

Comments from the Federal Review Team on Marten Falls Community Access Road Project Land and Resource Use Study Plan – August 26, 2021

It is essential that the Impact Statement for the Marten Falls Community Access Road Project (the Project) address all requirements outlined in the Tailored Impact Statement Guidelines (the Guidelines), and that the study plans outline a clear approach to achieving these requirements. The Impact Assessment Agency of Canada (the Agency) has highlighted sections of the Guidelines where requirements for the Impact Statement may not be met, based on content of the draft study plan submitted to the Agency. Note that this table does not provide an exhaustive list of the requirements described in the Guidelines. The Guidelines should be reviewed in their entirety, including the sections identified below.

General Comments from the Impact Assessment Agency of Canada on the Marten Falls Community Access Road Draft Study Plans – July 2, 2020					
#	Tailored Impact Statement Guidelines Section¹	Required Action for Proponent	Proponent Response	Final Study Plan Section Reference	Agency comments
GC-01	Section 5 - Public Participation and views (including 5.1, 5.2)	<p>Provide a clear description in the study plans of how public engagement opportunities have been and/or will be integrated into the impact statement phase. This must include detail on how the public will have opportunities to provide input to contribute to the development of the Impact Statement, as required in Section 5 of the Guidelines.</p> <p>Describe what engagement with the members of the public listed in the Public Participation Plan has been done in the development of the study plans, and/or any planned engagement with members of the public on the proposed study plans.</p>	<p>Section 4: describes how the Proponent will provide Project notices and opportunities with members of the public listed in the Public Partnership Plan. This will also include the opportunity to provide input on the existing environment, VCs, effects assessment methods, effects assessment results, and mitigation and follow-up program measures as applicable. A variety of activities will be offered so that members of the public are informed of the IS / EA Report as it progresses and are aware of the opportunities and means to provide their input.</p> <ul style="list-style-type: none"> - The study plans have recognized public and agency input received on the Project to date. 	Section 4.1 “A variety of activities will be offered so that members of the public are informed of the IS / EA Report as it progresses and are aware of the opportunities and means to provide their input.”	<p>Section 4.1 of the study plan mentions that “a variety of activities will be offered”, however, no details on the likely engagement activities are provided.</p> <p>As required by Section 5 of the Guidelines, the Impact Statement must provide a record of engagement that describes all efforts taken to seek the views of local communities and other stakeholders with respect to the Project, including on the study plans. This record of engagement is to include all engagement activities undertaken prior to the submission of the Impact Statement, including prior to and during the planning phase, and in the preparation of the Impact Statement.</p> <p>Provide details on the timeline for public engagement relative to the project workplan, including engagement relative to the schedule for baseline work, and in consideration of the project team’s timeline for the development of the Impact Statement.</p> <p>Demonstrate in the Impact Statement that comments provided by members of the public on the use of land and resource were taken into consideration. Comments provided to the Agency are available on the Canadian Impact Assessment Registry Internet site at: https://iaac-aeic.gc.ca/050/evaluations/proj/80184/contributions</p>
GC-02	Section 6 - Description of Engagement with Indigenous Groups (including 6.1, 6.2, 6.3)	<p>Provide a clear description in the study plans of how all Indigenous groups listed in the Indigenous Engagement and Partnership Plan will have opportunities to provide Indigenous knowledge, including the validation of how information they provided was applied. The study plan should include a description of the proposed methods for data collection, management of confidentiality, and information storage. This should also include a methodology for tracking information that has been approved by the group, to demonstrate that the guidance outlined in Section 6.2 of the Guidelines has been incorporated into the study plans.</p> <p>Describe what engagement with all the Indigenous groups listed in the Indigenous Engagement and Partnership Plan has been done in the development of the study plans, and/or</p>	<ul style="list-style-type: none"> - In Section 4.2 it is noted that the Proponent will provide Project notices and opportunities for consultation and engagement with Indigenous communities identified in the Indigenous Partnership and Engagement Plan. A variety of activities will be offered so that Indigenous communities are informed of the IS / EA Report as it progresses and are aware of the opportunities, means and timelines to provide their input. - Section 2.1.1 outlines the approach to handling confidential information, by means of permission from Indigenous communities to include Indigenous Knowledge in the IS / EA Report, regardless of the source of the Indigenous Knowledge. - The study plans have recognized Indigenous community input received on the Project to date. 	<p>Sections 4.1 “...A variety of activities will be offered so that Indigenous communities are informed of the IS / EA Report as it progresses and are aware of the opportunities, means and timelines to provide their input...”</p> <p>“...Indigenous communities will have the opportunity to comment on components of the study plans throughout the IS / EA Report consultation and engagement process...”</p>	<p>Section 4.2 of the study plan states that “a variety of activities will be offered”, however, no details on the planned engagement activities are provided.</p> <p>Section 4.2 of the study plan also states that “Indigenous communities will have the opportunity to comment on components of the study plans throughout the IS / EA Report consultation and engagement process”, however, it is unclear on which components of the study plans the project team plans to engage. It is also unclear whether Indigenous groups will be provided with a meaningful opportunity to provide input on a preliminary approach/method for baseline data collection, as required in Section 6 of the</p>

¹ Refer to complete sections of the Guidelines for more context.

