous communities and working with these communities to obtain Indigenous knowledge to help inform development of the Project. As such, the Project, where possible, can co-operate in the avoidance of possible future land use conflicts.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.2</li> <li>Section 4</li> </ul>
33	Draft ToR Comment #266 Committer: Attawapiskat First Nation	<p><b>Section 8.4 (p.57-58):</b></p> <ul style="list-style-type: none"> <li>Attawapiskat First Nation requests that consultation include engagement on the selection of criteria and indicators selected for the Project. As currently drafted, the ToR, including the list of criteria and indicators included in Table 7-4, does not take into account the multiple spatial and temporal scales at which this project impacts the lands and waters. The proposed evaluation criteria and indicators focus on individual species and habitat types. We require that the environmental assessment includes a consideration of relationships between species, including predator/prey dynamics (such as those impacting caribou and moose) and relationships between habitats (including terrestrial/aquatic).</li> <li>Indicators should also include the types of environmental, cultural, social, and economic conditions needed to support the exercise of our Aboriginal and/or Treaty Rights, which are protected under Section 35 of the Constitution Act, 1982.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed criteria and indicators for the Project are provided in Appendix A of the Terms of Reference (ToR). Proposed criteria and indicators related to Aboriginal and Treaty Rights were included for review and comment through release of the Draft ToR. MFFN confirms that consultation during the environmental assessment (EA) will include engagement on the criteria and indicators selected for the Project, as identified in <i>Appendix C: Draft Consultation Plan</i> Table 4-2 ("evaluation criteria").</li> <li>Section 7.2 of the ToR will be updated to clarify that the prediction of potential effects in the environmental assessment (EA) will include both direct and indirect effects of the Project. Indirect effects capture relationships between environmental disciplines (e.g., how changes in surface water quality from a Project-related activity may affect fish and fish habitat).</li> </ul>	<ul style="list-style-type: none"> <li>Section 8</li> <li>Section 10.1</li> </ul>





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34	Draft ToR Comment #275 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Given that the road is designed to supply mining claims, will the existing ongoing and adverse effects of mining claims be considered in the cumulative effects analysis? If not, why not?</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. Although the road is proposed to be built to meet industrial use specifications, the primary use of the CAR will be to service MFFN. That is, the road is proposed to provide community access and may be used by industry but is not specifically designed for the purpose of supplying mining claims. The CAR is proposed with the expectation that, should approvals be granted, it would be built regardless of industrial use of the road.</li> <li>The effects of past, present, and reasonably foreseeable projects associated with mining claims will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
35	Draft ToR Comment #289 Commenter: Ministry of Heritage, Sport, Tourism and Culture Industries	<ul style="list-style-type: none"> <li>The environmental assessment will need to examine the potential effect of the alternatives and the undertaking on all components of the environment, including cultural heritage resources. Table 7-4 and Section 7.2.12 include a preliminary list of potential environmental effects.</li> </ul>	<ul style="list-style-type: none"> <li>The preliminary list of potential environmental effects for cultural heritage sources can be found in Table 7-6 and Section 7.2.10 [of the Draft ToR].</li> </ul>	<ul style="list-style-type: none"> <li>Discipline-specific study plan under separate cover</li> </ul>
36	Draft ToR Comment #350 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How will the cumulative effects assessment manage the compounding risks of opening up a previously remote area, taking into account the local perspectives and knowledge? How will the impacts on Indigenous women and girls be specifically considered in cultural context?</li> </ul>	<ul style="list-style-type: none"> <li>MFFN acknowledges that development opportunities may arise in the future if the CAR is constructed. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR). Section 3.4.2 of the ToR describes how Indigenous Knowledge has been and will continue to be considered throughout the EA process, which includes the cumulative effects assessment.</li> <li>A GBA+ framework will be utilized for the federal Impact Assessment that is also to be completed for the Project to consider gender and other identity factors.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> <li>Section 3.3</li> <li>Section 10.3</li> </ul>
37	Draft ToR Comment #351 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>The final report of the National Inquiry into MMIWG detailed how resource extraction projects can drive violence against Indigenous women in several ways, including issues related to transient workers, harassment and assault in the workplace, rotational shift work, substance abuse and addictions, and economic insecurity. How will Marten Falls ensure that these impacts are studied with respect to the distinct culture and geographic vulnerability of each of the remote communities?</li> </ul>	<ul style="list-style-type: none"> <li>The Project to be studied within the EA is the Marten Falls Community Access Road, which does not include resource extraction beyond aggregate for the road construction. It is anticipated the potential mining projects would conduct their own assessment of these important risks as components of their socio-economic impact assessments. Depending on the findings of the Project assessment, these factors may be considered within the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>
38	Draft ToR Comment #354 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Neskantaga is concerned that Ontario, as both the funder and regulator of the project, is 'project splitting' — intentionally breaking a project up into its component parts in order to avoid an environmental assessment at the appropriate scale, thereby compromising the discussion of the potential impacts of the development of the region as a whole. Ontario has cut the project into pieces in order to more easily win federal and provincial approvals, obtaining authorization for the less politically contentious parts of the project by artificially creating a First Nation project proponent and making the development of the rest of the project a foregone conclusion.</li> <li>The full scale and impact of Ontario's project has not been presented to either regulators, Neskantaga and the public. Ontario's failure to disclose the full scale of its project plans has resulted in an improper scoping of the assessment.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs. MFFN is conducting an EA, initiated in March 2019 by the Notice of Commencement of a ToR, for a multi-use road that will provide all-season community access, not an industrial supply road to the Ring of Fire. Section 2 of the ToR describes how through a community-led process, MFFN community membership is the proponent for the Project. For many years, MFFN has expressed a strong desire for improved all-season ground access to the provincial highway system.</li> <li>On March 2, 2020, the Government of Ontario, Marten Falls First Nation and Webequie First Nation announced their agreement to advance planning and development of a proposed Northern Road Link. The proposed Northern Road Link would provide reliable, all-season road access to potential mine sites in the Ring of Fire region. The requirement for an environmental assessment (EA) specific to the proposed Northern Road Link will be confirmed by the joint proponent of MFFN and Webequie First Nation in consultation with the provincial and federal government. This is a new proponent and is separate from the proponent of the CAR Project, where only Marten Falls is the proponent.</li> <li>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project and would be subject to approvals separate from this Project. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> <li>Having the CAR and Northern Road Link as two separate projects is outside the scope of what Marten Falls First Nation is responsible for responding to as proponent for the EA. We have referred your comment to Ontario so they can respond to you directly on this matter.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
39	Draft ToR Comment #356 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>The road is intended to promote and facilitate future road, mines and mining exploration, airstrips, winter road widening, a trans-load facility at the rail line, transmission lines and possibly a railway line and refinery in the region.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. Although the road is proposed to be built to meet industrial use specifications, the primary use of the CAR will be to service MFFN. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs. That is, the CAR is proposed to address the problem of unreliable community access to MFFN and not for the purpose of facilitating a future road, mines, mineral exploration, airstrips, winter road widening, trans-load facility rail line, transmissions lines, refinery, or other types of development in the region. MFFN is conducting an EA, initiated in March 2019 by the Notice of Commencement of a ToR, for a multi-use road that will provide all-season community access, not an industrial supply road to the Ring of Fire. Should other developments in the region be proposed in the future, the proponent of each undertaking, in consultation with provincial and federal government, would confirm environmental assessment (EA) requirements specific to that undertaking.</li> <li>MFFN acknowledges that future development opportunities may arise in the future if the CAR is constructed. The effects of reasonably foreseeable projects future developments will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
40	Draft ToR Comment #357 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Neskantaga is concerned that an incremental and piecemeal 'road by road' assessment approach will unreasonably minimize the impacts of 'opening up of the North' and the development of the region until it is too late, and decisions are irreversible.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs. MFFN is conducting an EA, initiated in March 2019 by the Notice of Commencement of a ToR, for a multi-use road that will provide all-season community access, not an industrial supply road to the Ring of Fire.</li> <li>On March 2, 2020, the Government of Ontario, Marten Falls First Nation and Webequie First Nation announced their agreement to advance planning and development of a proposed Northern Road Link. The proposed Northern Road Link would provide reliable, all-season road access to potential mine sites in the Ring of Fire region. The requirement for an EA specific to the proposed Northern Road Link will be confirmed by the joint proponent of MFFN and Webequie First Nation in consultation with the provincial and federal government. This is a new proponent and is separate from the proponent of the CAR Project, where only Marten Falls is the proponent.</li> <li>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project and would be subject to approvals separate from this Project. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> <li>Having the CAR and Northern Road Link as two separate projects is outside the scope of what Marten Falls First Nation is responsible for responding to as proponent for the EA. We have referred your comment to Ontario so they can respond to you directly on this matter.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
41	Draft ToR Comment #359 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Is there a mechanism for higher-level assessment and planning that could address Neskantaga's big-picture regional and strategic issues up front? If not, how will Marten Falls effectively manage cumulative impacts in the region that the road will inevitably open up?</li> </ul>	<ul style="list-style-type: none"> <li>Requests for a regional assessment have been received by the Impact Assessment Agency of Canada and on February 10, 2020 the Minister of Environment and Climate Change determined that a regional assessment of the Ring of Fire region will be conducted pursuant to the Impact Assessment Act. Information on the Minister's decision is available at <a href="https://iaac-aeic.gc.ca/050/evaluations/proj/80468">https://iaac-aeic.gc.ca/050/evaluations/proj/80468</a>.</li> <li>MFFN acknowledges that future development opportunities may arise in the future if the CAR is constructed. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 2</li> <li>Section 12.3</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
42	Draft ToR Comment #378 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Ontario has already authorized the staking of extensive mining claims and permitted early exploration on Neskantaga's ancestral lands without regard to the cumulative effects and adverse cumulative impacts of the mining exploration on Neskantaga's meaningful exercise of its inherent, Aboriginal and Treaty rights.</li> </ul>	<ul style="list-style-type: none"> <li>The effects of past, present, and reasonably foreseeable projects associated with mining claims will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
43	Draft ToR Comment #379 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How will the cumulative effects framework developed during the assessments of the proposed road inform the potential impacts of existing mining claims and mining exploration and future projects?</li> </ul>	<ul style="list-style-type: none"> <li>The effects of past, present, and reasonably foreseeable projects associated with mining claims will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
44	Draft ToR Comment #380 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How will Neskantaga, and other Matawa Nations, participate in the governance, oversight, and delivery of a cumulative effects management framework?</li> </ul>	<ul style="list-style-type: none"> <li>MFFN is committed to creating and sustaining constructive dialogue and relationships with interested persons, including Neskantaga and other Matawa Nations, to support the EA, including the cumulative effects assessment. MFFN notes that the cumulative effects assessment was not specifically identified in Appendix B [of the Draft ToR] Table 4-2, however this was an oversight and has since been added. MFFN foresees consultation with Indigenous communities on many aspects of the EA, including the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> </ul>
45	Draft ToR Comment #381 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How will the cumulative effects approach assess alternative future development scenarios for the region?</li> </ul>	<ul style="list-style-type: none"> <li>The effects of past, present, and reasonably foreseeable projects will be considered in the cumulative effects analysis if they are within the study area determined appropriate for the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
46	Draft ToR Comment #382 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How can Neskantaga's visions for alternative future development scenarios be considered in this process?</li> </ul>	<ul style="list-style-type: none"> <li>The effects of past, present, and reasonably foreseeable projects will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. MFFN welcomes information on reasonably foreseeable projects that Neskantaga is aware of.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
47	Draft ToR Comment #383 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>How will the cumulative effects assessment ensure that decisions and activities in the so-called Ring of Fire region align with the community vision of Neskantaga?</li> </ul>	<ul style="list-style-type: none"> <li>MFFN acknowledges that future development opportunities may arise in the future if the CAR is constructed. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR). Section 3.4.2 of the ToR describes how Indigenous Knowledge will be considered throughout the EA process, which includes the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
48	Draft ToR Comment #386 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>To achieve our sustainability goals, Neskantaga must be in a position to manage the pace, scale, location, and number of activities on our territory. How will the EA decisions consider and be consistent with achieving Neskantaga's fundamental sustainability goals? Will there be a sustainability test based on our goals and criteria?</li> </ul>	<ul style="list-style-type: none"> <li>The Project will meet the requirements of the federal <i>Impact Assessment Act</i>, which requires that a Project assess its contribution to sustainability. This portion of the EA will be guided by the Impact Assessment Act requirements. The Consultation Plan includes opportunities to engage on all aspects of the EA and we encourage Neskantaga to comment on how the assessment aligns with Neskantaga's sustainability goals.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.4</li> </ul>
49	Draft ToR Comment #387 Commenter: Neskantaga First Nation	<ul style="list-style-type: none"> <li>Will Marten Falls provide reasons – including addressing specific criteria for how the decision meets Neskantaga's sustainability objectives, identifying the evidence relied upon, and addressing how Neskantaga input was considered and how it influenced the decision?</li> </ul>	<ul style="list-style-type: none"> <li>The Project will meet the requirements of the federal <i>Impact Assessment Act</i>, which requires that a Project assess its contribution to sustainability. This portion of the EA will be guided by the Impact Assessment Act requirements. The Consultation Plan includes opportunities to engage on all aspects of the EA and we encourage Neskantaga to comment on how the assessment aligns with Neskantaga's sustainability goals.</li> <li>As part of the consultation process, should Neskantaga provide comments on the sustainability assessment that will be part of the EA, MFFN is committed to respond to the comments and indicate how comments were addressed in the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.4</li> </ul>
50	Draft ToR Comment #420 Commenter: MNRF	<p><b>Sec 6.2 Pg. 15</b></p> <ul style="list-style-type: none"> <li>Among the social, economic, and environmental comparisons of the alternatives for the project, a cost comparison should be conducted. The ToR should state that this will be a component of the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 8 of the ToR indicates that MFFN will " Consider the environment, cost and constructability of the alternatives, and compare the advantages and disadvantages of each."</li> </ul>	<ul style="list-style-type: none"> <li>Section 11</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
51	Draft ToR Comment #421 Commenter: MNRF	<p><b>Sec 6.2 (pg. 16) &amp; 7.1.4 (pg. 22)</b></p> <ul style="list-style-type: none"> <li>The ToR identifies that “Although the Project is for a Community Access Road, with the primary purpose to service the community of Marten Falls First Nation, the need for a supply road to mining claims in the region has been previously identified by industry and government (i.e., provincial infrastructure plan). It is possible that a supply road would be constructed from a point along the CAR to the mining claims north of MFFN, including the Ring of Fire. Provincial interest is for one road to be built to serve both community access and industrial supply needs (i.e., multi-functional use); therefore, the proposed CAR may be used by private, commercial and industrial needs”.</li> <li>Because of the potential for large changes regarding access to the western portion of Ontario’s Far North Region, it is recommended that a cumulative effects assessment is conducted as part of the EA.</li> <li>Examples: Webequie Supply Road, transmission corridors, Rapid Lynx, Phase 2 of road to Ring of Fire Revise ToR to include potential cumulative effects of the project in combination with past, present, and reasonably foreseeable future activities, where possible, to be included in the EA.</li> </ul>	<ul style="list-style-type: none"> <li>A cumulative effects assessment will be conducted as part of the EA as documented in Section 8 of the Draft ToR. The effects of past, present, and reasonably foreseeable projects will be considered in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
52	Draft ToR Comment #422 Commenter: MNRF	<p><b>Sec. 7.1.1 (pg. 19), Sec. 7.1.4 (pg. 22), Sec 10.2.4 (pg. 72), Appendix A</b></p> <ul style="list-style-type: none"> <li>ToR indicates that the study area is 2.5 km on each side of the centreline of each alternative route. Given the range of some of the wildlife species, the distance that some fish species will travel to spawn and the potential impacts on remote tourism operations.</li> <li>The study area described may not be adequate to assess the full range of impacts Please provide rationale for the study area.</li> <li>A data share agreement between the MFFN project team and the Crown is in place. This should be recognized in the ToR and included as a potential data source. Please describe how Crown provided data and data collected for the project will be used and shared amongst organizations.</li> <li>The ToR should recognize the Crown Data Share Agreement and include reference to it in the listing of potential data sources for the criteria and indicators alternatives evaluation.</li> </ul>	<ul style="list-style-type: none"> <li>Agencies, Indigenous communities, and the public will have an opportunity to comment on study areas (site, local and regional) during the EA (key milestones in the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS), as well as continued opportunity during review of the Draft and Final EA / IS. The study areas for field investigations may differ from the local and regional study areas within which project effects will be assessed.</li> <li>The Study Area identified in the Draft ToR was intended as the general area of the Project within which the existing environment could be described, and to allow for route refinements during the development of Project Design.</li> <li>The data subject to the Crown Data Sharing Agreements between MFFN, MECP and MNRF has been identified and cited in the Draft ToR and EA, where appropriate, as a potential data source. MFFN and its consultants have and will continue to adhere to the conditions of those agreements and will work with MECP and MNRF to help ensure that Crown data are being interpreted and shared appropriately.</li> </ul>	<ul style="list-style-type: none"> <li>Section 6.2</li> <li>Section 2.1</li> </ul>
53	Draft ToR Comment #436 Commenter: MNRF	<p><b>Sec. 7.1.4.8 pg. 31</b></p> <ul style="list-style-type: none"> <li>It would be helpful to cite the size of the study area (e.g., in hectares) to provide readers with a sense of the scope and scale of the project. This would be helpful at EA phase. Cite the size of the area (e.g., in section 7.1.1)</li> </ul>	<ul style="list-style-type: none"> <li>MFFN will consider including the size of the study area in hectares in the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 6.2</li> </ul>
54	Draft ToR Comment #455 Commenter: MNRF	<p><b>Sec. 7.2.3 – Physiology, Geology, Terrain and Soils pg. 42</b></p> <ul style="list-style-type: none"> <li>Appendix A The proponent acknowledges the importance of identifying and securing the aggregate materials that will be required for road construction and maintenance. MNRF shares the view that the availability of suitable and sufficient amounts of aggregate for the project will be a major consideration in route selection and overall feasibility.</li> <li>The rationale is to be transparent on the quantity and sources of aggregate at the ToR stage because of the wetland dominated landscape with limited sources. The associated potential effects in obtaining sufficient volume to construct and maintain the proposed road because it is possible that sources will need to be accessed beyond the defined local study area resulting in additional roads. Although potential aggregate sources (fig 7.2 pg 26) are provided, detailed information about the type and volume of aggregate needed to implement the project and that exists in the project area will need to be presented, along with an assessment of environmental impacts of new aggregate extraction operations that are proposed and how these will be mitigated.</li> <li>The assessment approach to evaluating potential effects for aggregates is weak (see Appendix A) because it appears to be included in the general local geology criteria with no mention of indicators that are sensitive to ecological changes at the project, local and regional levels. For example, attention should be given to developing criterion and indicators that reflect the potential ecological and hydrologic effects associated with construction and maintenance of the proposed road.</li> </ul>	<ul style="list-style-type: none"> <li>The development of the identification and preliminary investigation of aggregate sources is currently being compiled. This document will be used to inform the quality, suitability, chemical composition, availability, and quantity of aggregate required for the project. The EA will utilize this document to indicate the volume, suitability and extent of aggregate resources that may be required to complete the Project. Any potential environmental impacts resulting from the sourcing of aggregate used for the Project as well as the impacts from the construction and operation of the road will be assessed in the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.1</li> </ul>