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		any planned engagement with Indigenous groups on the proposed study plans, particularly in relation to collection of Indigenous knowledge (i.e. develop the work plan in collaboration with those Indigenous groups that would need to provide knowledge).			<p>Guidelines, or if engagement will take place after the baseline data collection is complete.</p> <p>Provide details on the timeline for Indigenous engagement on the study plan, including engagement relative to the schedule for baseline work, and spatial and temporal boundaries determinations, and particularly in relation to collection of Indigenous knowledge, and in consideration of the project team's timeline for the development of the Impact Statement.</p> <p>Demonstrate in the Impact Statement that comments provided by Indigenous groups on the use of land and resource were taken into consideration. Comments provided to the Agency are available on the Canadian Impact Assessment Registry Internet site at: https://iaac-aeic.gc.ca/050/evaluations/proj/80184/contributions</p>
GC-03	Section 6.2 - Analysis and response to questions, comments, and issues raised	Revise the study plans to include an approach to handling confidential information that demonstrates adherence to the guidance provided in Section 6.2 of the Guidelines.	<ul style="list-style-type: none"> - Section 2.1.1: Section has been updated to include information regarding both confidentiality and permission information on all collected Indigenous Knowledge, regardless of the source. - This section also includes how information regarding the Indigenous Knowledge Sharing Agreements will be established by the Proponent and Indigenous community participating in the Program. 	Section 2.1.1 “...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, including where Indigenous Knowledge was incorporated into Project decisions and into the IS / EA Report (i.e., specifics will not be included in the Record of Consultation and Engagement given the potential sensitivity and / or confidentiality of the information shared)...”	<p>As required in Section 6 of the Guidelines, incorporate in the Impact Statement content that describes the confidential information provided by each Indigenous group. Present the content in sufficient detail to support understanding of the potential effects and impacts on rights, while also protecting confidential/sensitive specifics and respecting stipulations in the confidentiality agreements (e.g, use buffer areas instead of specific locations, etc.).</p> <p>Provide to the Agency, in the form of a letter from the Indigenous group that shared confidential information, a letter confirming that:</p> <ul style="list-style-type: none"> • the Indigenous group that provided confidential information is satisfied with the way the Impact Statement was informed; • the Indigenous group that provided confidential information is satisfied with the way the issue was solved or addressed.
GC-04	Study plans spatial boundaries	<p>Describe the approach to be implemented to demonstrate how the definitions of the proposed study area boundaries:</p> <ul style="list-style-type: none"> • encompass the anticipated boundaries of the Project's effects, including all potentially impacted local communities, municipalities and all Indigenous groups listed in the Indigenous Engagement and Partnership Plan; and • take into account community knowledge and Indigenous knowledge; current or traditional land and resource use by Indigenous groups; exercise of Aboriginal and Treaty rights of Indigenous peoples, including cultural and spiritual practices; physical, ecological, technical, social, 	<ul style="list-style-type: none"> - Section 6.2: General information on study areas for the Project, including a detailed list of what was considered to develop the discipline-specific local and region study areas, is included in each study plan. Each study area has been proposed taking into consideration community knowledge and Indigenous Knowledge, current or traditional land and resource use by Indigenous communities, and the exercise of Aboriginal and Treaty Rights of Indigenous peoples, including cultural and spiritual practices, physical, ecological, technical, social, health, economic and cultural considerations available at this time. 	Section 6.2.1 “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.”	<p>Section 7 of the Guidelines, states that “The size, nature and location of past, present and foreseeable future projects and activities are factors that should be included in the definition of spatial boundaries.”</p> <p>It is unclear how a Local Study Area of 2.5 km from the centreline of the Project would be appropriate to assess direct effects on land and resource use. At a minimum, the upgrades to the Anaconda and Painter Lake forestry access roads, the Northern Road Link Road Project, the Webequie Supply Road Project, as well as winter roads, activities and</p>