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55	Draft ToR Comment #458 Commenter: MNRF	<b>Sec. 7.2.3 (pg.49), 7.2.4 (pg.51), 7.2.8 (pg.55), 8.3</b> <ul style="list-style-type: none"> <li>Changes to drainage patterns, catchment areas, and water quality and quantity as a result of the construction of the project should be considered as direct impacts. The ToR should describe definitions for direct, indirect, and cumulative impacts.</li> <li>Indirect impacts on the environment are often described as those which are not a direct result of the project, often produced away from or as a result of a complex impact pathway</li> </ul>	<ul style="list-style-type: none"> <li>Direct, indirect, and cumulative effects are defined in Section 7.2 of the ToR.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.1</li> <li>Section 12</li> </ul>
56	Draft ToR Comment #476 Commenter: MNRF	<b>Draft Criteria and Indicators for Alternatives Evaluation Appendix A</b> <ul style="list-style-type: none"> <li>Available resources to help inform the draft criteria and indicators include research publications and expert knowledge on topics such as stressor-effects pathways, cumulative effects, and associated environmental components and indicators.</li> <li>Contacting researchers such as Rob Mackereth (MNRF) who has published research on these topics and related subjects is encouraged.</li> <li>Rempel, R.S., et al. 2016. Support for development of a long-term environmental monitoring strategy for the Ring of Fire area. Ontario Ministry of Natural Resources and Forestry, Science and Research Branch, Peterborough, ON. Science and Research Information Report IR-08. 34 p. + append. Catalogue-natural-resource-scientific-and-technical-publications.</li> <li>While no specifics are provided in this submission, MNRF welcomes a discussion with MECP and ENDM to explore what (if any) role this project could play in advancing baseline information and long-term environmental monitoring for the Ring of Fire in partnership with First Nations communities.</li> </ul>	<ul style="list-style-type: none"> <li>Agencies, Indigenous communities, and the public will have an opportunity to comment on assessment methods during the EA (key milestones of the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS) as well as continued opportunity during the review of the Draft and Final EA / IS). The criteria and indicators proposed in the ToR are preliminary, and have been provided for the purpose of gathering feedback for the refinement in the EA. The final list of criteria and indicators to be used in the EA will be based on information that arises throughout the study process and incorporate comments received through consultation.</li> <li>MFFN reviewed the identified published research and added it as a potential data source for criteria listed in Appendix A.</li> <li>The last portion of the comment regarding future discussions between MNRF, MECP and ENDM on baseline information is outside the scope of what Marten Falls First Nation is responsible for responding to as proponent for the EA. We have referred your comment to MECP and ENDM so they can respond to you directly on this matter.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 8</li> </ul>
57	Draft ToR Comment #505 Commenter: Ministry of Energy, Northern Development and Mines (ENDM)	<b>21. ROFS Section 7.1.2 Table 1 Pg. 22</b> <ul style="list-style-type: none"> <li>Not sure that Indigenous Knowledge is an 'environment or a discipline'. Indigenous Knowledge informs environment and disciplines. Would the environment not be the land and the discipline not be traditional land use.</li> <li>Suggest using alternate wording for the environment and discipline. Make sure that this is consistent with Table 7.4 and Appendix A.</li> </ul>	<ul style="list-style-type: none"> <li>Indigenous Knowledge is considered an information source and will be integrated throughout the EA per Section 3.4.2 of the ToR. Indigenous Knowledge is not considered a separate component of the environment. The environmental disciplines have been restructured to better reflect that IK is considered an information source for all relevant disciplines. The term "Indigenous Knowledge" under the "Environmental Component" column of Table 7-1 has been revised to be "Indigenous Rights and Interests" with the following disciplines: "Exercise of Aboriginal and Treaty Rights", "Indigenous Use of Lands and Resources for Traditional Purposes", and "Indigenous Cultural Sites, Features and Practices".</li> </ul>	<ul style="list-style-type: none"> <li>Section 4</li> <li>Section 7</li> </ul>
58	Draft ToR Comment #549 Commenter: Long Lake #58 First Nation	<b>Community Priorities</b> <ul style="list-style-type: none"> <li>Through initial community engagement efforts, the following priority areas have been identified by LL58 community members as requiring specific attention as the project EA proceeds. They are listed in no particular order and are not to be considered a full and comprehensive list of LL58's interests; they are provided to help assist in future focused communication efforts surrounding this EA.</li> <li>Environmental protections: Ensuring measures are in-place throughout the project life to protect the waters, fish, land, animals (notably moose) and air quality surrounding the project and associated watersheds, including a rigorous environmental monitoring program.</li> </ul>	<ul style="list-style-type: none"> <li>We appreciate your input and will attempt to focus future consultation with Long Lake #58 accordingly. All of the disciplines that have been identified here as priority areas by Long Lake #58 community members will be considered in the EA and consulted on with Long Lake #58 (refer to Sections 7.2.1, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8, and 7.2.9 of the ToR for further details). Impact management measures and recommendations will be provided in the EA as well as a monitoring program, as mentioned in Section 9 of the ToR.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> <li>Section 10.2</li> <li>Section 13</li> </ul>
59	Draft ToR Comment #558 Commenter: Long Lake #58 First Nation	<ul style="list-style-type: none"> <li>Increased load on infrastructure in Geraldton: LL58 members current seek health care services, groceries, and other services in the neighbouring town of Geraldton, with the proposed corridor anticipated to result in increased loads to this infrastructure (especially in-light of the anticipated future development of the Greenstone Gold Mine (GGM)). LL58 would like to understand how increased loads to Geraldton's infrastructure (including community roads, the hospital, landfill, and police services) could be affected by the proposed project, and to ensure that the eventual development of GGM is included in the assessment of cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>Changes to the socio-economic environment, which looks at potential changes in availability and use of public services and infrastructure (Table 7-2 of the Proposed ToR), within Geraldton is being considered as part of the assessment. It is expected the Greenstone Gold Mine will be included as a reasonably foreseeable development in considering cumulative socio-economic effects.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
60	Draft ToR Comment #560 Commenter: Long Lake #58 First Nation	<ul style="list-style-type: none"> <li>Eventual connection to the Ring of Fire: Since the Project Description states that the proposed road will likely connect to future mineral developments in the Ring of Fire, LL58 would like to have a better understanding of the potential future cumulative effects of such mining developments on LL58's homelands.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN acknowledges that future development opportunities may arise if the CAR is constructed. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>





ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
61	Draft ToR Comment #568 Commenter: Ginoogaming First Nation	<ul style="list-style-type: none"> <li>Environmental protections: Ensuring measures are in-place throughout the project life to protect the waters, fish, land, plants (notably blueberries), animals notably moose) and air quality surrounding the project and associated watersheds, including a rigorous environmental monitoring program.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9 of the ToR includes a commitment to the development and implementation of impact management measures, and a monitoring program during the EA. Impact management measures will be recommended to avoid, eliminate, or minimize potential environmental effects and identify opportunities to enhance benefits to the environment. This commitment applies to each environmental discipline identified in the ToR where potential effects are predicted due to the Project. The term environment is defined broadly in the <i>Environmental Assessment Act</i> (EAA) and includes social, cultural, economic, built, and natural environments. Section 7.1.2 includes the EAA definition of environment. Therefore, the EA will consider measures to protect water, fish, land, plants, and air quality as requested in the comment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.2</li> <li>Section 13</li> </ul>
62	Draft ToR Comment #576 Commenter: Ginoogaming First Nation	<ul style="list-style-type: none"> <li>Increased load on infrastructure in Geraldton: GFN members current access health care services, groceries, and other services in the neighbouring town of Geraldton, with the proposed corridor anticipated to result in increased loads to this infrastructure (especially in-light of the anticipated future development of the Greenstone Gold Mine (GGM)). GFN would like to understand how increased loads to Geraldton's infrastructure (including community roads, the hospital, landfill, and police services) could be affected by the proposed project, and to ensure that the eventual development of GGM is included in the assessment of cumulative effects. Will a bypass need to be constructed to divert traffic from Geraldton's centre? The towns of Longlac and Jellicoe will also likely experience an increased load on their services.</li> </ul>	<ul style="list-style-type: none"> <li>Changes to the socio-economic environment, which will look at potential changes in availability and use of public services and infrastructure (Table 7-2 of the Proposed ToR), within Geraldton, has been considered as part of the assessment. It is expected the Greenstone Gold Mine will be included as a reasonably foreseeable development in considering cumulative socio-economic effects.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.3</li> </ul>
63	Draft ToR Comment #578 Commenter: Ginoogaming First Nation	<ul style="list-style-type: none"> <li>Eventual connection to the Ring of Fire: Since the Project Description states that the proposed road will likely connect to future mineral developments in the Ring of Fire, GFN would like to have a better understanding of the potential future cumulative effects of such mining developments on GFN's homelands. The future increase in railway use from these potential future developments (most notably onto the rail lines that cross our main access road) are of concern (especially for safety) and need to be considered.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN acknowledges that future development opportunities may arise in the future if the CAR is constructed. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment if they are within the study area determined appropriate for the cumulative effects assessment. This commitment is stated in Section 7.2 of the Terms of Reference (ToR).</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>
64	Draft ToR Comment #588 Commenter: Webequie First Nation	<p><b>3.1.4 Environmental Assessment and PM Principles (Page 7)</b></p> <ul style="list-style-type: none"> <li>Does "all aspects of the environment" include the relationship between nature and people, culture value, climate change?</li> </ul>	<ul style="list-style-type: none"> <li>Yes. The term environment is defined broadly in the <i>Environmental Assessment Act</i> (EAA) and includes social, cultural, economic, built, and natural environments. The Project uses the EAA definition of environment as stated in Section 7.1.2 [of the ToR].</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>
65	Draft ToR Comment #590 Commenter: Webequie First Nation	<p><b>3.1.4 Environmental Assessment and PM Principles (Page 8)</b></p> <ul style="list-style-type: none"> <li>Last bullet connects environmental management with societal benefits...but the way it is stated is vague, needs to be more specific.</li> </ul>	<ul style="list-style-type: none"> <li>The project management principles included in Section 3.4.1 [of the ToR] are a reflection of those included in the MECP document Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario, and therefore has not been edited.</li> <li>Section 7.2 of the ToR has been updated to clarify that potential effects on the environment includes both positive and negative effects to show that opportunities to enhance societal benefits will be part of the EA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.1</li> </ul>
66	Draft ToR Comment #626 Commenter: Webequie First Nation	<p><b>8.1 Assessment and Evaluation (Page 53) 2nd bullet and following bullets</b></p> <ul style="list-style-type: none"> <li>Characterize the existing environment – does not specifically include Indigenous knowledge...should not Indigenous knowledge be included as part of this assessment?</li> </ul>	<ul style="list-style-type: none"> <li>MFFN agrees that Indigenous Knowledge in as important part of the EA, including but not limited to its role in characterizing the existing environment. As noted in Section 8.4 [of the Draft ToR], (now Section 3.4.2 [of the Proposed ToR]) "During the EA, Indigenous Knowledge will be used to inform and confirm the proposed criteria and indicators, inform the existing environment conditions, identify and predict potential effects, and help determine appropriate impact management measures and monitoring methods."</li> </ul>	<ul style="list-style-type: none"> <li>Section 4</li> <li>Section 7</li> </ul>
67	Draft ToR Comment #628 Commenter: Webequie First Nation	<p><b>8.1 Assessment and Evaluation (Page 54)</b></p> <ul style="list-style-type: none"> <li>How will the advantages and disadvantages of the comparisons be weighed and by whom? Will there be Indigenous representation involved in this process?</li> </ul>	<ul style="list-style-type: none"> <li>Assessment methods, including the methodology used for a comparison of advantages and disadvantage, will be clarified during the EA. Other agencies, Indigenous communities and the public have and will continue to have an opportunity to comment on assessment methods during the EA (key milestones of the updated Consultation Plan: Notice of Commencement, Effects Assessment Methods, Identification of Preferred Alternatives, and Review of the Draft and Final EA / IS).</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 11</li> </ul>
68	Draft ToR Comment #635 Commenter: Webequie First Nation	<p><b>9.2 Environmental Monitoring (Page 59)</b></p> <ul style="list-style-type: none"> <li>Include a statement that environmental monitoring program will be developed with input from Indigenous communities, the program will be integrated with Indigenous knowledge.</li> </ul>	<ul style="list-style-type: none"> <li>MFFN agrees it is important to work collaboratively with Indigenous peoples and Indigenous communities on environmental management and monitoring. Section 9.2 of the ToR outlines the Projects' environmental monitoring commitments and Table 4-2 of the Consultation Plan includes consultation activities aimed at receiving input on the impact management measures and monitoring measures. The ToR also identifies MFFN's plan that Indigenous knowledge will help determine appropriate impact management measures and monitoring methods (Section 3.4.2).</li> <li>Table 4-2 of the Consultation Plan has been updated to clarify input will be sought on impact management and monitoring.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 4</li> <li>Section 10.2</li> <li>Section 13</li> </ul>







ID #	Provincial Draft ToR Comment Reference	Requirement / Comment / Concern	Response Included in Proposed ToR (Appendix C)	Document Reference
69	Draft ToR Comment #657 Commenter: Fort Albany First Nation	<b>Section 7.1.4.11 Indigenous Knowledge and Land Use</b> <ul style="list-style-type: none"> <li>This section of the ToR does not provide information about existing historical and cumulative effects on Indigenous knowledge and land use.</li> <li>Please provide information about existing historical and cumulative effects on Indigenous knowledge and land use or indicate how and on what timeline such information will be collected and incorporated into the effects assessment.</li> <li>A description of existing historical and cumulative effects on Indigenous knowledge and land use is required to accurately characterize baseline conditions and change over time to date. As an Indigenous group like Fort Albany First Nation that has seen many changes, MFFN is well aware that the traditional use and rights practice environment in which this CAR is proposed is not a pristine one, but rather one that has been subject to many high magnitude changes over time.</li> </ul>	<ul style="list-style-type: none"> <li>The description of baseline conditions in the EA will include a description of Indigenous land use including historical conditions and how land use has changed including as a result of cumulative effects (subject to available information). Information of this nature will be requested as part of the IK Program.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>
70	Draft ToR Comment #665 Commenter: Fort Albany First Nation	<b>Section 8. Assessment and Evaluation, p. 54</b> <ul style="list-style-type: none"> <li>This section of the ToR does not identify the approach to cumulative effects assessment.</li> <li>Please describe the approach that will be used to conduct a cumulative effects assessment. For reference purposes, see the First Nations Major Projects Coalition's Major Project Assessment Standard, Principle 8 (First Nations Major Projects Coalition, 2019) which covers meaningful practice of cumulative effects assessment as identified by over 60 Canadian Indigenous groups. MFFN is requested to identify whether it is committed to conduct any required cumulative effects assessment to this standard.</li> <li>Cumulative effects resulting from multiple past, present, and reasonably foreseeable projects and activities are a primary concern for Indigenous communities and require adequate assessment.</li> </ul>	<ul style="list-style-type: none"> <li>The Tailored Impact Statement Guidelines issued for the Project by the Impact Assessment Agency of Canada outline in more detail the expected scope of study for the Cumulative Effects Assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> <li>Section 15.2</li> </ul>
71	Draft ToR Comment #666 Commenter: Fort Albany First Nation	<b>Section 8. Assessment and Evaluation, p. 54</b> <ul style="list-style-type: none"> <li>This section of the ToR does not include consideration of potential induced effects from the Project.</li> <li>Please include consideration of potential induced effects of the project, such as accelerated mineral exploration and development in the Ring of Fire, increased forestry activities, increased non-Indigenous access and use of and development of the area, and increased hunting pressure.</li> <li>Road development is likely to result in induced effects that need to be adequately assessed and mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>The EA will consider the potential for cumulative effects from other potential future projects in the region subject to information availability. As well, effects from changes in access including the potential for increased hunting pressure will also be assessed.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12</li> </ul>

**Table 15-2: ToR Comment Responses**

ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
72	ToR Comment AroFN-1 Commenter: Aroland First Nation	Scope of the Environmental Assessment does not capture access to the Ring of Fire Of critical concern to AFN are glaring omissions regarding assessment and consideration of access to the Ring of Fire and portions of the MFNCAR being used as a heavy industrial supply road. Broadening the scope of the Environmental Assessment is even more important now with the announcement of the Northern Road Link which would connect the MFNCAR to the Ring of Fire. The impacts of the MFNCAR are drastically deepened as a result the proposed Northern Road Link Project. Instead, the MFNCAR Project Team has removed important contextual information and consideration of access to the Ring of Fire in the Final ToR to intentionally narrow the assessment scope and undermine a thorough assessment process. Given the potential for the MFNCAR to provide industrial supply road access to and from the Ring of Fire, the Project Team must re-consult and seek AFN's consent on alternative route options within our territory.	Marten Fall First Nation (MFFN) acknowledges that future development opportunities may arise if the Community Access Road (CAR) is constructed. As mentioned in Section 7.2.10 of the Terms of Reference (ToR), the Environmental Assessment (EA) will consider the potential effects of the Project due to changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development. In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If	Section 12 Section 3





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
			<p>sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p> <p>In April 2018, MFFN signed an agreement with the Ministry of Environment, Conservation and Parks (MECP) to prepare an EA pursuant to the Ontario <i>Environmental Assessment Act</i>. As part of this process the Crown has a Duty to Consult potentially impacted and potentially interested Indigenous communities on the Project. Ontario (MECP and the Ministry of Northern Development and Mines) has delegated some procedural aspects of Ontario's Duty to Consult to MFFN, and together with MFFN has developed a Memorandum of Understanding (MOU) to this responsibility. The MOU sets out how responsibilities will be shared through the EA process, and defines the roles and responsibilities of both parties regarding the engagement and consultation of potentially impacted and potentially interested Indigenous communities. The Project is following this regulatory process for approval decisions. Therefore, the Project is following the Ontario regulatory review process and comments and concerns of Indigenous communities are provided through this approvals process.</p> <p>MFFN is committed to creating and sustaining constructive dialogue and relationships with Indigenous communities as part of the Consultation and Engagement Program for the Project. MFFN will strive to work collaboratively with Indigenous communities throughout the EA process to find mutually beneficial solutions where possible. MFFN agrees to continued community-to-community discussions throughout the Project and will continue to discuss the Project with Aroland First Nation according to the Consultation and Engagement Program outlined in Appendix B of the ToR. MFFN will consult with Indigenous communities, including Aroland First Nation, agencies and interested person to obtain feedback and input on the alternatives. MFFN will contact Aroland First Nation during the EA to understand concerns about alternative methods being considered for the Project in more detail and to share information to allow both parties to better understand potential effects and impact management measures.</p> <p>Issues of consent and concerns related to alternatives for connecting the CAR to the provincial highway network now that the Northern Road Link has been announced are outside the scope of what Marten Falls First Nation is responsible for responding to as the proponent for the Project. We have referred your comment to Ontario so they can respond to you directly on this matter.</p>	
73	ToR Comment AroFN-4 Commenter: Aroland First Nation	In closing, it is still our position that presenting the Project in isolation without considering the cumulative effects of other proposed all-season road and mining projects in the region under-represents the potential impacts of the project. The impacts of the MFNCAR, Webequie Supply Road and Northern Road Link projects will extend far beyond environmental effects. The level of infrastructure and potential development being potentially unlocked regionally will have significant and pervasive impacts on our communities. We will continue to advocate for an integrated review process that considers the full range of regional impacts and our preference is to approach this work in a way that brings all our Matawa First Nation neighbours to the table. We are hopeful that MFFN, Webequie First Nation, and the provincial and federal agencies will collaborate with us on these matters.	<p>MFFN appreciates your time in reviewing the information and your continued interest in the Project.</p> <p>MFFN is proposing an all-season CAR that will connect the MFFN community to the Ontario provincial highway network. The CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether the other development, including the Northern Road Link and Webequie Supply Road are constructed.</p> <p>MFFN has been actively pursuing a CAR for many years. Currently, the community is only accessible by air and winter road; however, the cost for air travel is increasing and the winter road is only available during a limited 6 to 8 week period, which is also becoming increasingly unreliable with changing climate conditions. In MFFN's December 23, 2020 letter to the MECP submitting comments on the ToR, MFFN shares that the cost and limited availability of goods and supplies "<i>forces us to live in unacceptable conditions. We have endured this for too long and seen progress across the country as we stand still. The stagnation created is unacceptable and for us, it has created a situation of absolute and relative deprivation. Our people are in a social crisis and we are seeking economic independence so we can provide needed supports and resources to our people. For these reasons Marten Falls First Nation sees a community access road as needed to improve the well being of our members, grow our community</i></p>	Section 12