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		health, economic and cultural considerations; and the size, nature and location of past, present and foreseeable future projects and activities.	- The proposed discipline-specific study areas are preliminary. The proposed study areas will be consulted and engaged on early in the IA / EA process. In addition, the Indigenous Knowledge Program provides additional opportunities for community knowledge and Indigenous Knowledge, current or traditional land and resource use by Indigenous communities, and the exercise of Aboriginal and Treaty Rights of Indigenous peoples to be shared in greater detail.		<p>communities connected through these roads should be included in the Local Study Area.</p> <p>Update the study plan to demonstrate that factors outlined in section 7 of the Guidelines where taken into account in defining preliminary spatial boundaries for the Project.</p> <p>As required in Section 7.4.1 of the Guidelines, provide information regarding how the following were/will be taken into account in defining the spatial boundaries: community knowledge and Indigenous knowledge; current and traditional land and resource use by Indigenous groups; exercise of Aboriginal and Treaty rights, including cultural and spiritual practices; physical, ecological, technical, social, health, economic and cultural considerations; and the size, nature and location of past, present and reasonably foreseeable future projects and activities.</p> <p>Ensure that the land and resources use Regional Study Area^{Error! Bookmark not defined.} encompasses the spatial boundary of cumulative effects.</p> <p>Provide the above information in a way that allows those who provided the knowledge to the proponent and the Agency to see their input reflected in the Impact Statement. It is not sufficient to state that "input from participants will be/was taken into account".</p>
GC-05	Section 7 - Baseline Methodologies (Including 7.1, 7.2, 7.3, 7.4)	<p>Provide clear descriptions in the study plans of the proposed study areas and the criteria used to define the study areas for each valued component.</p> <p>Provide clear descriptions of the timing of previously collected data (days/month/year) and future approximate (month/year or season/year) timing for every field work planned and the criteria used to tailor the temporal boundaries to the valued components under consideration.</p> <p>Describe how all Indigenous groups listed in the Indigenous Engagement and Partnership Plan will be, or have been, engaged to provide input on spatial and temporal boundaries.</p> <p>Explain how the Agency will be provided opportunities to validate spatial and temporal boundaries.</p>	<ul style="list-style-type: none"> - Local Study Area (LSA) and Regional Study Area (RSA) for each valued component are described in Table 6-1, including rationale used to define the area. - Study plans have been designed considering historical information, where applicable and available. Study plans will be updated with appended Work Plans, to be submitted at a future date, which will detail upcoming planned field activities. - As detailed in both Section 4.2 and Section 6.2 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. - Government agencies and interested persons will have the opportunity to comment on component of the study plans throughout the IS / EA Report consultation and engagement process 	Sections 4.2 and 6	<p>To ensure that baseline data collection will meet the requirements of the Guidelines, the Agency advises the project team to share a workplan describing how the survey for land and resources use data collection will be conducted. If it is not possible to provide this information in the study plans or workplans, the Agency requires an opportunity to review the collected baseline data/baseline reports prior to the preparation of the Impact Statement documentation.</p> <p>Include in the Impact Statement a baseline community profile for each Indigenous group listed in the Indigenous Engagement and Partnership Plan and for each local community listed in the Public Participation Plan, to meet the requirements of Section 10 of the Guidelines. The baseline community profiles should be used to inform the effects assessment required by Section 17 of the Guidelines.</p>

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GC-06		Provide further details in the study plans on how GBA+ has been integrated into all aspects of data collection methodology, as per Section 7.1 of the Guidelines, and into the assessment of effects and impacts, as mentioned in Sections 13, 20, 21, and others, related to effects assessments of the Guidelines	- Section 4.3 has been updated to include the consideration of Identity and Gender-Based Analysis Plus (GBA+) including both Indigenous communities and their relevant subpopulations and non-Indigenous communities and their subpopulations. During consultation and engagement activities these groups (and any others defined during consultation) will be engaged with on targeted input.	Sections 4.3 and 9.7	<p>The study plan does not sufficiently describe how GBA+ will be utilized throughout the engagement process to better inform the baseline data and the assessment of effects and impacts.</p> <p>A GBA+ framework should be applied to analyze historic and current power relations, decision-making processes, and how gender intersects with health, social, and economic conditions.</p> <p>Include equity considerations as a tool to ensure inclusiveness in the engagement process.</p> <p>Describe how GBA+ has been or will be applied to the consideration of engagement activities. Identify specific methods targeted to specific subgroups.</p> <p>Provide detail on how GBA+ has been integrated into all aspects of data collection methodology, including for the definition of indicators, as per Section 7.1 of the Guidelines, and into the assessment of effects and impacts, as mentioned in Sections 13, 20, 21, and others, related to effects assessments of the Guidelines.</p> <p>It is not sufficient to mention that Gender-Based Analysis Plus will be applied to the assessment. Clear descriptions of how GBA+ was integrated (including to which variables, method, and how it influenced results' interpretation) are needed in the Impact Statement.</p>
GC-07	Section 13 - Effects Assessment (including 13.1, 13.2)	<p>Provide details to demonstrate how the Project's potential effects will be considered, as per the requirements in Sections 13 to 19 of the Guidelines. Ensure that the effects assessment considers the effects of each of the project components and physical activities, in all phases, and that it is based on a comparison to the proposed baseline work.</p> <p>Provide detail on how engagement with all Indigenous groups listed in the Indigenous Engagement and Partnership Plan and the public will inform the effects assessment and the selection of mitigation measures and follow-up program measures.</p>	<p>- Project environmental interaction are separated into Project phases, and Project activities for each environmental discipline in their VC-specific study plan listed as Table 9-1.</p> <p>- 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.</p>	Throughout the study plan, Sections 6.2 and 9	<p>As required in Sections 7 and 13 of the Guidelines, ensure that the effects assessment considers the effects of each of the project components (including but not limited to all alternative routes brought forward in the Impact Statement, all aggregates sources, access roads, etc.) and physical activities, in all phases, and that the assessment is based on a comparison to the data and information gathered during the proposed baseline work.</p> <p>Clarify the level of information that will be shared with, and explained to, the Indigenous Knowledge Program leads and whether study plans will be made available to all Indigenous groups listed in the Indigenous Engagement and Partnership Plan.</p>
GC-08	Section 13.1	Provide clear descriptions of the rationale behind the assumptions, including but not limited to the assumed average daily traffic and vehicles composition during the construction and operation phases that will be considered for the effects assessment and the cumulative effects assessment.	- Section 10: Current assumptions to be used in the effects assessment have been identified. Any additional assumptions will be identified and rationale will be provided in the IS / EA Report.	Section 10	Before conducting the effects assessment analysis, the Agency advises the proponent to seek the Federal Review Team's confirmation of the assumptions that will be used in the analysis or, at a minimum, to discuss the type of assumptions that will be considered.