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
74	ToR Comment AroFN-5 Commenter: Aroland First Nation	<p><b>Draft ToR Section:</b> 3.3 Canada- Ontario Agreement on Environmental Assessment Co-operation</p> <p><b>AFN's Comment from January 20, 2020 Submission:</b> AFN prefers that both Canada and Ontario conduct separate impact assessments under respective Environmental Assessment and Impact Assessment legislation. As MFFN notes in the draft ToR, Aboriginal and Treaty Rights are guaranteed under section 35 of the Constitution Act, which includes recognition of existing Aboriginal and Treaty Rights to hunt, trap, fish, gather and manage the lands for all First Nation, Inuit and Metis people of Canada. As part of these rights, the Government of Canada has the Duty to Consult Indigenous communities for this Project. The Government of Ontario has sub-national, and different, relationship with AFN. The Government of Canada's Impact Assessment Act contains specific provisions with respect to section 35 of the Constitution Act for the Impact Assessments it conducts. The Government of Ontario's Environmental Assessment Act does not contain such specific provisions. MFFN should proceed with a federal Impact Assessment and a parallel Ontario Environmental Assessment. Where practical, MFFN should consider opportunities to coordinate EA and IA documentation as noted in comments below.</p> <p><b>Project Team Response:</b> MFFN will be proceeding with a federal Impact Assessment and an Ontario Environmental Assessment. However, as outlined in the Cooperation Plan for the Marten Falls Community Access Road Project Impact Assessment, dated February 24, 2020 and prepared by the Impact Assessment Agency of Canada (IAAC) with input from the Ontario Ministry of the Environment, Conservation and Parks (MECP) "A coordinated federal and provincial assessment process should result in one body of proponent documentation related to the assessment, which is known as the Impact Statement for the Agency, and as the Environmental Assessment report for MECP... This Cooperation Plan recognizes that the alignment of respective timelines does not supersede the legislative obligations prescribed in the Impact Assessment Act and Ontario's Environmental Assessment Act, as well as the completeness of any information submitted by the proponent." The Cooperation Plan for the Marten Falls Community Access Road Project Impact Assessment is available on the Impact Assessment Agency of Canada's website.</p> <p><b>AFN Response and Comments on Final ToR:</b> AFN appreciates the Project Team's clarification and confirmation that the Cooperation Plan between MECP and IAAC will not supersede the legislative obligations prescribed in the IAA. AFN agrees in principle that a coordinated federal and provincial assessment should have a single body of documentation that is inclusive of all requirements under the EAA and IAA. The value and importance of a comprehensive account of impacts based on provincial and federal requirements will support AFN to identify, understand, and assess the project in a holistic way. What is challenging from AFN's perspective is the proposed MFNCAR Project is not the only assessment process occurring in the region for a set of interconnected road projects that represent a single undertaking to connect the Ontario highway system to the Ring of Fire and to two First Nation communities. Currently, AFN is participating, or plans to participate, in the following roads environment and impact assessment processes that have the shared objective of connecting the Ontario highway system to the Ring of Fire:</p> <ul style="list-style-type: none"> <li>▪ Provincial EA process for Webequie Supply Road (WSR) (In Progress) • Provincial EA process for MFCAR (In Progress)</li> <li>▪ Federal IA process for WSR (In Progress)</li> <li>▪ Federal IA process for MFCAR (In Progress)</li> <li>▪ Federal Regional Assessment (Forthcoming)</li> </ul>	<p>and our independence." For these reasons, the purpose of the Project remains unchanged and MFFN is conducting an EA for a multi-use road that will provide all-season community access.</p> <p>Detailed responses to Aroland First Nation's comments on the ToR are provided within AroFN-5 to AroFN-54, including MFFN's plans to consider the potential effects of the Project that new access may allow and commitment to undertake a cumulative effects assessment as part of the EA.</p> <p>MFFN understands Aroland First Nations concerns about capacity to be able to participate in each of the federal and provincial EA processes for the various road projects noted in this comment. MFFN is proposing an all-season CAR that will connect the MFFN community to the Ontario provincial highway network. The CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether other road proposals are approved and / or constructed.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA. It is anticipated that the Webequie Supply Road will also be considered for inclusion in the cumulative effects assessment in the EA.</p> <p>EAs for the proposed Webequie Supply Road and Northern Road Link will be undertaken separately and independently from this Project and would be subject to approvals separate from this Project. Considering the MFFN CAR, Webequie Supply Road and Northern Road Link as a single assessment is outside the scope of what MFFN is responsible for responding to as the proponent for the Project. We have referred your comment to Ontario so they can respond to you directly on this matter.</p>	Section 12





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
		<ul style="list-style-type: none"> <li>▪ Provincial EA process for Northern Road Link (Forthcoming)</li> <li>▪ Federal IA process for Northern Road Link (Forthcoming)</li> </ul> <p>AFN's participation in the above projects involve:</p> <ul style="list-style-type: none"> <li>▪ Engagement and consultation with numerous proponents and provincial and federal staff;</li> <li>▪ Participation in several projects that are at different stages of the assessment process;</li> <li>▪ Handling multiple and competing timelines across the various projects; and</li> <li>▪ Managing engagement fatigue of our staff and community members.</li> </ul> <p>All of the above projects are interrelated and in some way support exploration, development, and access to the Ring of Fire. Given the interconnectedness of these projects, AFN recommends that the WSR, the Northern Road Link, and the portion of the MFCAR that connects the WSR and Northern Road Link be considered in a single assessment. This approach is reasonable from an administrative and operational perspective but is also mindful and supportive of community engagement needs.</p> <p>The AFN community does not view the WSR, MFCAR and Northern Road Link as separate projects. Rather, the AFN community sees the proposed development of a single road that starts in AFN's territory and the Ontario provincial road network and ends at the Webequie Airport via McFaulds Lake. With the AFN community perspective in mind, it is critical that AFN is engaged, and the project is assessed through this holistic and cultural lens that considers the full suite of road project impacts in the region.</p>		
75	ToR Comment AroFN-11 Commenter: Aroland First Nation	<p><b>Draft ToR Section:</b> 4. Purpose of the Study</p> <p><b>AFN's Comment from January 20, 2020 Submission:</b> The Project is proposed to provide reliable all-season multi-purpose ground access between MFFN and the provincial highway network. However, the proposed Project with a 100 metre (m) wide ROW cleared to a width of 60 m will also create a new corridor right-of-way which can enable future parallel linear infrastructure such as telecommunication services, electrical transmission line services, and energy transportation pipelines. Potential future parallel linear infrastructure will provide substantial opportunities enhance social and economic well-being (see above comment on principles).</p> <p>AFN submits that the Purpose of the Project be amended: "The Project is proposed to provide reliable all-season multi-purpose ground access between MFFN and the provincial highway network and establish a corridor right- of-way that will enable future parallel linear infrastructure."</p> <p><b>Project Team Response:</b> MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. MFFN agrees that a potential benefit of the Project is opportunities arising from the possibility of linear infrastructure, such as telecommunication services, electrical transmission line services and energy transportation pipelines as suggested, paralleling the CAR in the future. Although a 100 m wide right-of-way is proposed, the purpose of the Project remains limited to providing "reliable all-season multi-purpose ground access between MFFN and the provincial highway network". Therefore, the Project is not being planned or designed to accommodate for other infrastructure.</p> <p>With the exception of the broadband project, MFFN is not aware of any proposals for other linear infrastructure developments in proximity to the CAR; however, if information is publicly available for a reasonably foreseeable project paralleling the CAR, it would be considered in the cumulative effects assessment.</p> <p><b>AFN Response and Comments on Final ToR:</b> AFN's comments on the draft ToR were advanced prior to the announcement of the Northern Road Link project by Webequie First Nation (WFN), MFFN, and the Government of Ontario. With segments of the MFCAR posed to enable access to the Ring of Fire via the Northern Road Link, AFN asserts that the purpose of the project be amended to include this development.</p>	<p>MFFN is proposing an all-season CAR that will connect the MFFN community to the Ontario provincial highway network. Although the road is proposed to be built to meet industrial use specifications, the primary use of the CAR will be to service MFFN. The industrial use specifications are required to accommodate the delivery of supplies to the MFFN community and also allow for potential future use of the road by other commercial vehicles including larger trucks up to the legal road limits on weight and size. MFFN is conducting an EA for a multi-use road that will provide all-season community access. The CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether the Northern Road Link is approved / constructed. For this reason, the purpose of the Project remains unchanged.</p> <p>Regarding the Anaconda / Painter Lake Road network that passes by Aroland First Nation, MFFN would be happy to look at the options and alternatives for upgrades / realignment that Aroland First Nation is considering. The EA / IS Consultation and Engagement Plan provided as Appendix B of the ToR identifies the consultation and engagement activities planned during the EA. MFFN will consult with Indigenous communities, including Aroland First Nation, agencies and interested person to obtain feedback and input on the alternatives. MFFN will contact Aroland First Nation during the EA to understand concerns about alternative methods being considered for the Project in more detail and to share information to allow both parties to better understand potential effects and impact management measures. Concerns related to alternatives for connecting the CAR to the provincial highway network now that the Northern Road Link has been announced is outside the scope of what Marten Falls First Nation is responsible for responding to as the proponent for the Project. We have referred your comment to Ontario so they can respond to you directly on this matter.</p> <p>MFFN acknowledges that future development opportunities may arise if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the</p>	Section 12





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		<p>We have heard from the Project Team that “the CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs.” AFN understands the importance of all-season road connectivity for MFFN, but with the introduction of the Northern Road Link project, the proposed scope of impacts becomes more significant. The MFNCAR becomes a multi-purpose road that could potentially enable heavy industrial use and access related with the Ring of Fire. Both proposed MFCAR routes connect in with the Painter Lake and Anaconda road network that pass directly through AFN and area of high use by members. As a result, AFN recommends that other alternatives for connecting the MFNCAR to the provincial highway network must be considered with deep consultation with AFN. More comments on this matter are captured in the Alternative Methods and Alternative To sections below.</p> <p>With respect to reasonably foreseeable projects, AFN maintains that there should be a dedicated section in the ToR for the cumulative effects assessment. With the project enabling both future parallel liner infrastructure (e.g., telecommunication services, electrical transmission line services, and energy transportation pipelines) and access to the Ring of Fire, more detail and methodology regarding the cumulative effects assessment must be included. Under the new IAA, cumulative effects assessment must include and consider cumulative effects on the rights of Indigenous Peoples. AFN recommends that any cumulative effects assessment include cumulative effects on the rights of Indigenous Peoples as well as the environment.</p>	<p>cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency’s Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA. MFFN is also interested in understanding other activities and opportunities Aroland First Nation may also be considering independent of or in relation to development in the Far North (e.g., Aroland First Nation’s community vision of rail siding) so it may be considered in the cumulative effects assessment where appropriate.</p> <p>The Project is also subject to the Federal <i>Impact Assessment Act</i> and currently in the Impact Statement Phase. Therefore, the cumulative effects assessment will also be assessed per the requirements set out in Section 22 of the TISG developed by the Impact Assessment Agency of Canada (the Agency). In accordance with the TISGs, the EA will include the consideration of cumulative effects to the rights of Indigenous peoples and cultures.</p>	
80	ToR Comment AroFN-19 Commenter: Aroland First Nation	<p><b>Drat ToR Section:</b> 6.2 Approach to Considering “Alternatives To”</p> <p><b>AFN’s Comment from January 20, 2020 Submission:</b> MFFN notes that it “is possible that a supply road would be constructed from a point along the CAR to the mining claims north of MFFN, including the Ring of Fire. Provincial interest is for one road to be built to serve both community access and industrial supply needs (i.e., multi-functional use); therefore, the proposed CAR may be used by private, commercial and industrial interests.”</p> <p>AFN has significant concerns about a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire. AFN agrees that not proceeding with the Project does not address the problem of unreliable community access to MFFN.</p> <p>AFN does not agree with the statement that the “Do Nothing” alternative eliminates or reduces industrial opportunities and resulting benefits to MFFN and others in the region with respect to access to mining claims north of MFFN and the Ring of Fire. Mineral exploration entities and mining companies are currently accessing claims north of MFFN and the Ring of Fire. Further, AFN would be significantly impacted by a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire. AFN submits that any consideration of an undertaking for a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire be subject to a Provincial environmental assessment and a federal Impact Assessment that includes AFN as a proponent so that AFN can meaningfully assess impacts and benefits and determine if it is able to provide its consent for such an undertaking.</p> <p>AFN submits that the Do Nothing alternative should be confined to unreliable community access to MFFN: how not proceeding with the Project does not address the problem of unreliable community access to MFFN.” Any discussion of a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire must note for the record AFN’s concern that its rights and interests would be significantly, permanently and irreversibly impacted by such a supply road, and that consideration by any party, including MFFN or the Province, of an undertaking for such a supply road be subject to a Provincial environmental assessment and a federal Impact Assessment that</p>	<p>See response to AroFN-11.</p> <p>To address Aroland First Nation’s comment of January 20, 2020 to confine the Do Nothing alternative to unreliable community access, language related to a supply road being constructed from a point along the CAR to the mineral claims north of MFFN and the Ring of Fire was removed from this section in order to provide a more clear and accurate description of the Project purpose and problem this Project is being proposed to address. The intent was not to exclude a thorough assessment of impacts. The CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether the Northern Road Link is approved / constructed. For this reason, the purpose of the Project remains unchanged.</p> <p>MFFN acknowledges that future development opportunities may arise if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project’s potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency’s Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the</p>	Section 11 Section 12





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		<p>includes AFN as a proponent so that AFN can meaningfully assess impacts and benefits, and determine if it is able to provide its consent for such an undertaking.</p> <p><b>Project Team Response:</b> MFFN is proposing an all-season Community Access Road (CAR) that will connect the MFFN community to the Ontario provincial highway network. The CAR is being developed with the expectation that, should approvals be granted, it would be built regardless of whether an industrial supply road or development in the Ring of Fire occurs.</p> <p>On March 2, 2020, the Government of Ontario, Marten Falls First Nation and Webequie First Nation announced their agreement to advance planning and development of a proposed Northern Road Link. The proposed Northern Road Link would provide reliable, all-season road access to potential mine sites in the Ring of Fire region. The requirement for an environmental assessment (EA) specific to the proposed Northern Road Link will be confirmed by the joint proponent of MFFN and Webequie First Nation in consultation with the provincial and federal government. This is a new proponent and is separate from the proponent of the CAR Project, where only Marten Falls is the proponent.</p> <p>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project and would be subject to approvals separate from this Project. The discussion around "a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire" will be removed from Section 6.2.</p> <p><b>AFN Response and Comments on Final ToR:</b> Please see AFN's comments regarding Section 4 Purpose of the Study. In addition, AFN disagrees with the Project Team's response and proposed action to remove reference to "a supply road being constructed from a point along the CAR to the mining claims north of MFFN and the Ring of Fire." The removal of specific language in the ToR related to a supply road and access to the Ring of Fire via the MFNCAR is intentional to exclude a thorough assessment of impacts.</p> <p>From a regional perspective, the WSR, Northern Road Link, and MFCAR collectively advance both community and Ring of Fire access to the provincial highway system and AFN contends that any road network that is contemplated in the region considers both objectives. The importance of this point is further demonstrated by the announcement of the Northern Road Link. The MFNCAR is now an important piece of a possible road network up to the Ring of Fire. As a result, the appropriate scope and purpose of the undertaking for the Project must be amended to include supply road access to the McFauld's Lake areas to the provincial highway network.</p> <p>AFN sees the distinction between the roads projects as project splitting, which comes with significant risk of inadequately assessing, understanding, and addressing impacts to AFN's rights and interests. These projects should not be assessed or considered separately. The advancement of the Northern Road Link fundamentally changes the impacts the MFNCAR project may have on AFN's rights and interests. As a result, understanding alternatives to and alternatives methods for connecting MFFN to the provincial highway network and the Ring of Fire must be considered by the EA. This is especially important for the consideration of alternatives to connecting into the existing provincial highway network around AFN. AFN has substantial concerns regarding a potential supply road that passes through our community and connects into the Painter Lake and Anaconda road network.</p>	<p>Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA. MFFN is also interested in understanding other activities and opportunities Aroland First Nation may also be considering independent of or in relation to development in the Far North (e.g., Aroland First Nation's community vision of rail siding) so it may be considered in the cumulative effects assessment where appropriate.</p> <p>Regarding the Anaconda / Painter Lake Road network that passes by Aroland First Nation, MFFN would be happy to look at the options and alternatives for upgrades / realignment that Aroland First Nation is considering. The EA / IS Consultation and Engagement Plan provided as Appendix B of the ToR identifies the consultation and engagement activities planned during the EA. MFFN will consult with Indigenous communities, including Aroland First Nation, agencies and interested person to obtain feedback and input on the alternatives. MFFN will contact Aroland First Nation during the EA to understand concerns about alternative methods being considered for the Project in more detail and to share information to allow both parties to better understand potential effects and impact management measures. Concerns related to alternatives for connecting the CAR to the provincial highway network now that the Northern Road Link has been announced is outside the scope of what Marten Falls First Nation is responsible for responding to as the proponent for the Project. We have referred your comment to Ontario so they can respond to you directly on this matter.</p>	
81	ToR Comment AroFN-20 Commenter: Aroland First Nation	<p><b>Drat ToR Section:</b> 6.3.1 Identification of Alternative Methods</p> <p><b>AFN's Comment from January 20, 2020 Submission:</b> "MFFN references "Feedback received during winter and spring 2019 consultations confirmed that Alternative 2 and Alternative 3 are not considered to be reasonable alternatives for the Project based on the concerns raised by MFFN community members and Chief and Council." Prior to Alternative 2 and Alternative 3 being screened out of the EA as Alternative Methods, MFFN should undertake more extensive consultation with potentially impacted parties, including AFN.</p>	<p>MFFN is proposing an all-season CAR that will connect the MFFN community to the Ontario provincial highway network. Therefore, the EA will be for a multi-use road that will provide all-season community access. Although the Northern Road Link Project was announced during development of the ToR, the CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether the Northern Road Link is approved / constructed. For this reason, the purpose of the Project remains unchanged.</p> <p>Prior to commencement of the ToR for the CAR, MFFN signed an agreement in April 2018 with the MECP to prepare an EA for a CAR built to meet industrial use specifications to accommodate multi-purpose use by MFFN community and industrial proponents. MFFN met with Aroland First Nation in</p>	Section 6 Section 12





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		<p>MFFN notes in the supporting documentation - Marten Falls First Nation Supporting Document – Draft Alternatives Development Community Access Road, November, 2019 - " that consultation with AFN on "potential routes" consisted of: "A meeting was held with the Aroland First Nation Chief and Council and the community to introduce the Project and ToR process. The community meeting provided an update on the Project, including a look at potential routes and outlining items to be presented in the ToR. Preceding the community meeting was a meeting with Aroland Chief and Council." The Supporting Document makes no mention of any specific input or comments from AFN. This minimal consultation activity is not sufficient to enable AFN to properly assess Alternative Methods for potential routes for the CAR. MFFN should undertake more extensive consultation with AFN on all four route alternatives, including Alternative 2 and Alternative 3, prior to screening them out of the EA as Alternative Methods. This consultation should include AFN Indigenous Knowledge.</p> <p><b>Project Team Response:</b> During early stages of the EA process, four routes were shared through consultation as potential alternatives that would be reviewed to confirm the reasonable range of alternative methods for assessment and evaluation in the EA. The history and development of alternative routes for the Project provided in the Alternative Development Report describes how the alternative routes for the Project evolved through previously completed studies and the community-led process. A screening of alternative routes was not undertaken as part of the identification of the reasonable range of alternative methods for the EA.</p> <p>MFFN undertook a detailed review of the four routes to identify alternative routes that are considered reasonable for the Project. A reasonable range of alternatives, per the Code of Practice for Preparing and Reviewing of Terms of Reference for Environmental Assessments in Ontario must be appropriate to the proponent doing the study. Through the community-led process it was determined that it is not appropriate to MFFN to construct a CAR that creates a large bridge crossing close to the community or a CAR that may result in industrial traffic through the community. MFFN Chief and Council passed a Band Council Resolution in July 2019 to only consider Alternative 1 and Alternative 4 in the EA process by supporting feedback received from MFFN community as part of the community-led process to advance decisions on the Project.</p> <p>The meeting with Aroland First Nation occurred in May 2019, prior to the signing of the Band Council Resolution. As noted, the meeting included potential routes and not confirmed alternative routes for the EA. The decision to not consider Alternative 2 and Alternative 3 in the EA process was not based on a screening of alternatives but on the community-led process for planning of the Project. MFFN is unable to accommodate Aroland First Nation's request to undertake more extensive consultation on all four potential routes shared in May 2019 because Alternative 2 and Alternative 3 are not considered to be reasonable for the Project.</p> <p><b>AFN Response and Comments on Final ToR:</b> Further to AFN's comments on 6.2 above, the community consultations with AFN and route assessments were undertaken at a time when the MFCAR only contemplated all season road access to MFFN that may be used for industrial access. The proposed connection of a portion of the MFCAR to the McFauld's Lake substantially alters AFN's position on the Project. With the Northern Road Link now a reasonably foreseeable project that will be assessed through provincial and federal assessment processes, AFN asserts that community consultations and route alternatives must be re-considered given the potential for the route to be used as an industrial supply road.</p> <p>MFFN must undertake more extensive consultation on all four potential routes shared in May 2019 because Alternative 2 and Alternative 3 may be reasonable Alternatives for the Project that now includes a connection to the proposed Northern Road link, the WSR, the Ring of Fire, and each of those road corridors to the Provincial highway system.</p>	<p>August 2017 before the agreement with the Province had been signed to inform Aroland First Nation of the plan for the road to be multi-purpose and to discuss the relationship with mining companies. The all-season road access to MFFN would create an opportunity to extend an all-season road to the Ring of Fire, which Ontario had also announced in August 2017 through their intent to support MFFN to undertake technical and environmental studies that could inform planning and development of a north-south access road to the Ring of Fire. Therefore, possible connection to the Ring of Fire has been recognized as a possibility since the onset of the EA process for the Project and is reflected in the ToR. For example, the ToR acknowledges that future development opportunities may arise if the CAR is constructed and that that EA will identify and assess potential effects of the Project as a result of changes due to increased access (Sections 7.2.1, 7.2.8, 7.2.9 and 7.2.10).</p> <p>The EA Report will include consulting on the potential effects of Alternative 1 and Alternative 4, including temporary infrastructure, quarries, borrow areas and aggregate source areas to support the Project, however, further consultation on Alternative 2 and Alternative 3 are not planned as they are not considered to be reasonable for the Project. Through the community-led process it was determined that it is not appropriate to MFFN to construct a CAR that creates a large bridge crossing close to the community or a CAR that may result in industrial traffic through the community. Announcement of the Northern Road Link in March 2020 reinforces further for MFFN that Alternative 2 and Alternative 3 are unreasonable alternatives for the Project. The reasons for not pursuing Alternative 2 and Alternative 3 can be further discussed with Aroland First Nation. The ToR also provides flexibility to accommodate changes and / or unforeseen circumstances that may arise throughout the environmental planning process. This includes the alternative methods to be assessed in the EA.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA. It is anticipated that the Webequie Supply Road will also be considered for inclusion in the cumulative effects assessment in the EA.</p>	
83	ToR Comment AttaFN-4 Commenter: Attawapiskat First Nation	<b>The individual EA for the Marten Falls CAR must include reasonably foreseeable projects resulting from the CAR.</b>	Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably	Section 12





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		<p>The following list of projects must be applicable to <u>all of the Guidelines' considerations and requirements</u>:</p> <ul style="list-style-type: none"> <li>▪ Construction of upgrades to the Anaconda/Painter Lake Forestry Road</li> <li>▪ The construction and operation of the Northern Road Link (proposed road linking the northern portion of the Marten Falls Community Access Road to the Ring of Fire area)</li> <li>▪ A potential East-West Road</li> <li>▪ The Eagle 's Nest Mine</li> <li>▪ Mining activities associated with the following deposits: Black Thor, BlackBird, Big Daddy, Black Label</li> <li>▪ Increased winter road traffic during Operations and Maintenance by future mining proponents and Advanced mineral exploration activities in the Ring of Fire area.</li> </ul>	<p>foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. The activities that will be considered in the EA for the cumulative effects assessment include, but not limited to, the list of projects provided by Attawapiskat First Nation.</p>	
84	ToR Comment AttaFN-6 Commenter: Attawapiskat First Nation	<p><b>Concerns about cascading effects of the road</b></p> <p>The proposed road will open up the potential for resource development and create enormous pressure to build additional roads. If the CAR is built, in time, we will almost certainly see secondary and tertiary roads extending into the headwaters of Attawapiskat territory. The impact of opening our territory to resource extraction industries will be permanent and irreversible.</p> <p>Attawapiskat First Nation is deeply concerned about the long-term cumulative impacts from the opening of the western portion of our territory to development. The location of the proposed road corridor is located in an ecologically sensitive area- it is near the headwaters of many rivers that drain our territory, and it is also a transition zone between the Hudson-James Bay Lowlands and the Ontario Shield, of particular importance to caribou, wolverine, and other species. Many fish and wildlife populations depend on intact habitats across this large geographic area.</p>	<p>MFFN acknowledges that future development opportunities may arise if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p>	Section 12
85	ToR Comment AttaFN-12 Commenter: Attawapiskat First Nation	<p>Section 3.4.2 (p. 10): If this EA is striving for a "fulsome assessment of potential impacts on Aboriginal and Treaty rights and interests " as linked to "potential socio-cultural and health effects," then such an analysis must consider that if this road is built, the mining, forestry, and road development that will ensue will transform our way of life forever. An individual project assessment such as the one being undertaken for the road cannot pretend to produce a "fulsome assessment " of impacts to Aboriginal and Treaty rights.</p>	<p>MFFN acknowledges that future development opportunities may arise if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the</p>	Section 12







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			<p>Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p> <p>The Project is also subject to the Federal <i>Impact Assessment Act</i> and currently in the Impact Statement Phase. Therefore, the cumulative effects assessment will also be assessed per the requirements set out in Section 22 of the Tailored Impact Statement Guidelines (TISG) developed by the Impact Assessment Agency of Canada (the Agency). In accordance with the TISGs, the EA will include the consideration of cumulative effects to the rights of Indigenous peoples and cultures. The Proponent will strive to respectfully collaborate with Indigenous communities on how Aboriginal and Treaty Rights and Interests may be impacted cumulatively. MFFN will engage with Indigenous communities through the Indigenous Knowledge Program and the Consultation and Engagement Program. Where Indigenous communities do not wish to participate in the cumulative effects assessment, a preliminary draft of the assessment will be provided for review and feedback prior to finalizing the EA Report.</p>	
86	ToR Comment AttaFN-28 Commenter: Attawapiskat First Nation	Section 7.2.10 (p. 70): The EA needs to consider the long-term, cumulative impacts of building all-season roads on the mixed (subsistence/wage) economies of Indigenous communities in the region. Economic effects to Attawapiskat First Nation are not limited to changes to the labour market.	<p>MFFN acknowledges the important role of the Traditional economy. The economic assessment will include considerations for the potential effects of the Project on Traditional / subsistence economies of Indigenous Communities. These effects will be assessed by evaluating predicted changes on the basis of the 'Economy' criterion (see Appendix A of the ToR). A commitment to assess potential effect to subsistence economies in the EA is also made in Section 9.1.1 of the ToR.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable.</p>	Section 8 Section 12
88	ToR Comment AttaFN-31 Commenter: Attawapiskat First Nation	Section 9 (p.77): Attawapiskat expects that the proponent will use Ontario's Caribou Screening Tool reports to assess cumulative impacts of the project. The analysis of cumulative impacts to caribou must include the impact of projects that are reasonably foreseeable if the Marten Falls CAR is approved: (1) construction of upgrades to the Anaconda/Painter Lake Forestry Road; (2) construction and operation of the Northern Road Link; (3) a potential East-West Road; (4) the Eagle 's Nest Mine; (5) mining activities associated with the following deposits: Black Thor, BlackBird, Big Daddy, Black Label; (6) increased winter road traffic during Operations and Maintenance by future mining proponents and (7) advanced mineral exploration activities in the Ring of Fire area.	<p>The Ontario Caribou Screening Tool will be used to assess past, present, and future effects (including cumulative impacts) of the Project. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate (Canadian Environmental Assessment Agency 2018b). The list of projects provided by Attawapiskat First Nation in this comment will be considered for inclusion in the assessment of cumulative effects in the EA.</p>	Section 12
92	ToR Comment CLFN-19 Commenter: Constance Lake First Nation	<p>Community Priorities</p> <p>Eventual connection to the Ring of Fire: Since discussions are advancing on the Northern Road Link project, which will inevitably support future mining developments in the Ring of Fire, CLFN would like to have a better understanding of the potential future cumulative effects of such developments on CLFN's homelands.</p>	<p>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project, and would be subject to approvals separate from this Project. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project</p>	Section 12





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
93	ToR Comment FAFN-1 Commenter: Fort Albany First Nation	Need for the cumulative effects assessment to consider the potential induced effects of the Project, such as accelerated mineral exploration and development of in the Ring of Fire, increased forestry activities, increased non-Indigenous access and use of and development of the area, and increased hunting pressure;	<p>cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / IS Consultation and Engagement Plan appended to the ToR identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS". MFFN will engage with Constance Lake First Nation to understand their concerns and obtain feedback on the methods to assess cumulative effects, including but not limited to the study area, and past, present, and reasonably foreseeable projects to be considered in the cumulative effects assessment.</p> <p>MFFN acknowledges that increased access and future development opportunities may arise in the future if the Community Access Road (CAR) is constructed. As mentioned in Section 7.2.10 of the Terms of Reference (ToR), the EA will consider the potential effects of the Project due to:</p> <ul style="list-style-type: none"> <li>▪ Changes in population and access to the Far North for recreational activities (e.g., fishing and hunting) may alter the ability of Indigenous communities to access country foods.</li> <li>▪ Changes to recreation and commercial land uses due to changes in access, wildlife, vegetation, or water resources. These changes may affect the enjoyment of these activities, which may affect the tourism sector such as potential negative effects due to public access, and / or enabling new tourism, including cultural tourism, through improved access.</li> <li>▪ Changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</li> </ul> <p>Section 7.2.1 of the ToR also identifies that the EA will also consider changes in the availability and / or quality of resources, including potential changes associated with increased access by non-Indigenous land users as a result of the Project, that may influence Indigenous land and resource use activities (e.g., hunting, harvesting, gathering) within the area of the Project.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p>	Section 8 Section 12





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95	ToR Comment FAFN-49 Commenter: Fort Albany First Nation	<p>#: FAFN-26            Original FAFN Request: See FAFN-26            MFFN Response: See FAFN-26            Adequacy of MFFN Response: Partially adequate. As induced development would depend on the existence of the Project, no information currently exists to determine such future projects and activities as “reasonably foreseeable.” Nevertheless, projections of likely development in the Ring of Fire resulting from new access can be made. While such projections would not include the level of detail as already proposed projects, it would still be possible to estimate effects from induced development, albeit at a lower level of certainty.            Additional FAFN Request: Please indicate that the EA will consider activities and developments induced by the Project, including but not limited to accelerated mineral exploration and development in the Ring of Fire, as part of the cumulative effects assessment. Consideration of induced development should not be restricted to activities that are “known at the time of preparing the EA Report,” but also include activities that are likely to occur.</p>	<p>The response to FAFN-26 has been updated as follows (underlined text show updates made in response to the follow-up comment received from Fort Albany First Nation):</p> <p>MFFN acknowledges that increased access and future development opportunities may arise in the future if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to:</p> <ul style="list-style-type: none"> <li>▪ Changes in population and access to the Far North for recreational activities (e.g., fishing and hunting) may alter the ability of Indigenous communities to access country foods.</li> <li>▪ Changes to recreation and commercial land uses due to changes in access, wildlife, vegetation, or water resources. These changes may affect the enjoyment of these activities, which may affect the tourism sector such as potential negative effects due to public access, and / or enabling new tourism, including cultural tourism, through improved access.</li> <li>▪ Changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</li> </ul> <p>Section 7.2.1 of the ToR also identifies that the EA will also consider changes in the availability and / or quality of resources, including potential changes associated with increased access by non-Indigenous land users as a result of the Project, that may influence Indigenous land and resource use activities (e.g., hunting, harvesting, gathering) within the area of the Project.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project’s potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency’s Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p><u>MFFN acknowledges that not all induced development will have sufficient information available at the time of preparing the EA Report to be considered certain or reasonably foreseeable. Therefore, the EA will identify, at a high-level, the likely types of induced development, such as mineral exploration, that may occur due to new access provided by the CAR. A general, qualitative discussion on the types of potential effects that would be expected could also be identified; however, MFFN cannot speculate on the likelihood or extent of development in the region to provide quantitative estimates of potential cumulative effects. Future development would be subject to approvals separate from this Project, and the cumulative effects of their activities with the CAR would be considered as part of their independent assessments.</u></p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p>	Section 12
96	ToR Comment GFN-12 Commenter: Ginoogaming First Nation	<p>Community Priorities            Transportation: GFN understands that the project will lead to increased traffic through GFN’s homelands, most notably once mineral development advances in the Ring of Fire. GFN needs to</p>	<p>The EA will assess the potential effects of the Project due to traffic related incidents on the Community Access Road (CAR) during the operations and maintenance phase. The ToR has identified in Appendix</p>	Section 8 Section 12





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		<p>understand the potential implications for the health and safety of our members while travelling on the provincial highway system, and what increased traffic loads will mean to our membership (especially in light of the increasingly tragic traffic accidents with transport trucks observed in recent years). GFN would like to see measures in-place to improve driver safety throughout the Trans-Canada Highway system.</p> <p>Road safety considerations should be added to the list on page 70, especially once future mineral developments are developed as a result of improved access through the MFCAR.</p>	<p>A vehicular accidents as a potential indicator of personal safety to be assessed in the EA. The safety features of the proposed Project will be addressed through the design and engineering of the road.</p> <p>Potential effects from mining industry use of the CAR would be considered as part of the cumulative effects assessment where there is a potential for the Project (i.e., CAR) to act cumulatively with past, present, and reasonably foreseeable Projects. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p>	
97	ToR Comment GFN-19 Commenter: Ginoogaming First Nation	<p>Community Priorities</p> <p>Increased load on infrastructure in Geraldton: GFN members current access health care services, groceries, and other services in the neighbouring town of Geraldton, with the proposed corridor anticipated to result in increased loads to this infrastructure (especially in-light of the planned development of the Greenstone Gold Mine (GGM)). GFN would like to understand how increased loads to Geraldton's infrastructure (including community roads, the hospital, landfill, and police services) could be affected by the proposed project, and to ensure that the eventual development of GGM is included in the assessment of cumulative effects. Will a bypass need to be constructed to divert traffic from Geraldton's centre? The towns of Longlac and Jellicoe will also likely experience an increased load on their services.</p>	<p>MFFN acknowledges that if population increases or demographics change, strain on public services and infrastructure may also occur. Therefore, changes to the socio-economic environment will look at potential changes in availability and use of public services and infrastructure (Section 7.2.10 of the ToR) within Geraldton that may occur as a result of the Project will be considered in the EA.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. The potential for the Project to act cumulatively with the Greenstone Gold Hardrock Mine will be considered for inclusion in the cumulative effects assessment of the EA.</p>	Section 8 Section 12
98	ToR Comment GFN-21 Commenter: Ginoogaming First Nation	<p>Community Priorities</p> <p>Eventual connection to the Ring of Fire: Since the proposed road will eventually connect to future mineral developments in the Ring of Fire, GFN would like to have a better understanding of the potential future cumulative effects of such mining developments on GFN's homelands. The future increase in railway use from these potential future developments (most notably onto the rail lines that cross our main access road) are also of concern (especially for safety) and need to be considered.</p>	<p>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project, and would be subject to approvals separate from this Project. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment.</p> <p>Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / IS Consultation and Engagement Plan appended to the ToR identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS". MFFN will engage with Ginoogaming First Nation to understand their concerns and obtain feedback on the methods to assess cumulative effects, including but not limited to the study area, and past, present, and reasonably foreseeable projects to be considered in the cumulative effects assessment.</p>	Section 12
99	ToR Comment LL58-10 Commenter: Long Lake #58 First Nation	<p>Community Priorities</p> <p>Transportation: LL58 understands that the project will lead to increased traffic through LL58's homelands in the future, most notably once a connection is established to the Ring of Fire through the</p>	<p>The EA will assess the potential effects of the Project due to traffic related incidents on the Community Access Road (CAR) during the operations and maintenance phase. The ToR has identified in Appendix</p>	Section 8 Section 12