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					As required by Section 13.1 of the Guidelines, ensure that the Impact Statement clearly outlines the assumptions used for the assessment of effects, including cumulative effects, on each valued component.
GC-09	Section 19.2 - Impacts on the Exercise of Aboriginal and Treaty Rights	Describe an approach for identifying the potentially impacted rights of Indigenous peoples of Canada that are recognized and affirmed by section 35 of the <i>Constitution Act, 1982</i> , and for integrating the potential impacts on those rights into the collection of baseline information and the effects assessment.	<ul style="list-style-type: none"> - All study plans reference how potential effects on Indigenous rights will be assessed in the Aboriginal and Treaty Rights and Interests Study Plan. - Impacts on Rights considerations are explained in the rationale for defining a Local Study Area and Regional Study Area for Aboriginal and Treaty Rights and Interests VCs. Further information for this is listed in Section 6.2.2 in the Aboriginal and Treaty Rights and Interests Study Plan. 	Section 5, and Section 6.2.2 in the Aboriginal and Treaty Rights and Interests Study Plan	Feedback will be provided in the Federal Review Team's comments package on the Aboriginal and Treaty Rights and Interests Study Plan.
GC-10	Section 20 - Mitigation and enhancement measures	Provide detail on the approach to meeting the requirements of Section 20 of the Guidelines regarding the identification of mitigation and enhancement measures.	<ul style="list-style-type: none"> - Section 9: Approach to mitigation and enhancement measures, specifically noting that 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. 	Section 9.4.1 Concordance table "Section 20 of the Guidelines describes the requirements around mitigation and enhancement measures that must be considered in the IS"	<p>Section 9.4.1 of the study plan is listing the requirements outlined in Section 20 of the Guidelines.</p> <p>Ensure that the Impact Statement provides a description of the method or approach followed to meet the requirements of Section 20 of the Guidelines.</p>
GC-11	Section 25 – Description of the Project's contribution to sustainability	Provide detail on the approach to meeting the requirements of Section 25 of the Guidelines regarding the description of the Project's contribution to sustainability.	<ul style="list-style-type: none"> - Section 9: the sustainability assessment for the Project will be undertaken on the preferred alternative and will characterize the Project's contribution to sustainability incorporating the requirements set out in Section 25 of the Guidelines. 	Section 9.6	<p>Section 9.6 of the study plan is listing the requirements outlined in Section 25 of the Guidelines.</p> <p>Ensure that the Impact Statement provides a description of the method or approach followed to meet the requirements of Section 25 of the Guidelines.</p>
GC-15	Concordance with Federal Guidance	Provide a separate concordance table containing all requirements of the Guidelines. This is required to show how all requirements of the Guidelines, including the interactions of effects and interconnectedness of valued components, would be addressed.	<ul style="list-style-type: none"> - Please refer to Table 11-1, Table 11-3 and the General Comments Table Response. 	Table 1-2	<p>The Agency has identified inconsistencies between the cross-references presented and the information contained in the study plans. For example, the Land and Resource Use study plan indicates that "changes to waterways and navigation on waterways will be in the Surface Water Study Plan". However, this information is not found in the Surface Water study plan.</p> <p>In addition, the Land and Resource Use study plan indicates that "Changes to community well-being as a result of land and resource use changes will be in the Social Study Plan", however no information could be found in the Social Study plan.</p> <p>Provide a separate concordance table that describes the content of each study plans. This is needed to cross-check all plans against the Guidelines and demonstrate how all requirements of the Guidelines would be met.</p>