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		<p>proposed Northern Road Link. LL58 needs to understand potential implications for the health and safety of our members while travelling on the provincial highway system, and what increased traffic loads will mean to our membership (especially in light of the increasingly tragic traffic accidents with transport trucks observed in recent years). LL58 would like to see measures in-place to improve driver safety throughout the Trans-Canada Highway system.</p> <p>Road safety considerations should be added to the list on page 70, especially once future mineral developments are developed as a result of improved access through the MFCAR.</p>	<p>A vehicular accidents as a potential indicator of personal safety to be assessed in the EA. The safety features of the proposed Project will be addressed through the design and engineering of the road.</p> <p>Potential effects from mining industry use of the CAR would be considered as part of the cumulative effects assessment where there is a potential for the Project (i.e., CAR) to act cumulatively with past, present, and reasonably foreseeable Projects. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p>	
100	ToR Comment LL58-15 Commenter: Long Lake #58 First Nation	<p>Community Priorities</p> <p>Increased load on infrastructure in Geraldton: LL58 members currently seek health care services, groceries, and other services in the neighbouring town of Geraldton, with the proposed corridor anticipated to result in increased loads to this infrastructure (especially in-light of the anticipated future development of GGM). LL58 would like to understand how increased loads to Geraldton's infrastructure (including community roads, the hospital, landfill, and police services) could be affected by the proposed project, and to ensure that the eventual development of GGM is included in the assessment of cumulative effects.</p>	<p>MFFN acknowledges that if population increases or demographics change, strain on public services and infrastructure may also occur. Therefore, changes to the socio-economic environment will look at potential changes in availability and use of public services and infrastructure (Section 7.2.10 of the ToR) within Geraldton that may occur as a result of the Project will be considered in the EA.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. The potential for the Project to act cumulatively with the Greenstone Gold Hardrock Mine will be considered for inclusion in the cumulative effects assessment of the EA.</p>	Section 8 Section 12
101	ToR Comment LL58-17 Commenter: Long Lake #58 First Nation	<p>Community Priorities</p> <p>Eventual connection to the Ring of Fire: Since the proposed road will eventually connect to future mineral developments in the Ring of Fire, LL58 would like to have a better understanding of the potential future cumulative effects of such mining developments on LL58's homelands.</p>	<p>An EA for the proposed Northern Road Link would be undertaken separately and independently from this Project and would be subject to approvals separate from this Project. MFFN is committed to including the effects of past, present, and reasonably foreseeable projects in the cumulative effects assessment. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment. Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / IS Consultation and Engagement Plan appended to the ToR identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS". MFFN will engage with Long Lake #58 First Nation to understand their concerns and obtain feedback on the methods to assess cumulative effects, including but not limited to the study area, and past, present, and reasonably foreseeable projects to be considered in the cumulative effects assessment.</p>	Section 12
104	ToR Comment MkgwC-1 Commenter: Mushkegowuk Council	<p>The Mushkegowuk Council can appreciate and fully understand the desire to have a year-round access road to the community of Marten Falls. However, as the road is also intended for industrial purposes and will help facilitate mining development in the region, the Council believes strongly that the Marten Falls</p>	<p>Based on feedback from the Impact Assessment Agency of Canada (the Agency), it is understood that the Regional Assessment of the Ring of Fire does not impact the timing of the Impact Assessment for the Project. The Terms of Reference (ToR) recognizes that a regional assessment of the Ring of Fire region under the <i>Impact Assessment Act</i> is underway. This is an assessment independent of the</p>	Section 2 Section 12





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
		<p>Road EA should not proceed until the Ring of Fire Regional Assessment (RA), which is slated to begin in 2021, is completed.</p> <p>The RA has a stated goal of providing “information and analysis <i>regarding future developments</i> in the Ring of Fire area and their potential effects in order to inform and improve impact assessments and other planning and decision-making processes in a way that helps protect the environmental, health, cultural, social and economic conditions of the area while also creating opportunities for sustainable economic development” (emphasis added). Thus there can be no doubt that the project-level environmental assessment of the Marten Falls Road would benefit enormously from the prior completion of the Regional Assessment. The RA will be better suited to address broader, regional issues that will not be considered at a project level.</p> <p>The ToR acknowledges as much on page 65 when it is stated that “The Minister of Environment and Climate Change determined that a regional assessment of the Ring of Fire region will be conducted pursuant to the Impact Assessment Act (IAA) (IAAC 2020b). This is an assessment independent of the EA for the CAR (Community Access Road), however, <i>should information relevant to the cumulative effects assessment for the Project arise from the regional assessment of the Ring of Fire within an appropriate timeline it will be used</i>” (emphasis added). This statement indicates that the RA could well produce information that is relevant to the Marten Falls Road EA, but that it can only be considered if it arises “within an appropriate timeline.” In other words, any information that arises from the regional assessment after the EA has been completed cannot, for obvious reasons, be considered, regardless of how relevant it might be to the Marten Falls project. This is illogical in our view and potentially undermines the credibility of the EA process. To fully benefit from the more holistic and comprehensive analysis that will be conducted through the Ring of Fire regional assessment, the Marten Falls EA should be postponed until the RA has been carried out.</p> <p>For instance, construction of the Marten Falls Road and the Webequie Supply Road as well as the proposed Northern Link Road that is now under study, and other activities associated with mining development in the Ring of Fire will have cumulative impacts that are significant, long-lasting, and widespread throughout the region. Cumulative effects assessments are often done poorly at the project-specific level, which is why it is so important that they are assessed at the regional level. A regional assessment is meant to take place at earlier stages of the decision-making cycle to inform project-level EAs within the region. The RA takes a broad level of analysis and focuses on cross-sector links and issues. A project-level EA will likely not capture important and complex considerations such as how impacts from the Marten Falls road will be layered upon existing and expected cumulative effects in the region and how these can best be mitigated.</p>	<p>Environmental Assessment (EA) for the Community Access Road (CAR); however, should information from the regional assessment that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the assessment for the Project. Marten Falls First Nation (MFFN) will maintain contact with the Agency’s contacts for the Regional Assessment of the Ring of Fire so that relevant information can be shared between MFFN and the Agency where appropriate.</p>	
106	ToR Comment MkgwC-20 Commenter: Mushkegowuk Council	<p>No.14</p> <p><b>Reference:</b> Section 7.2 Potential Environmental Effects</p> <p><b>Context:</b> Page 65: “As part of the assessment, consideration will be given to confirming whether net effects of the undertaking could combine with effects of other past, present, and reasonably foreseeable projects (cumulative effects).”</p> <p><b>Requested Change:</b> Unless this EA is going to carry out a comprehensive cumulative effects’ assessment, the ToR should defer to the Regional Assessment as the means by which such an assessment will be carried out.</p> <p><b>Rationale:</b> Cumulative effects assessments are often done poorly at the site-specific level, which is why it is so important that they are assessed at the regional level. Any impacts from this project will be layered onto other potential activities in the region</p>	<p>MFFN is currently developing the proposed approach to the cumulative effects assessment and in doing so is considering provincial and federal requirements, as well as comments received from Indigenous communities, government agencies and interested persons on the Project related to cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency’s Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p>	Section 12





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			<p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / IS Consultation and Engagement Plan appended to the ToR identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS". MFFN will engage with Mushkegowuk Council to understand their concerns and obtain feedback on the methods to assess cumulative effects, including but not limited to the study area, and past, present, and reasonably foreseeable projects to be considered in the cumulative effects assessment.</p> <p>As identified in Section 7.2 of the ToR, the regional assessment of the Ring of Fire region is an assessment independent of the EA for the CAR, however, should information from the regional assessment that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the cumulative effects assessment for the Project. Based on feedback from the Agency, it is understood that the Regional Assessment of the Ring of Fire does not impact the timing of the impact assessment for the Project. MFFN will maintain contact with the Agency's contacts for the Regional Assessment of the Ring of Fire so that relevant information can be shared between MFFN and the Agency where appropriate.</p>	
108	ToR Comment MkgwC-22 Commenter: Mushkegowuk Council	<p>No.16  <b>Reference:</b> Section 8. Assessment and Evaluation  <b>Context:</b> This section of the ToR does not include consideration of potential induced effects from the Project.  <b>Requested Change:</b> Please include consideration of potential induced effects of the project, such as accelerated mineral exploration and development in the Ring of Fire, increased forestry activities, increased non-Indigenous access and use of and development of the area, and increased hunting pressure.  <b>Rationale:</b> Road development is likely to result in induced effects that need to be adequately assessed and mitigated.</p>	<p>MFFN acknowledges that increased access and future development opportunities may arise in the future if the CAR is constructed. As mentioned in Section 7.2.10 of the ToR, the EA will consider the potential effects of the Project due to:</p> <ul style="list-style-type: none"> <li>▪ Changes in population and access to the Far North for recreational activities (e.g., fishing and hunting) may alter the ability of Indigenous communities to access country foods.</li> <li>▪ Changes to recreation and commercial land uses due to changes in access, wildlife, vegetation, or water resources. These changes may affect the enjoyment of these activities, which may affect the tourism sector such as potential negative effects due to public access, and / or enabling new tourism, including cultural tourism, through improved access.</li> <li>▪ Changes to industry and resource extraction activities such as mining, aggregate, forestry, linear infrastructure, and energy projects. New access may allow industry opportunities to become more feasible thereby allowing for an increase in existing and new development.</li> </ul> <p>Section 7.2.1 of the ToR also identifies that the EA will also consider changes in the availability and / or quality of resources, including potential changes associated with increased access by non-Indigenous land users as a result of the Project, that may influence Indigenous land and resource use activities (e.g., hunting, harvesting, gathering) within the area of the Project.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the</p>	Section 12





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
			<p>Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p>	
123	ToR Comment NibFN-2 Commenter: Nibinamik First Nation	<p>Quite simply, the Proposed Projects are forever projects. They represent a first wave of an industrial revolution of the North that will have far reaching environmental, economic, and social impacts on Nibinamik and our Homelands. While in the past, Nibinamik participated in discussions with Ontario and other neighbouring First Nations under the Regional Framework Agreement, those processes were unilaterally terminated by Ontario in August of 2019. No alternative process to address cumulative or regional impacts has been established.</p>	<p>The EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / Impact Statement (IS) Consultation and Engagement Plan appended to the Terms of Reference (ToR) identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS". MFFN will engage with Nibinamik First Nation to understand their concerns and obtain feedback on the methods to assess cumulative effects, including but not limited to the study area, and past, present, and reasonably foreseeable projects to be considered in the cumulative effects assessment.</p> <p>The ToR recognizes that a Regional Assessment of the Ring of Fire region under the <i>Impact Assessment Act</i> is underway. This is an assessment independent of the EA for the CAR; however, should information from the Regional Assessment that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the assessment for the Project. MFFN will maintain contact with the Impact Assessment Agency of Canada's (the Agency's) contacts for the Regional Assessment of the Ring of Fire so that relevant information can be shared between MFFN and the Agency where appropriate.</p>	Section 12
133	ToR Comment WCS-3 Commenter: Wildlife Conservation Society	<p><b>Recommendation 3. The TOR should be revised to address alternatives in a more comprehensive way including "functionally different ways" of meeting Project need and purpose as well as the null alternative.</b></p> <p>We do not support the Proponent's rationale described in the TOR for why the impact assessment will not include a null alternative of no community access road nor do we support the narrow scoping of alternatives to the community access road and the selection of the two alternative routes without more critical and transparent evaluation of criteria for route selection beyond cost and current engineering. It is in the public interest that the assessment considers the null option (as described below) as well as alternative ways of achieving the societal benefits purported by the Proponent, particularly economic ones. Accordingly, alternative analyses are the only way to determine whether the Project's inevitable negative impacts on the environment and First Nations are acceptable given the lack of commitment by Ontario to addressing cumulative effects at relevant social and ecological scales and the region-opening development the Project is anticipated to enable.</p> <p>The null option is not whether there should be no community access road, but whether an industry supply road should be used to provide community access to Marten Falls. The null option for these two</p>	<p>Section 8 of the ToR indicates that the EA will include a comparative analysis of the advantages and disadvantages of the preferred alternative against the "do nothing" alternative. MFFN is proposing an all-season CAR that will connect the MFFN community to the Ontario provincial highway network. Although the road is proposed to be built to meet industrial use specifications, the primary use of the CAR will be to service MFFN. The industrial use specifications are required to accommodate the delivery of supplies to the MFFN community and also allow for potential future use of the road by other commercial vehicles including larger trucks up to the legal road limits on weight and size. MFFN is conducting an EA for a multi-use road that will provide all-season community access. The CAR is being proposed with the expectation that, should approvals be granted, it would be built regardless of whether the Northern Road Link or development in the ring of Fire occurs. For this reason, the purpose of the Project remains unchanged and the "do nothing" alternative would be not proceeding with the Project.</p> <p>It is the Minister of the Environment, Conservation and Parks who will determine whether MFFN can proceed with an EA that does not consider different types of transportation provision projects as alternatives to the undertaking, as proposed in Section 3.4 of the ToR and in accordance with subsections 6.1(3) and 6(2)(c).</p>	Section 11







ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
		<p>different types of roads (a community access road vs. an industry supply road that can accommodate community traffic) is not the same and this needs to be made clear in the impact assessment.</p> <p>The community should have a strong say on their road alternatives. The TOR suggests the only all-season route available to Marten Falls for community access is the current Alternative 1 and Alternative 4. It is profoundly disturbing to read in section 6.3 in the TOR that Ontario's role as funders for the EA process was used by the province to scope the proposed preferred Alternative routes for the current Project. If the road is really about community access, the current winter road route would also be considered in an alternatives analysis and would not have been scoped out at the TOR stage. The impact assessment needs to consider all the options for a community access road and not just the preferred industry supply routes as proposed in the TOR. Fundamentally, the content of the draft ToR demonstrates Ontario's colonial and patriarchal relationship in its relationship with First Nations under Treaty No. 9. As such Ontario's promotional statements of "community-led" and commitments to Indigenous Knowledge programs as examples of impact assessment practice that are "outside the box" appear tokenistic and wholly inadequate in the context of reconciliation and commitments to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p> <p>Finally, alternative routes must also consider future scenarios for mineral exploration, mining, forestry, and hydroelectric potential under climate change as well as access needs for Marten Falls. Alternatives for roads must explicitly include identify where aggregate may be coming from eskers and/or other glacial deposits as well as the impacts to permafrost and hydrology in the region. Aggregate coming from areas beyond currently proposed spatial boundaries needs to also be identified, including access routes, given the fact that the proposed road will not be decommissioned in the future. In addition, alternatives must be guided by explicit criteria covering a suite of sustainability considerations associated with the goal of "betterment" under the EAA. The TOR should include the criteria for determining technical and economic feasibility.</p>	<p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. MFFN is currently developing the proposed approach to the cumulative effects assessment and in doing so is considering provincial and federal requirements, as well as comments received from Indigenous communities, government agencies and interested persons on the Project related to cumulative effects. MFFN will consult and engage on cumulative effects assessment methods during the EA.</p> <p>Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate. The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p> <p>The Marten Falls First Nation Community Access Road Supporting Document – Alternatives Development that accompanies the ToR submission provides a detailed account of the evolution of the alternative methods for the CAR. During early stages of the EA process, four routes were shared through consultation as potential alternatives that would be reviewed to confirm the reasonable range of alternative methods for the EA. Two of the alternative routes generally followed the winter road (Alternative 2 and Alternative 3), and the other two were routed north-south before turning east toward MFFN (Alternative 1 and Alternative 4). Through the community-led process it was determined that it is not appropriate to MFFN to construct a CAR that creates a large bridge crossing close to the community or a CAR that may result in industrial traffic through the community. MFFN Chief and Council passed a Band Council Resolution in July 2019 to only consider Alternative 1 and Alternative 4 in the EA process by supporting feedback received from MFFN community as part of the community-led process to advance decisions on the Project. Therefore, the decision to remove the alternatives that generally followed the winter road alignment was made by MFFN.</p> <p>Section 6.3 of the ToR identifies that the EA will consider the alternative methods of carrying out the undertaking, which includes the quarries, borrow areas and aggregate source areas. Most of the rock required for construction is expected to come from sites adjacent to the CAR; however, where this is not possible, potential sources further away, possibly outside the preliminary study area may need to be developed to support the Project (Section 5.2.1.3). A preliminary identification of potential aggregate source areas in the area of the Project is shown on Figure 7-3; however, the locations that will be considered and assessed will be identified in the EA. This will include information on the amounts of aggregate required during construction and operations (Section 7.1.4.4), whether new pits / quarries are planned (Section 7.1.4.4), and whether any sources will require decommissioning following construction (Section 5.2.2).</p> <p>The method to assess the effects of the Project (including quarries, borrow areas and aggregate source areas) is outlined generally in Section 8. In addition to comparing the predicted net effects of the two alternatives using the proposed criteria and indicators listed in Appendix A, technical consideration of cost and constructability such as capital cost, maintenance cost, route length, borrow availability, safety, and construction implementation (Section 8.4) will be used to compare the alternative methods as part of the evaluation of advantages and disadvantages.</p>	
136	ToR Comment WCS-12 Commenter: Wildlife Conservation Society	7.1.4.4 Physiography, Geology, Terrain and Soils Impacts to permafrost must be considered in the cumulative effects assessment.	The EA will describe permafrost conditions including detailed mapping of landscape features such as areas of permafrost degradation. Degradation of physical or chemical characteristics of permafrost, terrain, or topography (e.g., natural hazards) and soils is listed as an indicator to measure the potential	Appendix A, pg. 2 Section 7.2, pg. 65 Commitment for EA