Preliminary Comments from the Impact Assessment Agency of Canada on the Draft Land and Resource Study Plan submitted on May 22, 2020:						
#	Draft Study Plan Section	TISG Section ²	Required Action for Proponent	Proponent Response	June 2021 Study Plan Reference	Agency Response
LRU-01	Section 2	Sections 10 and 17	Required Action # 1: Update the study plan to reflect the requirements of Sections 10 and 17 of the Guidelines regarding non-Indigenous land and resources use.	Section 4 of the study plan outlines consultation and engagement activities to support the Land and Resource Use Assessment. Section 7.2 provides a list of public interest groups that are expected to be engaged with for data collection purposes related to Land and Resource Use. Section 4 of the study plan outlines consultation and engagement activities to support the Land and Resource Use Assessment. Section 7.2 provides a list of public interest groups that are expected to be engaged with for data collection purposes related to Land and Resource Use.	Section 4.1 of the study plan states that “ <i>The Proponent will provide Project notices and advise of opportunities for consultation and engagement with interested persons 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 2020) (referred to as the Public Participation Plan).</i> ” Section 7.2 of the LRU study plan states that “ <i>The Land and Resource Use Assessment will examine Indigenous land use for non-traditional purposes, as it is anticipated that Indigenous communities will be the major land users in the study area. Indigenous communities identified in the Table 4-1 may be engaged for the purposes of data collection related to Indigenous land use for non-traditional purposes. If required, the following potentially impacted groups and stakeholders identified in the Public Participation Plan may be engaged for the purposes of Land and Resource Use data collection...</i> ”	Required action # 1 was partially addressed. In section 4.1 of the study plan the proponent states that engagement opportunities <i>will</i> be provided while in section 7.2 of the study plan the proponent states that “Indigenous communities identified in the Table 4-1 “ <i>may be engaged</i> ” and “ <i>If required</i> ”, the following potentially impacted groups and stakeholders identified in the Public Participation Plan <i>may be engaged</i> for the purposes of Land and Resource Use data collection”. As per Section 5 of the Guidelines, the Agency expects the proponent to engage with, at a minimum, the members of the public listed in the Public Partnership Plan. As per Section 6 of the Guidelines, the Agency expects the proponent to engage with, at a minimum, the Indigenous groups listed in the Indigenous Engagement and Partnership Plan. Ensure that the approach proposed meets the requirements of Sections 5 and 6 of the Guidelines and that the information is consistent throughout the study plan.
LRU-02	Section 3	Section 6.2	Required Action # 2: Update the study plan to reflect how the requirements of Section 6.2 of the Guidelines will be met.	Section 5 of the Study Plan describes how Indigenous Knowledge will be collected and considered in the IS / EA for the Project. Section 2.1 has additional information on the Project’s approach to handling confidential information.	Section 2.1 Section 5	Required action # 2 was partially addressed. See comment GC-03.
LRU-03	Sections 3 and 4.1	Section 6.2	Required Action # 3: Provide detail on what baseline information will be sourced from primary information sources, and what will be sourced from secondary information sources so that it is clear where information is being sourced for the criteria and indicators listed in the study plan. Required Action # 4: Regarding primary information collection, the study plan requires additional detail on how the collection methodology would meet the expectations of the Guidelines, including: – Identify other types of engagement activities (surveys, community sessions, chief and council sessions, workshops, etc.), additional to questionnaires that are indicated in Section 4.1 of the study plan. – Describe how Gender-Based Analysis Plus (GBA+) has been applied to the	Section 4.2 outlines how Indigenous communities will be engaged with including for the purposes of data verification. Section 5 of the Study Plan describes how Indigenous Knowledge will be collected and considered in the IS / EA for the Project.	Sections 4.2 and 5	Required action # 3 was addressed. Required action # 4 was partially addressed. Provide further detail regarding planned or past engagement activities on the Land and Resource Use study plan. Describe the types of questions/ information being asked in/ planned for general engagement activities and in VC-specific engagement activities. Identify sample surveys, interview questions, or other data collection tools in an appendix to the work plan. Required action # 5 was addressed.

² Refer to complete sections of the Guidelines for more context

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			<p>consideration of engagement activities. Identify any specific methods targeted to specific subgroups.</p> <ul style="list-style-type: none"> - Specify participants in engagement activities (reflecting the Indigenous groups listed in the Indigenous Engagement and Partnership Plan and members of the public listed in the PPP) including rationale for how the selection of participants meets the objectives of the study and demonstrates accessibility considerations (e.g., language requirements) and GBA+. - Describe the approach the proponent intends to take to encourage or attract participation, including how opportunities to participate will be planned and advertised. - Describe how Indigenous knowledge will be used to inform types of engagement activities and participant selection, including the identification of community consultation coordinators. - If sample surveys, interview questions, or other data collection tools exist, identify them in an appendix to the study plan, and provide clear links to how they relate to the social criteria. - Identify past public or Indigenous engagement activities that have taken place and are being used to inform this study plan. <p>Required Action # 5: For secondary information collection, provide specific information sources to be used, and for which criteria and indicators they apply. The study plan should provide a clear outline of which criteria and indicator data will come from existing secondary sources and what those sources are. Provide more detail on how the proponent has considered GBA+ requirements in the identification of secondary information sources.</p>			
			<p>Required Action # 6: Provide a clear description in your study plan how Indigenous groups will have opportunities to provide Indigenous knowledge, including the validation of the baseline collected. The description should include the proposed methods for data collection, management of confidentiality, and information storage. This should also include a methodology for tracking information that has been approved by the group, to demonstrate that guidance outlined in Section 6.2 of the</p>			<p>Required action # 6 was partially addressed. See comments GC-02 and GC-03.</p>