ID #	Provincial ToR Comment Reference	Requirement / Comment / Concern	Response	Document Reference
			<p>effect of the Project on physiography, geology, terrain, and soils in Appendix A of the ToR. This data will be used to inform the cumulative effects assessment.</p> <p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. Cumulative effects assessments build on the results of the effects assessment and considers the incremental changes that are predicted to have a likely net adverse effect. Disciplines that do not have a net effect predicted, or the net effects are of negligible magnitude or positive direction, will not be carried forward into the cumulative effects assessment</p> <p>MFFN will consult and engage on cumulative effects assessment methods during the EA. The EA / IS Consultation and Engagement Plan appended to the ToR identified that MFFN will consult with Indigenous communities, government agencies and interested persons on cumulative effects assessment methods during the consultation milestones "Identification of Preferred Alternatives" and "Review of Draft EA / IS" their concerns and obtain feedback on, but not limited to, the study area, and past, present and reasonably foreseeable projects, and effects to be considered in the cumulative effects assessment.</p>	
140	ToR Comment WCS-51 Commenter: Wildlife Conservation Society	<p>7.2. Potential Effects</p> <p>The impact assessment must address cumulative effects. While the MECP Code of Practice "encourages" proponents to provide information about potential cumulative effects in the EA, a project of this scale, complexity, and potential impacts should not be left to the discretion of the proponent. We expect the cumulative effects assessment to include the projects identified in Recommendation 3 above. We also recommend MECP develop guidance for proponents on cumulative effects assessment to improve transparency, consistency, and standards for impact assessment processes in Ontario.</p>	<p>In addition to assessing the potential effects of the Project, the EA will identify and assess the Project's potential for cumulative effects. MFFN is currently developing the proposed approach to the cumulative effects assessment and in doing so is considering provincial and federal requirements, as well as comments received from Indigenous communities, government agencies and interested persons on the Project related to cumulative effects. MFFN will consult and engage on cumulative effects assessment methods during the EA.</p> <p>Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable. For an activity to be considered foreseeable and included in the cumulative effects assessment, the activity will have to be known at the time of preparing the EA Report. That is, sufficient information about the activity must be available to make a reasonable assessment of its potential effects. This will include induced development that is certain or reasonably foreseeable and activities with additive effects where appropriate per the Canadian Environmental Assessment Agency's Draft Technical Guidance: Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under the Canadian Environmental Assessment Act, 2012 (2018a). If sufficient information is not available about a potential future activity to be able to include it within the Project cumulative effects assessment, it is anticipated that should that activity proceed, the proponent of that activity would consider the cumulative effects of their activity with the CAR as appropriate.</p> <p>The cumulative effects assessment will include reviewing publicly available data sources for projects in the mining, forestry, telecommunication, electrical, energy and road development sectors that should be considered in the assessment.</p> <p>The Project is also subject to the Federal <i>Impact Assessment Act</i> and currently in the Impact Statement Phase. Therefore, the cumulative effects assessment will also be assessed per the requirements set out in Section 22 of the TISGs developed by the Agency.</p> <p>Development of provincial guidance for cumulative effects assessments is outside the scope of what MFFN is responsible for responding to as the proponent for the Project. However, MFFN understands that the MECP will consider all comments received on the ToR prior to making a final decision on whether or not to approve the ToR.</p>	Section 12





**Table 15-3: ToR Notice of Approval Concordance**

ID #	Provincial ToR Notice of Approval Reference	ToR Notice of Approval Requirement	Response	Document Reference
142	Amendment 1.1 Cumulative effects consultation	During the preparation of its environmental assessment (EA), Marten Falls First Nation (MFFN) will consult with Indigenous communities on the cumulative effects assessment work plan, methodology, results, and impact management measures. As part of the consultation on these items, MFFN will offer targeted consultation opportunities to each Indigenous community. MFFN will also consider any consultation activities/tools that Indigenous communities request in order to facilitate the consultation required by this section.	Indigenous communities will be consulted on the cumulative effects assessment work plan, methodology, results, and impact management measures during the preparation of the EA.	Section 3 Section 12
143	Amendment 1.2 Consideration of other cumulative effects assessments	As part of the development of its EA, MFFN will consider, where appropriate, any publicly available information that may be generated through the following which MFFN considers relevant: <ul style="list-style-type: none"> <li>Any cumulative effects assessment developed as part of any EA in respect of the proposed Webequie Supply Road; and</li> <li>Any cumulative effects assessment developed as part of any EA in respect of the proposed Northern Road Link.</li> </ul> MFFN will determine how to use any information described in this section in its EA including the cumulative effects assessment. If information described in this section is not available at the time MFFN is prepared to submit its final EA to the Ministry of the Environment, Conservation and Parks (MECP), this will not delay the submission of the final EA.	The ToR identifies that on March 2, 2020, the Government of Ontario, Marten Falls First Nation and Webequie First Nation announced their agreement to advance planning and development of a proposed Northern Road Link. The EA will identify and assess the Project's potential for cumulative effects. Activities that will be considered in the cumulative effects assessment will include other past and existing anthropogenic (i.e., man-made) developments and future activities that are reasonably foreseeable (e.g., Webequie Supply Road). Section 7.2 of the ToR identifies that the Northern Road Link is anticipated to be considered for inclusion in the assessment of cumulative effects in the EA.	Section 12
144	Amendment 1.3 Consideration of Regional Assessment	If there is an ongoing or completed Regional Assessment for the Ring of Fire area, as part of the development of its EA MFFN will consider, where appropriate, any publicly available information that may be generated through that process which MFFN considers relevant. MFFN will determine how to use any information described in this section in its EA including the cumulative effects assessment. If information described in this section is not available at the time MFFN is prepared to submit its final EA to MECP, this will not delay the submission of the final EA.	The ToR recognizes that a Regional Assessment of the Ring of Fire region under the <i>Impact Assessment Act</i> is underway. This is an assessment independent of the EA for the CAR; however, should information from the regional assessment that is relevant to the Project become available during preparation of the EA, it will be reviewed and used to inform the assessment for the Project. MFFN will maintain contact with the Agency's contacts for the Regional Assessment of the Ring of Fire so that relevant information can be shared between MFFN and the Agency where appropriate.	Section 2 Section 12
145	Amendment 1.4 Cumulative effects consultation report	As part of the draft EA and final EA, MFFN will prepare a cumulative effects consultation report to accompany the cumulative effects assessment within the EA. The report will include: <ul style="list-style-type: none"> <li>A summary of the consultation completed with Indigenous communities and any other organizations/agencies regarding the development of the cumulative effects assessment; and</li> <li>Comment-response tables showing how comments from Indigenous communities and any other organizations/agencies were considered and incorporated, as appropriate, in the development of the cumulative effects assessment.</li> </ul>	A cumulative effects consultation report will be prepared as part of the draft and final EA.	Section 3 Section 12
146	Amendment 1.5 Draft and final EA report documentation	The draft EA and final EA will contain draft and final cumulative effects assessments, respectively.	This requirement is acknowledged, and cumulative effects assessments will be included in both the draft and final EA.	Section 12





## 15.2 Federal Concordance

Table 15-4: TISG Concordance

ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
148	TISG Section 3.1, page 10	<ul style="list-style-type: none"> <li>■ The Impact Statement must describe the Project, by listing and describing the project components, associated and ancillary works, and other characteristics to assist in understanding the potential environmental, health, social and economic effects, effects on Indigenous peoples and impacts on the exercise of rights of Indigenous peoples, as identified by the Indigenous group(s). This description must be supported with maps of all project components listed below, boundaries of the proposed site with geographic co-ordinates, major existing infrastructure, proponent lands, properties or leased lands, adjacent resource lease boundaries, adjacent land uses and any important environmental features.</li> <li>■ The Impact Statement must describe all project components including but not limited to:               <ul style="list-style-type: none"> <li>– water management infrastructure to divert, control, collect and discharge surface drainage and groundwater seepage to the receiving environment.</li> <li>– waterbody diversions/realignments, dewatering and deposition activities.</li> <li>– the location and details of single and multi-span watercourse crossings and types of structure used for water crossings (crossing type, design, length, etc.);</li> <li>– the location and details of culverts for water flow connectivity and water level balancing (type, design, length, etc.);</li> <li>– final route for all permanent and temporary linear infrastructure, including the road corridor, width of road surface, width of cleared corridor, width of right-of-way, access roads (permanent and temporary), and temporary crossings;</li> <li>– description of the area to be cleared;</li> <li>– construction workspace and laydown areas;</li> <li>– storage for fuels, explosives, and hazardous wastes; drinking and industrial water requirements (source, quantity required, need for water treatment);</li> <li>– energy supply source;</li> <li>– worker accommodations and camps (permanent and temporary)</li> <li>– borrow pits, gravel or aggregate pits and quarries (footprint, geographic location, ownership, and development plans including pit phases and lifespan), including their location in relation to upland habitats and the presence of rare, limited and/or significant habitat (e.g., federal6, provincial, or Indigenous protected and conserved areas, ANSIs7 (Areas of Natural and Scientific Interest), Ramsar sites8, critical habitat identified under the Species at Risk Act, etc.);</li> <li>– waste rock, overburden, topsoil, gravel and rock storage and stockpiles (footprint, locations, volumes, development plans and design criteria);</li> <li>– aggregate extraction and production (crushing/screening) facilities (footprint, technology, location);</li> <li>– waste disposal (types of waste, methods of disposal, quantity, location of disposal sites);</li> <li>– remediation of project site, including post-construction clean-up and restoration; and</li> <li>– any other infrastructure relevant to the Project, including any planned or anticipated co-location, construction, or site preparation of additional right-of-way infrastructure such as, but not limited to, transmission lines, telecommunication infrastructure, and pipelines.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ The IS / EA Report will describe the Project to assist in understanding the potential environmental effects. The description will be supported with maps.</li> <li>■ A preliminary description of the Project components has been included in Part C of the Detailed Project Description and Section 5.2 of the ToR. The specific location of Project components, including the roadway, pits, quarries, and temporary infrastructure, are not yet known, and will be included in the IS / EA Report.</li> <li>■ It is currently expected that all components listed in the TISG Section 3.1 with the exception of the items detailed below will be part of the Project, although this is subject to change based on further information and input as the IS / EA Report evolves.</li> <li>■ There is no planned or anticipated co-location, construction or site preparation of additional right-of-way infrastructure including transmission lines, telecommunication infrastructure, and pipelines.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 9</li> </ul>
149	TISG Section 3.2, page 11	<ul style="list-style-type: none"> <li>■ The Impact Statement must include descriptions of project activities to be carried out during each project phase, the location of each activity and the activity's duration, magnitude, and scale.</li> </ul>	<ul style="list-style-type: none"> <li>■ The IS / EA Report will include a description of project activities, and a preliminary description has been included in Section 9 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 9</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
150	TISG Section 3.2, page 11	<ul style="list-style-type: none"> <li>The Impact Statement must provide a complete list of project activities and focus on activities with the greatest potential to have environmental, health, social and economic effects on local communities and Indigenous people and the impacts to the exercise of Aboriginal and Treaty rights of Indigenous peoples as defined in Section 35 of the Constitution Act, 1982<sup>9</sup>. The criteria used to determine which project activities have the greatest potential effects should be described. Sufficient information must be included to adequately predict adverse and positive environmental, health, social and economic effects, the interaction between those effects and any disproportionate effects for diverse subgroups.</li> </ul>	<ul style="list-style-type: none"> <li>The criteria used to determine which project activities have the greatest potential effects will be described in the IS / EA Report and be inclusive of criteria and indicators identified within the discipline-specific study plans, and residual effects characteristics, included in Section 10.3 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.3</li> </ul>
151	TISG Section 3.2, page 12	<ul style="list-style-type: none"> <li>The Impact Statement must provide evidence that input from diverse subgroups was sought through early, meaningful, and ongoing engagement activities and that there was broad participation by individuals or groups to identify potential effects or other concerns and issues.</li> </ul>	<ul style="list-style-type: none"> <li>A summary of Consultation and Engagement on the IS / EA Report is included in Section 3 of this document, with further details provided in the Project IS / EA Consultation Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> </ul>
152	TISG Section 3.2, page 12	<ul style="list-style-type: none"> <li>The information must be sufficient to provide an analysis regarding the Project's impacts in the context of potential interaction between each valued component.</li> </ul>	<ul style="list-style-type: none"> <li>The Project's impacts in the context of potential interaction between valued components will be included in the IS / EA Report. An initial list of potential valued component interactions has been included in the discipline-specific study plans.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.1</li> <li>Discipline specific study plans under separate cover</li> </ul>
153	TISG Section 3.2, page 12	<ul style="list-style-type: none"> <li>The Impact Statement must highlight activities that involve periods of increased disturbance to environmental, health, social and economic conditions or impacts on the exercise of rights of Indigenous peoples. The Impact Statement must include a schedule including time of year, frequency, and duration for all project activities.</li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will highlight activities that involve periods of increased environmental impacts and will include a schedule including expected time of year, frequency, and duration for all Project activities.</li> </ul>	<ul style="list-style-type: none"> <li>No Reference</li> </ul>
154	TISG Section 3.2, page 12	<ul style="list-style-type: none"> <li>The Impact Statement will include an updated Project Description, which outlines any new information or project details. This will include a summary of the changes that have been made to the Project since originally proposed in the Detailed Project Description, including the reasons for the changes and the anticipated changes to the environment or to health, social or economic conditions and the predicted positive and negative consequences of these changes. This will also include an appendix of all the proposed mitigation and follow-up program measures to address adverse effects and potential impacts on the rights of Indigenous people. Project activities, where relevant to the Project, may include, but are not limited to a description of the elements listed below.</li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will include an updated project description, which will include a summary of the changes that have been made to the Project since originally proposed in the DPD including the reasons for changes and anticipated changes to the environment.</li> <li>Proposed mitigation and follow-up programs, as required, will be described in the IS / EA Report.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.2</li> <li>Section 13</li> </ul>
155	TISG Section 3.2.1, page 12	<ul style="list-style-type: none"> <li>The Impact Statement must describe the anticipated activities during the construction phase of the Project, including:               <ul style="list-style-type: none"> <li>physical surveying of road right-of-way width and alignment, as well as supportive temporary infrastructure (e.g., access roads, aggregate source area and camps);</li> <li>vegetation clearing, earth excavation and other roadbed preparation activities, earth grading and granular placement for road construction;</li> <li>temporary clearing and grubbing for construction and for activities such as aggregate sourcing, temporary lay-down areas, staging areas, including work camps, and debris or timber stockpiles;</li> <li>management and stockpiling of topsoil and unsuitable earth material along the right-of-way;</li> <li>water management, including water diversions, dewatering or deposition activities, stormwater management required (location, methods, timing), potable water, water use requirements, and wastewater if applicable, including:                   <ul style="list-style-type: none"> <li>site plans showing all project components, such as, water management infrastructures, location of all material stockpiles, location of all release points to the receiving environment, location of all major water crossings, location of all relevant waterbodies, and any other components or infrastructures relevant to the Project;</li> <li>ditching and drainage excavation, including the construction of culverts for road drainage; and</li> <li>construction of single and multi-span watercourse crossing structures, including culverts.</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will describe the anticipated activities during the construction phase of the Project, and a preliminary list has been provided in Section 9.1 of this document.</li> <li>The list of activities included in TISG Section 3.2.1 are currently expected to be within the scope of the Project with the exception of the items detailed below, although this is subject to change based on further information and input as the IS / EA Report evolves.</li> <li>Activities that are not anticipated to be within the Project scope:               <ul style="list-style-type: none"> <li>Wetland drainage</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 9.1</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
		<ul style="list-style-type: none"> <li>– Borrow material and aggregate requirements (source and quantity), extraction, production, and transportation;</li> <li>– wetland drainage;</li> <li>– blasting (frequency, duration, time of year, time of day and methods);</li> <li>– explosives manufacture, storage, and management;</li> <li>– storage and management of material stockpiles, hazardous materials, fuels, and residues;</li> <li>– storage and handling of petroleum products, chemical products, hazardous materials, and residual materials;</li> <li>– waste management and recycling;</li> <li>– earth and aggregate hauling operations;</li> <li>– operation, maintenance and storage of machinery and equipment;</li> <li>– transportation of employees;</li> <li>– equipment and crew mobilization/de-mobilization;</li> <li>– earthmoving, levelling, grading, and construction of the roadbed (for all new right of ways or roads);</li> <li>– operation and dismantling of temporary camps (capacity, wastewater treatment);</li> <li>– post-construction decommissioning, clean-up, and restoration (including of construction equipment and vehicles, work areas, borrow pits, gravel pits, rock quarries, and laydown areas, construction materials, and temporary access roads);</li> <li>– construction of access roads (permanent and temporary);</li> <li>– construction of site fencing;</li> <li>– operation of light duty, heavy-duty and mobile off-road equipment (type, quantity);</li> <li>– alteration of linked roadways needed for construction and operation;</li> <li>– contribution to atmospheric emissions, including emissions profile (type, rate, and source);</li> <li>– transportation of equipment and supplies (type and quantity of equipment, and mode of transportation, including winter roads, air transport, rail, etc.);</li> <li>– the ownership, transfer, and control of the different project components, if applicable;</li> <li>– use of winter roads by the proponent for site preparation and construction; and</li> <li>– use of the Anaconda and Painter Lake forestry access roads.</li> </ul>		
156	TISG Section 3.2.2, page 14	<ul style="list-style-type: none"> <li>■ The Impact Statement must describe the anticipated activities during the operation phase of the Project, including:               <ul style="list-style-type: none"> <li>– the ownership, transfer, and control of the different project components, if applicable;</li> <li>– surface repairs, both localized and full resurfacing of the road, including equipment requirements (type, quantity);</li> <li>– dust control activities;</li> <li>– vegetation management within the right of way;</li> <li>– winter maintenance, snow clearing and de-icing, including responsible salt/sand application and management;</li> <li>– facility maintenance yard to store sand and/or salt and to house roadway maintenance equipment;</li> <li>– water management, including:                   <ul style="list-style-type: none"> <li>• maintenance of stormwater and the road drainage system (culverts, ditches, outfalls, and any water diversions (location, methods, timing));</li> <li>• potable water, water use requirements; and</li> <li>• process water, wastewater, water recycling and effluent treatment (quantity, treatment requirements, release points and their receiving waterbodies).</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ The IS / EA Report will describe the anticipated activities during the operations phase of the Project, and a preliminary list has been provided in Section 9.2 of this document.</li> <li>■ The list of activities included in TISG Section 3.2.2 are currently expected to be within the scope of the Project with the exception of the items detailed below, although this is subject to change based on further information and input as the IS / EA Report evolves.</li> <li>■ Activities that are not anticipated to be within the Project scope:               <ul style="list-style-type: none"> <li>– facility maintenance yard to store sand and/or salt and to house roadway maintenance equipment;</li> <li>– With respect to description of any road access controls, the Project has not included any jurisdictional enforcement scope as it pertains to motor vehicle licensing, insurance measures, enforcement/policing, access etc.</li> <li>– During the operation phase it is anticipated there will no longer be a need for winter road access.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Section 9.2</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
		<ul style="list-style-type: none"> <li>– Bridge and culvert maintenance;</li> <li>– characterization and management of borrow material, including overburden, and aggregate (storage, handling and transport of the volumes generated, mineralogical characterization, potential for metal leaching and acid rock drainage);</li> <li>– transportation of employees;</li> <li>– description of any road access controls, including but not limited to:               <ul style="list-style-type: none"> <li>• access to and use of adjacent lands for traditional uses or other activities (e.g., mineral exploration, outfitters, etc.);</li> <li>• vehicle and operator licensing requirements;</li> <li>• insurance coverage requirements and general liability; and</li> <li>• enforcement/policing responsibility.</li> </ul> </li> <li>– anticipated road use by different users (traffic volume, type of vehicles, maximum weight, etc.), including Indigenous groups, the general public, and mining proponents of reasonably foreseeable future projects (e.g., Eagle’s Nest, Blackbird, Black Thor, Black Label, Big Daddy, anticipated future community access roads);</li> <li>– anticipated use of the Anaconda and Painter Lake forestry access roads;</li> <li>– aggregate production and stockpiling, aggregate extraction, processing, and treatment;</li> <li>– drilling and blasting, explosives manufacture, storage and use, aggregate crushing, and sorting (frequency and methods);</li> <li>– management and disposal of wastes; and</li> <li>– use of winter roads by the proponent during operations.</li> </ul>		
157	TISG Section 3.2.3, page 15	<ul style="list-style-type: none"> <li>■ The Impact Statement must describe the anticipated activities during the abandonment and decommissioning (including suspension) phases of the Project, including:               <ul style="list-style-type: none"> <li>– the ownership, transfer, and control of the different project components;</li> <li>– the preliminary outline of a suspension, abandonment, decommissioning or reclamation plan for any components associated with the project;</li> <li>– final site restoration;</li> <li>– dismantling and removal of equipment;</li> <li>– removal and reclamation of ancillary structures;</li> <li>– long term care, monitoring and maintaining the integrity of the site and any remaining structures; and</li> <li>– suspension, abandonment or decommissioning for temporary or permanent facilities, including aggregate pits, access roads and water crossings.</li> </ul> </li> <li>■ If the proponent does not anticipate decommissioning and abandonment, it must state clearly under what circumstances decommissioning would occur, and demonstrate a commitment to following environmental and social best practice in all its activities.</li> </ul>	<ul style="list-style-type: none"> <li>■ As detailed in Section 6.1 of this document, “There are currently no plans to decommission the CAR as there is no expected / known end date for its need. Therefore, future suspension, decommissioning and eventual abandonment of the CAR will not be considered in the IS / EA Report. It will be considered if and when a decommissioning or abandonment application is made for the road.”</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 6.1</li> </ul>
158	TISG Section 4.1, page 17	<ul style="list-style-type: none"> <li>■ The Impact Statement must outline what is to be achieved by carrying out the project. The statement should broadly classify the project (e.g., electricity supply, mineral extraction/processing, etc.) and indicate the target market (e.g., international, domestic, local, etc.), or end-users, where applicable.</li> <li>■ The purpose of statement should include any objectives the proponent has in carrying out the project. The proponent is encouraged to consider the perspectives of participants, including future project users (i.e., public, Indigenous groups, governments) in establishing objectives that relate to the intended effect of the Project on society.</li> </ul>	<ul style="list-style-type: none"> <li>■ The purpose of the Project is included in Part C of the Detailed Project Description and Section 4 of the ToR, and will be included in the IS / EA Report, updated to reflect perspectives of Indigenous communities, government agencies, and interested persons if relevant input is provided.</li> </ul>	<ul style="list-style-type: none"> <li>■ No Reference</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
159	TISG Section 4.2, page 17	<ul style="list-style-type: none"> <li>The Impact Statement must describe the underlying opportunity or issue that the Project intends to seize or solve and should be described from the perspective of the proponent. In many cases, the need for the Project can be described in terms of the demand for a resource, service, or piece of critical infrastructure to further economic development goals. The proponent should provide supporting information that demonstrates the need for the Project (e.g., public, Indigenous groups, governments). The information provided should make it possible to reasonably conclude that there is an opportunity or issue that warrants a response and that the proposed Project is an appropriate approach (e.g., the Project has sufficient connections to necessary infrastructure). The proponent must report the comments or views of Indigenous peoples, the public and other participants on the proponent's need statement.</li> </ul>	<ul style="list-style-type: none"> <li>The need for the Project is included in Part C of the Detailed Project Description and Section 5.1 of the ToR, and will be included in the IS / EA Report, updated to reflect perspectives of Indigenous communities, government agencies, and interested persons if relevant input is provided.</li> </ul>	n/a
160	TISG Section 4.3, page 17	<ul style="list-style-type: none"> <li>In addressing alternatives to the Project, the Impact Statement must provide a description of the functionally different ways that are technically and economically feasible to meet the project need and achieve the project purpose from the perspective of the proponent. For these technically and economically feasible alternatives to the Project, the Impact Statement must provide sufficient information for the selection of alternatives to the Project. The process of identifying and considering alternatives to the Project must consider the views, information and knowledge from Indigenous peoples, the public and other participants, as well as existing studies and reports, and must be conducted in accordance with the Impact Assessment Agency of Canada's policy and guidance documents. As relevant, the alternatives to the Project should be informed by any study or plan that is conducted or prepared by a jurisdiction that is in respect of a region related to the Project and that has been provided with respect to the Project.</li> </ul>	<ul style="list-style-type: none"> <li>As per Section 6.2 of the ToR: "Given MFFN's unique circumstances as a remote First Nation community, an airport with non-daily service and high costs per trip, a winter road system that only provides seasonal service and is increasingly unreliable, and a railroad that does not provide freedom of movement are not reasonable alternatives to consider as they do not meet the community needs. Therefore, the reasonable range of alternatives that are within MFFN's ability to implement is limited to an all-season road. Furthermore, MFFN's voluntary agreement with MECP was to undertake an Individual EA for the "construction, operation and maintenance of an all-weather multi-use road" between Painter Lake road and MFFN. Since the Project was identified to be an all-season road before the study for this Project commenced under the EAA, MFFN will not conduct an assessment of alternatives to the undertaking."</li> <li>The rationale for not undertaking an assessment of alternatives to the undertaking is further detailed in Section 6.2 of the ToR and will be included in the IS / EA Report, including any relevant views, information and knowledge from Indigenous communities, government agencies, and interested persons.</li> </ul>	n/a
161	TISG Section 4.3, page 17	<ul style="list-style-type: none"> <li>The Impact Statement must further describe the no-action (null) alternative, noting the baseline conditions of the valued components associated with the Project, as well as changes to these baseline conditions that are likely to occur in the future if a Project was not carried out (e.g., changes in result of other projects already planned for the region, changes to the socio-economic conditions, etc.).</li> </ul>	<ul style="list-style-type: none"> <li>An analysis of the advantages and disadvantages of the preferred alternative against the no-action alternative will also be undertaken.</li> </ul>	Section 11
162	TISG Section 4.3, page 17	<ul style="list-style-type: none"> <li>The alternatives analysis should describe how sustainability was considered in the selection of the preferred alternative for the Project.</li> </ul>	<ul style="list-style-type: none"> <li>The alternatives analysis will describe how sustainability was considered in the selection of the preferred alternative for the Project.</li> </ul>	Section 10.4
163	TISG Section 4.4, page 18	<ul style="list-style-type: none"> <li>The Impact Statement must describe:               <ul style="list-style-type: none"> <li>the criteria to determine technical and economic feasibility of possible alternative means;</li> <li>the best available technologies considered and applied in determining alternative means;</li> <li>each alternative means in sufficient and appropriate detail; and</li> <li>those alternative means that are technically and economically feasible.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>This information will be included in the IS / EA Report, with some preliminary information contained in this document.</li> <li>Preliminary criteria to determine technical and economic feasibility of the possible alternative means is included in Section 11 and Table 11-1 of this document.</li> <li>This EA Methodology document provides the approach to describing each alternative means and its impacts in sufficient and appropriate detail.</li> </ul>	Section 11
164	TISG Section 4.4, page 18	<ul style="list-style-type: none"> <li>The Impact Statement must identify the elements of each alternative means and the associated adverse and positive environmental, health, social or economic effects or impacts on the exercise of rights of Indigenous peoples, as identified by the Indigenous group(s).</li> </ul>	<ul style="list-style-type: none"> <li>The EA will identify the potential effects of the Project.</li> </ul>	Section 10.1
165	TISG Section 4.4, page 18	<ul style="list-style-type: none"> <li>The application of Gender Based Analysis Plus (GBA+) that considers the potential for disproportionate effects for diverse subgroups, including groups identified by age, socio-economic status or disability is required.</li> </ul>	<ul style="list-style-type: none"> <li>Where appropriate, information regarding residual effects will be disaggregated by sex, gender, age, and other community relevant identify factors to identify disproportionate residual effects for diverse subgroups.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.3</li> <li>Section 10.3</li> </ul>







ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
166	TISG Section 4.4, page 18	<ul style="list-style-type: none"> <li>The proponent must also consider the views or information provided by Indigenous people, the public and other participants in establishing parameters to compare the alternatives means.</li> </ul>	<ul style="list-style-type: none"> <li>As committed to in Section 3 of this document and further detailed in the project IS / EA Consultation Plan, the proponent will consider the views or information provided by Indigenous people, the public and other participants in establishing parameters to compare the alternatives means.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> <li>Section 4</li> <li>Section 8</li> </ul>
167	TISG Section 4.4, page 18	<ul style="list-style-type: none"> <li>The determination of alternative means must be conducted in accordance with the Impact Assessment Agency of Canada's policy and guidance documents.</li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will document how the determination of alternative means was conducted in accordance with the Impact Assessment Agency of Canada's policy and guidance documents.</li> </ul>	No Reference
168	TISG Section 4.4, page 19	<ul style="list-style-type: none"> <li>The Impact Statement must then identify:               <ul style="list-style-type: none"> <li>the criteria and parameters used to comparatively assess the alternative means based on their associated positive and adverse environmental, health, social and economic effects, impacts on the exercise of rights of Indigenous peoples as identified by the Indigenous group(s), technical and economic feasibility, and any other relevant factors;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Preliminary indicators and expressions of change are provided in the discipline-specific study plans provided under separate cover. This EA Methodology document identifies residual effects characteristics in Section 10.3, sustainability principles in Section 10.4, and cost and constructability criteria in Section 11 that will all be used to comparatively assess the alternative means.</li> </ul>	<ul style="list-style-type: none"> <li>Section 8</li> <li>Section 10.3</li> <li>Section 10.4</li> <li>Section 11</li> <li>Discipline-specific study plans under separate cover</li> </ul>
169	TISG Section 4.4, page 19	<ul style="list-style-type: none"> <li>the methodology used to comparatively assess the alternatives means using the above parameters, including consideration of the trade-offs between the alternative means and the use of best available technology; and</li> </ul>	<ul style="list-style-type: none"> <li>This EA Methodology document provides the methodology the Project proposes to use to comparatively assess the alternative means, with Section 11 specifically focusing on comparing the advantages and disadvantages of each alternative means using parameters detailed in earlier sections.</li> </ul>	<ul style="list-style-type: none"> <li>Section 11</li> </ul>
170	TISG Section 4.4, page 19	<ul style="list-style-type: none"> <li>the preferred alternative means of carrying out the Project including a rationale for its selection and the unacceptability of the excluded alternative means, that includes consideration of the above analysis.</li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will identify the preferred alternative means of carrying out the Project including a rationale for its selection based on the methodology included in this document.</li> </ul>	n/a
171	TISG Section 4.4, page 19	<ul style="list-style-type: none"> <li>In its alternative means analysis, in addition to the potential environmental, health, social and economic effects, the proponent must address all project elements, including, but not limited to, the following project elements and components, where relevant to the Project activities and design:               <ul style="list-style-type: none"> <li>highway route or corridor, including proposed widths of right of-way, cleared area, and road surface;</li> <li>choice of engineering and design standards for roads;</li> <li>access roads (permanent and temporary);</li> <li>location of borrow pits, quarries, and gravel pits;</li> <li>include a description of how aggregate source alternatives were chosen, and identify where aggregate may be coming from eskers or other glacial deposits;</li> <li>aggregate extraction activities (including extraction method, location and design of any facilities required to produce aggregate, location of aggregate stockpiles and management of waste materials):</li> <li>management of mobilized metals (such as chromium and other naturally occurring metals) from aggregate extraction and stockpiling activities;</li> <li>route or corridor and means options for electrical transmission lines;</li> <li>project site location;</li> <li>access to the project site;</li> <li>location and type of bridges and culverts (permanent and temporary);</li> <li>energy sources to power the project site, including worker camps;</li> <li>location of other key project components;</li> <li>management of water supply and wastewater;</li> <li>management of solid wastes;</li> <li>construction alternatives;</li> <li>timing options for various components and phases of the Project; and</li> <li>suspension, abandonment or decommissioning options.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The alternative means analysis will address all project elements, an initial description of which has been included in Section 9 of this document. It is currently expected that all project elements and components included in TISG Section 4.4 page 19, with the exception of the following two items detailed below, will be relevant to the Project activities and design, although this is subject to change based on further information and input as the IS / EA Report evolves.</li> <li>Route or corridor and means options for electrical transmission lines are not part of this Project.</li> <li>As explained in Section 6.1 of this document, "There are currently no plans to decommission the CAR as there is no expected / known end date for its need. Therefore, future suspension, decommissioning and eventual abandonment of the CAR will not be considered in the IS / EA Report. It will be considered if and when a decommissioning or abandonment application is made for the road."</li> </ul>	<ul style="list-style-type: none"> <li>Section 9</li> <li>Section 6.1</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
172	TISG Section 4.4, page 20	<ul style="list-style-type: none"> <li>As relevant, the alternatives to and alternative means assessments should be informed by, but not limited to, the following:               <ul style="list-style-type: none"> <li>any regional or strategic assessment;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Should information relevant to the alternatives for the Project arise from the regional assessment of the Ring of Fire within an appropriate timeline it will be used.</li> </ul>	n/a
173	TISG Section 4.4, page 20	<ul style="list-style-type: none"> <li>any study or plan that is conducted or prepared by a jurisdiction—or an Indigenous governing body—in respect to the region related to the Project and that has been provided with respect to Project;</li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will be informed by any study or plan in respect to the region related to the Project and that has been provided with respect to the Project, including but not limited to CBLUP undertaken by Indigenous communities with traditional territory in the area of the Project.</li> </ul>	n/a
174	TISG Section 4.4, page 20	<ul style="list-style-type: none"> <li>any relevant assessment of the effects of the Project that is conducted by or on behalf of an Indigenous governing body and that is provided with respect to the Project;</li> </ul>	<ul style="list-style-type: none"> <li>All relevant information provided will be reviewed and incorporated into the IS / EA Report if applicable. Further information on how Indigenous Knowledge will be considered in the IS / EA Report is included in Section 4 of this document.</li> </ul>	Section 4
175	TISG Section 4.4, page 20	<ul style="list-style-type: none"> <li>Indigenous knowledge, community knowledge, comments received by the public, comments received from a jurisdiction; and</li> </ul>	<ul style="list-style-type: none"> <li>All relevant information provided will be reviewed and incorporated into the IS / EA Report if applicable. Further information on Consultation and Engagement on the IS / EA Report is included in Section 3 of this document.</li> </ul>	Section 3
176	TISG Section 4.4, page 20	<ul style="list-style-type: none"> <li>other studies or assessments realized by other proponents.</li> </ul>	<ul style="list-style-type: none"> <li>All relevant information provided will be reviewed and incorporated into the IS / EA Report if applicable.</li> </ul>	n/a
177	TISG Section 8.5, page 44	<ul style="list-style-type: none"> <li>The Impact Statement must:               <ul style="list-style-type: none"> <li>identify a regional study area of sufficient size to capture effects to wetlands within the larger drainage area and include wetlands located outside of the local study area that may be affected by hydrological changes as a result of cumulative effects.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The RSA for the Peatlands environmental discipline is provided in Table 6-1 of this document. The boundary of the RSA corresponds to the borders of overlapping quaternary watersheds to captures effects to wetlands within the larger drainage area and wetlands located outside of the LSA.</li> <li>The identification of cumulative effects assessment study area(s) is outlined in Section 12 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>Sections 6.2</li> <li>Section 12</li> </ul>
178	TISG Section 13.1, page 80	<ul style="list-style-type: none"> <li>The Impact Statement must describe in detail the project's potential adverse and positive effects in relation to each phase of the Project (construction, operation, maintenance, suspension, decommissioning, and abandonment).</li> <li>The environmental, health, social or economic effects should be described in terms of the context, magnitude, geographic extent, ecological context timing, duration, and frequency, and whether effects are reversible or irreversible.</li> <li>The spatial scoping of the assessment will vary depending on the valued component and should be consistent with the spatial boundaries that were established for baseline data collection.</li> <li>If there is an ongoing or completed regional assessment in the proposed project area, the proponent should use the information generated through that process to inform the effects assessment.</li> <li>As applicable, the effects assessment must be sufficiently disaggregated and analyzed to understand differences in norms, roles, and relations for diverse subgroups; the different level of power they hold; their differing needs, constraints and opportunities, and the effects of these differences in their lives including consideration of disproportionate effects to surrounding communities.</li> </ul>	<ul style="list-style-type: none"> <li>As noted throughout this EA Methodology document, the IS / EA Report will assess the project's potential adverse and positive effects.</li> <li>Section 6.1 of this document describes the temporal boundaries for the Project including construction and operations and maintenance as well as providing an explanation for why suspension, decommissioning and abandonment will be not assessed as part of the IS / EA Report.</li> <li>Spatial boundaries for the Project are described in Section 6.2 of this document.</li> <li>The Minister of Environment and Climate Change determined that a regional assessment of the Ring of Fire region will be conducted pursuant to the <i>Impact Assessment Act</i>. This is an assessment independent of the EA for the CAR, however, should information relative to the for the Project arise from the regional assessment of the Ring of Fire within an appropriate timeline it will be used.</li> <li>Refer to Section 3.3 and 10.3 in this EA Methodology document for further information on how GBA+ will be incorporated into the EA/IA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.1</li> <li>Section 6.1</li> <li>Section 6.2</li> <li>Section 5</li> <li>Section 3.3</li> <li>Section 10.3</li> </ul>
179	TISG Section 13.1, page 80	<ul style="list-style-type: none"> <li>The assessment of the effects of each of the project components and physical activities, in all phases, must be based upon a comparison of baseline environmental, health, social and economic conditions and the predicted future conditions with the Project and the predicted future conditions without the Project. Predictions must be made on clearly stated assumptions and the Impact Statement must clearly describe how it has tested each assumption.</li> </ul>	<ul style="list-style-type: none"> <li>The potential effects of Project components compared against their baseline will be included in the IS / EA Report. A no-action analysis will also be included in the IS / EA Report. Assumptions will be clearly listed.</li> </ul>	<ul style="list-style-type: none"> <li>Section 5</li> <li>Section 14</li> </ul>
180	TISG Section 13.1, page 80	<ul style="list-style-type: none"> <li>The description of the effects can be either qualitative or quantitative. Effects must be described using criteria to quantify or qualify adverse effects, taking into account any important contextual factors. With respect to quantitative models and predictions, the Impact Statement must detail the model assumptions, parameters, the quality of the data and the degree of certainty of the predictions obtained. For other effects, it may be more appropriate to use other criteria, such as the nature of the effects, directionality, causation, and probability. The effects assessment should also set out the probability or likelihood of that effect occurring and describe the degree of scientific uncertainty related to the data and methods used. With respect to qualitative predictions, the effects assessment should also present information on the parameters measured, and sources and quality of data.</li> </ul>	<ul style="list-style-type: none"> <li>Indicators will be used assess the effects of the Project on the environment. For each residual effect predicted, residual effects characteristics, detailed in Section 10.3 of this document and inclusive of direction and likelihood, will be applied.</li> </ul>	<ul style="list-style-type: none"> <li>Section 8</li> <li>Section 10.3</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
181	TISG Section 13.1, page 81	<p>■ <b>The effects to each valued component outlined in sub-sections 14.3, 15.2, 15.3, 15.4 must be described using the following criteria:</b></p> <ul style="list-style-type: none"> <li>– Scope, defined spatially as the proportion of the valued component's occurrence or population within the study areas (project study area, local study area and regional study area) that can reasonably be expected to be affected by the predicted effect within 10 years. Characterize the scope of each predicted adverse effect on each valued component as follows:               <ul style="list-style-type: none"> <li>• pervasive: the effect is likely to be pervasive in its scope, affecting the valued component across all or most (71-100%) of its occurrence or population within the study areas;</li> <li>• large: the effect is likely to be widespread in its scope, affecting the valued component across much (31-70%) of its occurrence or population within the study areas;</li> <li>• restricted: the effect is likely to be restricted in its scope, affecting the valued component across some (11-30%) of its occurrence or population within the study areas; and</li> <li>• small: the effect is likely to be very narrow in its scope, affecting the valued component across a small proportion (1-10%) of its occurrence or population within the study areas.</li> </ul> </li> </ul>	<p>■ For the valued components identified, scope will be used to identify effects, as further detailed in the discipline-specific study plans. Scope will be used to determine magnitude, which is a residual effect characteristic included in Table 10-2 of this document.</p>	<p>■ Refer to relevant discipline study plan</p>
182	TISG Section 13.1, page 81	<p>■ <b>The effects to each valued component outlined in sub-sections 14.3, 15.2, 15.3, 15.4 must be described using the following criteria:</b></p> <ul style="list-style-type: none"> <li>– Severity, defined as, within the scope, the level of damage to the valued component from the effect that can reasonably be expected; typically measured as the degree of destruction or degradation within the scope or the degree of reduction of the population within the scope. Characterize the severity of each predicted adverse effect on each valued component as follows:               <ul style="list-style-type: none"> <li>• extreme: within the scope, the effect is likely to destroy or eliminate the valued component or reduce its population by 71-100% within ten years or three generations;</li> <li>• serious: within the scope, the effect is likely to seriously degrade/reduce the valued component or reduce its population by 31-70% within ten years or three generations;</li> <li>• moderate: within the scope, the effect is likely to moderately degrade/reduce the valued component or reduce its population by 11-30% within ten years or three generations; and</li> <li>• slight: within the scope, the effect is likely to only slightly degrade/reduce the valued component or reduce its population by 1-10% within ten years or three generations.</li> </ul> </li> </ul>	<p>■ For the valued components identified, severity will be used to identify effects, as further detailed in the discipline-specific study plans.</p>	<p>■ Section 10.3            ■ Refer to relevant discipline study plan</p>
183	TISG Section 13.1, page 81	<p>■ <b>The effects to each valued component outlined in sub-sections 14.3, 15.2, 15.3, 15.4 must be described using the following criteria:</b></p> <ul style="list-style-type: none"> <li>– Irreversibility, or permanence, is defined as the degree to which the effect can be reversed, and the valued component restored, if the effect no longer existed. Characterize the irreversibility of each predicted adverse effect on each valued component as follows:               <ul style="list-style-type: none"> <li>• very high: the effects cannot be reversed, and it is very unlikely the valued component can be restored, and/or it would take more than 100 years to achieve this (e.g., wetlands converted to a shopping centre);</li> <li>• high: the effects can technically be reversed, and the valued component restored, but it is not practically affordable and/or it would take 21-100 years to achieve this (e.g., wetland converted to agriculture);</li> <li>• medium: the effects can be reversed, and the valued component restored with a reasonable commitment of resources and/or within 6-20 years (e.g., ditching and draining of wetland); and</li> <li>• low: the effects are easily reversible, and the valued component can be easily restored at a relatively low cost and/or within 0-5 years (e.g., off-road vehicles trespassing in wetland).</li> </ul> </li> </ul>	<p>■ The residual effects assessment method will evaluate the predicted residual effects using direction, magnitude, geographic extent, direct, frequency, <b>reversibility</b> and likelihood as discussed in Section 10.3 of this document.</p>	<p>■ Section 10.3</p>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
184	TISG Section 13.1, page 82	<ul style="list-style-type: none"> <li>■ <b>The effects to each valued component outlined in sub-sections 14.3, 15.2, 15.3, 15.4 must be described using the following criteria:</b> <ul style="list-style-type: none"> <li>– Characterize the magnitude of each predicted adverse effect on each valued component as follows: <ul style="list-style-type: none"> <li>• magnitude = scope x severity as below: Please refer to Figure in Text</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ The residual effects assessment method will evaluate the predicted residual effects using direction, <b>magnitude</b>, geographic extent, direct, frequency, reversibility and likelihood as discussed in Section 10.3 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 10.3</li> </ul>
185	TISG Section 13.1, page 82	<ul style="list-style-type: none"> <li>■ Effects may impact communities, Indigenous groups, and stakeholders in different ways, and therefore they may respond differently to them. <b>Determining and characterizing effects should be based largely on the level of concern expressed through engagement with the impacted Indigenous groups and community members. The proponent is required to gather and consider Indigenous knowledge from potentially impacted Indigenous communities to inform the Project's effects assessment and to describe how Indigenous knowledge was considered in their Impact Statement.</b> There are tools that can assist with these predictions and analyses, including multi-criteria analysis, risk assessment, modelling, in addition to seeking out expert and stakeholder input. Effects should be characterized using language most appropriate for the effect (e.g., impacts on the exercise of Aboriginal and Treaty rights and social effects may be described differently from biophysical effects).</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 4 of this EA Methodology document details how Indigenous Knowledge will be considered in the IS / EA Report.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 4</li> </ul>
186	TISG Section 13.1, page 83	<ul style="list-style-type: none"> <li>■ Consider whether the Impact Statement goes beyond citing data and identifies and analyzes the differential effects. Consider also whether the Impact Statement examines intersections of identities such as gender, Indigeneity, and rurality, and considers underlying causes for these potential effects.</li> </ul>	<ul style="list-style-type: none"> <li>■ Refer to Section 3.3 and 10.3 in this EA Methodology document for further information on how GBA+ will be incorporated into the IA / EA.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 3.3</li> <li>■ Section 10.3</li> </ul>
187	TISG Section 13.2, page 83	<ul style="list-style-type: none"> <li>■ Although the requirements set out in these guidelines are separated by environmental, health, social or economic conditions and elements, the Impact Statement must consider and describe the interactions between the environmental, health, social and economic effects as well as the interaction and interconnectedness of selected valued components taking into account values of local communities, including municipalities and Indigenous groups.</li> </ul>	<ul style="list-style-type: none"> <li>■ The IS / EA Report will consider and describe the interactions between environmental disciplines as well as the interaction and interconnectedness of selected valued components taking into account values of Indigenous communities, government agencies and interested persons. Section 10.4 of this document includes preliminary information on the consideration of sustainability principles in the IS / EA, one of which is the consideration of the interconnectedness and interdependence of human-ecological systems, and the scope of the sustainability assessment, including that the selection of VCs that will be the focus of the sustainability assessment will be aligned with the issues of importance identified by Indigenous communities and interested persons.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 10.1</li> <li>■ Section 10.4</li> </ul>
188	TISG Section 21, page 129	<ul style="list-style-type: none"> <li>■ The Impact Statement must: <ul style="list-style-type: none"> <li>– characterize the residual effects using criteria most appropriate for the effect;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Residual effects will be assessed in the IS / EA Report and the residual effects criteria have been included in Section 10.3 of this EA Methodology document.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 10.3</li> </ul>
189	TISG Section 21, page 129	<ul style="list-style-type: none"> <li>– characterize residual effects for human health using human health-related criteria most appropriate for the carcinogenic and non-carcinogenic health effects of non-threshold contaminants;</li> </ul>	<ul style="list-style-type: none"> <li>■ Refer to the Human Health and Community Safety study plan for a response.</li> </ul>	<ul style="list-style-type: none"> <li>■ Human Health and Community Safety Study Plan</li> </ul>
190	TISG Section 21, page 129	<ul style="list-style-type: none"> <li>– where applicable, consideration should be given to the following criteria for residual effects: <ul style="list-style-type: none"> <li>• magnitude;</li> <li>• geographic extent;</li> <li>• timing;</li> <li>• duration;</li> <li>• frequency;</li> <li>• context;</li> <li>• input from Indigenous peoples;</li> <li>• likelihood;</li> <li>• reversibility; and</li> <li>• the environmental, health, social and economic context within which potential effects may occur should be taken into account when considering the criteria above.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Residual effects criteria, inclusive of those identified in the TISG Section 21, that will be used in the IS / EA Report have been included in Section 10.3 of this document.</li> <li>■ Input from Indigenous communities, agencies, and other interested persons on the effects assessment methods, including the residual effects criteria will be gathered through the Consultation and Engagement Program.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 3</li> <li>■ Section 10.3</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
191	TISG Section 21, page 130	– provide the rationale for the choice of criteria used to determine the extent to which the predicted effects are adverse. The information provided must be clear and sufficient to enable the Agency, review panel, technical and regulatory agencies, Indigenous groups, and the public to review the proponent’s analysis of effects;	<ul style="list-style-type: none"> <li>Rationale for the discipline-specific indicators and expressions of change will be included in the IS / EA Report and is detailed in the discipline study plans. The residual effects methodology, including the characteristics that will be used in the IS / EA Report, will be described in the IS / EA Report and is outlined in this EA Methodology document.</li> </ul>	<ul style="list-style-type: none"> <li>Entire Document</li> <li>Refer to relevant discipline study plan</li> </ul>
192	TISG Section 21, page 130	– describe any differential effects as per GBA+ (e.g., are the effects more severe for some groups than others)	<ul style="list-style-type: none"> <li>Refer to Section 3.3 and 10.3 in this EA Methodology document for further information on how GBA+ will be incorporated into the EA/IA.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3.3</li> <li>Section 10.3</li> </ul>
193	TISG Section 21, page 130	– consider the views of the Indigenous groups and the public in assigning the criteria to be used and in characterizing the effects; and	<ul style="list-style-type: none"> <li>The IS / EA Consultation Plan will guide the collection of input / feedback from Indigenous communities and interested persons to help inform the preparation of the IS / EA Report.</li> </ul>	<ul style="list-style-type: none"> <li>Section 3</li> </ul>
194	TISG Section 21, page 130	– set out the probability or likelihood of that effect occurring and describe the degree of scientific uncertainty related to the data and methods used within the framework of this analysis.	<ul style="list-style-type: none"> <li>The residual effects methodology described in Section 10 of this document, which is the basis of the methodology that will be applied in the IS / EA Report, includes an assessment of likelihood of effects as well as uncertainty of data and methods used.</li> </ul>	<ul style="list-style-type: none"> <li>Section 10</li> </ul>
195	TISG Section 22, page 131	<ul style="list-style-type: none"> <li>The Impact Statement must:               <ul style="list-style-type: none"> <li>– identify and provide a rationale for the valued components that will constitute the focus of the cumulative effects assessment. The selected valued components are those most likely to be affected by the Project in combination with other projects and activities;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will identify and provide the rationale for the VC that will be the focus of the cumulative effects assessment. Section 12.1 of this document indicates that the cumulative effects assessment will build on the results of the effects assessment described in Section 10 of this document and will consider the incremental changes that are predicted to have a likely residual adverse effect on a VC.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.1</li> </ul>
196	TISG Section 22, page 132	– include a rationale to justify the exclusion of other valued components from the cumulative effects assessment, as applicable;	<ul style="list-style-type: none"> <li>The IS / EA Report will include a rationale to justify the exclusion of VCs from the cumulative effects assessment. Section 12.1 of this document indicates that the VCs that do not have a residual effect predicted, or the residual effect is of negligible magnitude or positive in direction will not be carried forward into the cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.1</li> </ul>
197	TISG Section 22, page 132	<ul style="list-style-type: none"> <li>– identify and justify the spatial and temporal boundaries for the cumulative effects assessment for each valued component selected. The boundaries for the cumulative effects assessments may differ for each valued component considered and must not be constrained by jurisdictional boundaries:               <ul style="list-style-type: none"> <li>• the cumulative effects spatial boundaries will generally be larger than the boundaries for the Project effects alone, and may extend beyond Canada’s jurisdiction; and</li> <li>• temporal boundaries must include an appropriate baseline and should look at all potential effects throughout the lifecycle of the Project, including decommissioning and abandonment.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The IS / EA Report will identify and justify the spatial and temporal boundaries for the cumulative effects assessment for each VC selected. Information on the identification of these boundaries is provided in Section 12.2 of this document.</li> <li>The IS / EA Report will be limited to identifying and assessing cumulative effects during the Project construction, and operations and maintenance phases. As detailed in Section 6.2 of this document, “There are currently no plans to decommission the CAR as there is no expected / known end date for its need. Therefore, future suspension, decommissioning and eventual abandonment of the CAR will not be considered in the IS / EA Report. It will be considered if and when a decommissioning or abandonment application is made for the road.”</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.2</li> </ul>
198	TISG Section 22, page 132	– assess cumulative effects using a hierarchy, with effects to both local populations and large populations assessed;	<ul style="list-style-type: none"> <li>The EA will assess cumulative effects using a hierarchy (Section 10.3 and 11), with effects to both local populations and large populations assessed (Section 12.2).</li> </ul>	<ul style="list-style-type: none"> <li>Section 10.3</li> <li>Section 11</li> <li>Section 12.2</li> <li>Section 12.4</li> </ul>
199	TISG Section 22, page 132	– describe the methodology used to determine boundaries	<ul style="list-style-type: none"> <li>The IS / EA Report will identify and justify the spatial and temporal boundaries for the cumulative effects assessment for each VC selected. Information on the identification of these boundaries is provided in Section 12.2 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.2</li> </ul>
200	TISG Section 22, page 132	– in relation to caribou: assess cumulative effects to caribou at the scale of the three project study areas (defined above), as well as the implicated Ontario caribou ranges, and the federal Far North caribou range;	<ul style="list-style-type: none"> <li>The IS / EA Report will assess cumulative effects to caribou at the PDA, LSA and RSA scale, as well as the implicated Ontario caribou ranges and the federal Far North caribou range.</li> </ul>	<ul style="list-style-type: none"> <li>Section 12.1</li> </ul>