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			Guidelines has been incorporated into this study plan.			
LRU-04	Section 4	Sections 5.2, 6.3 and 10	Required Action # 7: Update the study plan to demonstrate how GBA+ has been integrated into all aspects of data collection methodology and the assessment of effects and impacts. This should include a description of how the proponent will engage diverse populations to collect information necessary to support the GBA+ analysis and how the information will be tracked, considered and reported in the Impact Statement.	Section 4.3 speaks to how GBA+ requirements will be accommodated as part of the Land and Resource Use Assessment.	Section 4.3	Required action # 7 was partially addressed. See comment GC-06.
LRU-05	Section 5.1.2	Sections 5, 6, and 7.4	Required Action # 8: Update the study plan to demonstrate whether the public and Indigenous groups were engaged to define the spatial boundaries for valued components, especially for valued components that are identified by Indigenous groups. Alternatively, provide clarity regarding when Indigenous groups and public groups will be able to contribute to the definition of the spatial and temporal boundaries of valued components.	Section 6 of the Study Plan describes the rationale for the temporal and spatial boundaries for the Project. Section 6.2 of the Study Plan identifies how the PDA (formerly PSA), LSA and RSA have been defined for the Project, including for the Land and Resource Use Environment. This section also identifies that the study areas <u>can be</u> further refined based on input from neighbouring Indigenous communities and interested persons.	Section 6.2.2 “Indigenous communities and interested persons will be consulted on their interest, concern and perceptions regarding the potential for land and resource use impacts. Further, the Proponent remains open to receiving information from communities on their activities within the PDA and how interlinkages between the Project and those communities may result in land and resource use effects. If there is rationale to alter study areas, the extents of the applicable study areas will be revised accordingly (i.e., if additional information is provided that warrants a community or land user groups inclusion in one of the Land and Resource Use LSAs, the specific Land and Resource Use LSA may be adjusted). Alternatively, if requested, a community may be removed from the study area should the Project effects not be relevant to the community.”	Required action # 8 was not adequately addressed. Section 7.4 of the Guidelines states that “The proponent should engage with Indigenous groups when defining spatial and temporal boundaries for valued components, especially for those that are identified by Indigenous groups”. Ensure that the workplan clearly outlines the approach to engage Indigenous groups listed in the Indigenous Engagement and Partnership Plan, and members of the public listed in the Public Participation Plan, in determining the spatial and temporal boundaries specifically for the Land and Resource Use valued component. The Impact Statement should clearly outline all perspectives and input received on spatial and temporal boundaries, including Indigenous and community knowledge, and demonstrate how these were integrated into or contributed to decisions regarding the Project (e.g., project design). If the Proponent determined that some perspectives and input received during engagement activities did not warrant consideration or integration into the decisions regarding the Project, a detailed description of the input and rationale for exclusion must be provided in the Impact Statement.
LRU-06	Section 5.1.2	Section 1.1	Required Action # 9: Update the study plan to define study areas that capture the Project’s effects on land and resources use due to potential changes to environment, health, social and economic conditions.	Table 6-1, which explains each of the study areas, includes references to how the extent of impact areas of other study disciplines is to be considered in the Land and Resource Use Assessment.	Table 6-1	Required action # 9 was adequately addressed.
LRU-07	Section 5.2	Sections 7 and 17	Required Action # 10: Update Table 3 of the study plan to include detailed criteria, detailed and measurable indicators, and rationale for the indicators selected to demonstrate how the requirements in Section 17 of the Guidelines would be met.	The Study Plan has been updated to include a list of the VCs, indicators, sub-indicators and their rationale for inclusion.	Table 9-2	Table 9-2 in Section 9.2 of the study plan presents a list of “indicators” and “sub-indicators”, however, the level of detail of the description provided is not sufficient. Update the study plan to provide further detail to describe each variable that will be used to characterize the “change” (positive, negative, or unintended) related to indicators identified in the study plan.

Comments from the Federal Review Team on the Marten Falls Community Access Road Project Land and Resource Use Study Plan submitted in June 2021				
Comment ID #	Study Plan Section	Tailored Impact Statement Guidelines Section ³	Context	Required Action for the Proponent
LRU-08	Table 9-3: Potential Discipline Interactions	Editorial	Section 2 of the study plan states that surface water was considered in conducting the Land and Resource Use (LRU) Assessment, however, Table 9-3 does not indicate surface water as a discipline for interactions.	Include in Table 9-3 all potential disciplines for interactions with the Land and Resource Use valued component.
LRU-09	<p>Section 4.2 “The Proponent will provide Project notices and opportunities for consultation and engagement with Indigenous communities identified in Table 4-1, which is inclusive of all Indigenous communities identified in the <i>Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a) (referred to as the Indigenous Engagement and Partnership Plan).</p> <p>Indigenous communities will be provided the opportunity to be involved at critical decision-making points throughout the IS / EA Report so that the Proponent can consider and incorporate, where appropriate Indigenous Knowledge and Indigenous land and resource use information into the Project as it pertains to the existing environment, VCs, effects assessment methods, effects assessment results, and mitigation and follow-up program measures. A variety of activities will be offered so that Indigenous communities are informed of the IS / EA Report as it progresses and are aware of the opportunities, means and timelines to provide their input. The study plans have recognized Indigenous community input received on the Project to date. Indigenous communities will have the opportunity to comment on components of the study plans throughout the IS / EA Report consultation and engagement process.”</p>	<p>Section 12 “...Where Indigenous groups do not wish to participate, the proponent is encouraged to continue sharing information and analysis with the Indigenous groups of the potential effects of the Project, and to use available public sources of information to support the assessment....”</p>	<p>The study plan does not describe how information will be shared with Indigenous groups who do not wish to participate, and/or withdraw their participation.</p> <p>A description of efforts to engage with individuals or groups who are not amongst ‘interested persons’ should be provided. Certain populations may be less likely to voluntarily express their views, and steps should be taken to remove barriers to ensure their participation.</p>	<p>Include in the Impact Statement detailed descriptions of the Indigenous groups that are being engaged and of those that do not wish to participate, and provide contextual information regarding historical and current trends.</p> <p>Describe actions taken to raise interest in the Project from potentially impacted Indigenous groups who chose not to participate in engagement activities.</p> <p>Clarify how information will continue to be shared with Indigenous groups who chose not to participate in engagement activities.</p>
LRU-10	Section 9.2 and Table 9-2	<p>Sections 17 “...Indicators should be developed by the proponent using best practice, Agency guidance, and through engagement with Indigenous groups and the public. Rationale for the indicators chosen should be provided...”</p>	<p>Table- 9-2 states the indicator for Recreation and Tourism is “Land and waterway disruption and access”, however, none of the sub indicators assesses effects to waterways.</p> <p>Table 9-2 should include sub-indicators that account for changes to access and disruption of waterways.</p>	Include sub-indicators to account for effects to waterways (e.g. access to waterways, disruption of waterways) in the effects assessment.
LRU-11	<p>Section 9.2 Valued Components and Indicators</p> <p>Table 9-2: Land and Resource Use Indicators</p>	<p>Sections 17 “Indicators should be developed by the proponent using best practice, Agency guidance, and through engagement with Indigenous groups and the public. Rationale for the indicators chosen should be provided.”</p>	<p>The following information sources should also be used when considering the Land Use Compatibility valued component:</p> <ul style="list-style-type: none"> - MNR’s Crown Land Use Policy Atlas (CLUPA) for southern part (within the area of undertaking South of Glaze Lake approx. 30 km) - Provincial Park Management Plans <p>If the Project may be incompatible with any of the policies or guidelines found in CLUP or a Park Management Plan, an amendment to such plans may be required. Consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry is recommended.</p>	
LRU-12	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p>	<p>Section 10 “...In preparing a baseline, the proponent must identify the social area of influence of the Project and prepare a community profile. To understand the community context, the information provided must describe:</p>	The Land and Resource Use study plan does not provide a description of ownership and use of resources, including ownership of land surrounding water crossings, as required by Section 10 of the Guidelines.	Provide in the Impact Statement information on the ownership and use of resources, including ownership of land surrounding water crossings, in order to meet the requirements of Section 10 of the Guidelines.

³ Refer to complete sections of the Guidelines for more context.

Comments from the Federal Review Team on the Marten Falls Community Access Road Project Land and Resource Use Study Plan submitted in June 2021				
Comment ID #	Study Plan Section	Tailored Impact Statement Guidelines Section ³	Context	Required Action for the Proponent
	ID#4: "Access, ownership and use of resources (e.g., land tenure, forestry, minerals, aggregate, food, water, social infrastructure, current road systems and seasonal roads), including ownership of land surrounding water crossings;"	- access, ownership and use of resources (e.g., land tenure, forestry, minerals, aggregate, food, water, social infrastructure, current road systems and seasonal roads), including ownership of land surrounding water crossings'..."		
LRU-13	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p> <p>ID#6: "Relevant historical community background and applicable history with previous developers, including historical and recent proponents of mineral and other natural resource exploration and development projects and aspirations for future social and economic development."</p>	<p>Section 10</p> <p>"...In preparing a baseline, the proponent must identify the social area of influence of the Project and prepare a community profile. To understand the community context, the information provided must describe:...</p> <ul style="list-style-type: none"> Relevant historical community background and applicable history with previous developers, including historical and recent proponents of mineral and other natural resource exploration and development projects and aspirations for future social and economic development..." 	The Land and Resource Use study plan does not provide enough information about the relevant historical community background and applicable history with previous and recent developers, as required by Section 10 of the Guidelines.	Include in the Impact Statement further detail on relevant historical community background and applicable history with previous and recent developers to meet the requirements of Section 10 of the Guidelines.
LRU-14	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p> <p>ID#8 - Navigation</p> <p>"...Information on the biophysical nature of waterways will be included in relevant biophysical reports such as the Surface Water Assessment.</p> <ul style="list-style-type: none"> Descriptions on the current, planned future and historical use of waterways, including land ownership at crossings will be described in the Land and Resource Use Assessment. This will include recreational events, uses by Indigenous persons and cultural importance. Project-related or existing obstructions, restrictions and expansions of navigable waterways will be described consistent with information available. This will include portage routes..." 	<p>Section 10</p> <p>"...The Impact Statement must provide information on the following social conditions:...</p> <p>Navigation:</p> <ul style="list-style-type: none"> existing navigable waterways and navigation use including type, volume, seasonality, manoeuvrability, and physical characteristics (e.g., width, depth, etc.), bank/bottom features, biological components, flow/tides, etc.; describe past, current, and anticipated future use of all waterways and waterbodies, including recreational uses by Indigenous groups and the public (including special events, fishing, cottagers, etc.); describe the use of water-ways with Indigenous cultural importance (e.g., Albany River, Ogoki River and Attawapiskat Rivers); and potential of obstructions, restrictions, or expansions of access to navigable waterways (e.g., portage routes and access roads)..." 	The Land and Resource Use study plan does not provide enough information regarding how data collection will be conducted to describe baseline and assess effects to the navigation/use of waterways valued component, as required by Section 10 of the Guidelines.	Describe in the Impact Statement all waterways that would interact with the project footprint, indicating whether waterways are navigable, are used for navigation purposes and if any effects to navigation are anticipated, in order to meet the requirements of Section 10 of the Guidelines.
LRU-15	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p> <p>ID #9: "...The Land and Resource Use Assessment will consider potential effects to all listed items with the following exceptions:</p> <ul style="list-style-type: none"> Changes to community well-being due to changes in Land and Resource Use will be addressed in the Social Assessment. Changes to environmental conditions will be considered as a proxy for quality with the assumption that changes in the environmental conditions may 	<p>Section 17.2</p> <p>"...The Impact Statement Must:...</p> <ul style="list-style-type: none"> Describe the potential interactions of the Project with local and regional land use and resource activities, including adverse and positive effects to: <ul style="list-style-type: none"> transportation, utilities and communication corridors (including community airports and winter roads); residential land use; forestry and logging operations; mining operations; mineral exploration activities; commercial outfitters; land use for traditional purposes; and 	The Land and Resource Use study plan does not provide enough information regarding potential impacts to community airports and winter roads, residential land use, or commercial outfitters, as required by Section 17.2 of the Guidelines.	Include in the Impact Statement information regarding potential interactions of the Project with local and regional land use and resource activities, including adverse and positive effects to community airports, winter roads, residential land use and commercial outfitters, to meet the requirements of Section 17.2 of the Guidelines.