ID #	Federal TISG Reference	TISG Requirement	Response	Document Reference
201	TISG Section 22, page 132	<p>– identify the sources of potential cumulative effects. Specify other projects or activities that have been or that are likely to be carried out that could cause effects to each selected valued component within the boundaries defined, including potential induced effects, and whose effects would act in combination with the residual effects of the Project. This assessment must consider the results of any relevant regional study conducted. At a minimum, the following projects or activities should be included in the cumulative effects assessment:</p> <ul style="list-style-type: none"> <li>• historical and existing mineral developments (including, but not limited to, Goldcorp's Musselwhite Mine, DeBeers' Victor Mine, Greenstone Gold's Hardrock Mine);</li> <li>• other historical infrastructure projects;</li> <li>• the Webequie Supply Road Project and other all-season road projects;</li> <li>• power transmission projects;</li> <li>• construction of upgrades to the Anaconda and Painter Lake forestry access roads;</li> <li>• the construction and operation of the Northern Road Link (road that may link the northern portion of the Marten Falls Community Access Road to the Ring of Fire area);</li> <li>• railway transload facility;</li> <li>• forest management units;</li> <li>• mining activities, including those associated with the following deposits: Eagle's Nest, Black Thor, BlackBird, Big Daddy, Black Label;</li> <li>• road use past Nakina, including transportation of ore to the proposed future Ferrochrome Production Facility in Sault Ste. Marie, or to the smelter in Sudbury;</li> <li>• mineral exploration activity in the area; and</li> <li>• past projects, including the Ogoki and Long Lac diversions.</li> </ul>	<ul style="list-style-type: none"> <li>■ A preliminary list of past, present and reasonably foreseeable projects that have been or that are likely to be carried out for consideration in the cumulative effects assessment is provided in Section 12.3 of this document. The preliminary list includes each project / activity listed in this TISG requirement as well as projects identified through comments received on the Draft ToR.</li> <li>■ The current understanding is that upgrades to the Anaconda and Painter Lake forestry roads are required to commence construction of the CAR. As such, this project will be completed prior to the start of the construction of the CAR and therefore the upgrades to these roads would not overlap in time or space with the construction or operation of the CAR. Based upon this understanding, the upgrades to Anaconda and Painter Lake forestry roads will not be included in the CAR cumulative effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.3</li> </ul>
202	TISG Section 22, page 133	<p>– assess the cumulative effects to each valued component selected by comparing the future scenarios with the Project and without the Project. Effects of past activities (activities that have been carried out) are to be used to contextualize the current state of the valued component. This assessment must also assess the cumulative effects to rights of Indigenous peoples and their cultures, and effects to Ontario's largest caribou range (Missisa).</p>	<ul style="list-style-type: none"> <li>■ The cumulative effects assessment methods detailed in Section 12 of this document recognizes that historical and current activities have changed the conditions of the environment observed today. To better understand the cumulative effects of the past and present activities, relevant information shared through the Indigenous Knowledge Program will inform a description of historical conditions and the existing conditions will be contextualized by looking at how land use has changed as a result of cumulative effects.</li> <li>■ Section 12.1 of this document indicates that cumulative effects to the rights of Indigenous peoples and their cultures, and effects to the Missisa caribou range will be assessed.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.4</li> <li>■ Section 12.1</li> </ul>
203	TISG Section 22, page 133	<p>– describe the mitigation measures that are technically and economically feasible to eliminate or reduce adverse cumulative environmental, health, social and economic effects. The Impact Statement must:</p> <ul style="list-style-type: none"> <li>• describe and provide an assessment of the effectiveness of the measures applied to mitigate the cumulative effects;</li> <li>• in cases where measures to mitigate these effects are beyond the control of the proponent, the Impact Statement must identify any parties that have the authority to act on these measures. In such cases, the Impact Statement must summarize any commitments by the other parties regarding implementation of the necessary measures and any associated communication plans; and</li> <li>• assess the implications of applying project-specific mitigation and enhancement measures within a regional context taking into account all reasonably foreseeable development of the area.</li> </ul>	<ul style="list-style-type: none"> <li>■ The requirement to describe the mitigation measures that are technically and economically feasible to eliminate or reduce adverse cumulative environmental, health, social and economic effects is detailed in Section 12.4 of this document.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.4</li> </ul>
204	TISG Section 22, page 133	<p>– describe and, where appropriate, quantify the level and severity of the adverse cumulative effects; and</p>	<ul style="list-style-type: none"> <li>■ Cumulative effects remaining after mitigation measures have been implemented will be assessed using the same methods identified in Section 10.3. Where appropriate / practicable, the level and severity of the adverse cumulative effects will be quantified to help inform magnitude.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.4</li> </ul>
205	TISG Section 22, page 133	<p>– develop a follow-up program to verify the accuracy of the assessment or the effectiveness of mitigation measures for cumulative effects.</p>	<ul style="list-style-type: none"> <li>■ Required environmental monitoring will verify the potential cumulative effects predicted in the IS / EA Report, evaluate the effectiveness of mitigation, and identify the process the Proponent will follow if mitigation measures are not effective.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 12.4</li> </ul>





## 16. References

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# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

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# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD



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