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	impact the quality of the experience for some users based on their expectations for the experience...”	<ul style="list-style-type: none"> agriculture and other land uses...” 		
LRU-16	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p> <p>ID #9: “...The Land and Resource Use Assessment will consider potential effects to all listed items with the following exceptions: <input type="checkbox"/> Changes to community well-being due to changes in Land and Resource Use will be addressed in the Social Assessment. <input type="checkbox"/> Changes to environmental conditions will be considered as a proxy for quality with the assumption that changes in the environmental conditions may impact the quality of the experience for some users based on their expectations for the experience...”</p>	<p>Section 17.2 “...The Impact Statement must:...</p> <ul style="list-style-type: none"> Identify predicted effects of the Project on the quality and quantity of ground or surface water and implications for recreational uses...” 	The Land and Resource Use study plan does not provide enough information regarding potential impacts to the quality and quantity of ground or surface water and potential implications for recreational uses as required by Section 17.2 of the Guidelines.	Provide in the Impact Statement information on potential adverse effects of the Project on quality and quantity of ground or surface water and potential implications for recreational uses, in order to meet the requirements of Section 17.2 of the Guidelines.
LRU-17	<p>Section 11. Concordance with Federal and Provincial Guidance</p> <p>Table 11-1: Study Plan Federal Concordance – Conformance with Requirements</p> <p>ID #10 “The Land and Resource Use Assessment will consider potential effects to all listed items with the following exceptions: <input type="checkbox"/> Changes to physical characteristics will be considered in the Surface Water Assessment. The effects of these changes on use will be considered within the Land and Resource Use Assessment. <input type="checkbox"/> The use of waterways for traditional purposes will be covered under the Aboriginal and Treaty Rights and Interests Assessment...”</p>	<p>Section 17.3 Navigation “...The Impact Statement must:</p> <ul style="list-style-type: none"> describe effects to navigable waterways, including to physical characteristics (e.g., width, depth, etc.), bank/bottom features, biological components, flow/tides, etc.; describe ancillary project components that will be constructed in, on, under, over, through or across navigable waterways to support the Project; describe potentially affected waterway users and describe consultation with waterway users and Indigenous groups regarding navigational use, issues raised and how issues were addressed; and describe project effects to navigation and navigation safety, including potential obstructions to navigation (natural/man-made, other works, navigation aids, etc.)...” 	The Land and Resource Use study plan does not provide enough information about ancillary project components that will be constructed in, on, under, over, through or across navigable waterways to support the Project; and project effects to navigation and navigation safety, including potential obstructions to navigation (natural/man-made, other works, navigation aids, etc.), as required by Section 17.3 of the Guidelines.	Include in the Impact Statement information on ancillary project components that will be constructed in, on, under, over, through or across navigable waterways to support the Project; and project effects to navigation and navigation safety, including potential obstructions to navigation (natural/man-made, other works, navigation aids, etc.), to meet the requirements of section 17.3 of the Guidelines.
LRU-18	<p>Editorial - Footnote 8, Section 9.2 “In February 2020 a regional assessment of the Ring of Fire region commenced; however, it is not sufficiently advanced at this time to inform the Project VCs. The VCs will be consulted and engaged on early in the IA/EA process and finalized taking into consideration the input received. Therefore, only information relevant to the Project that arises from the regional assessment of the Ring of Fire within an appropriate timeline will inform the VCs for the Project.”</p>		The statement in the footnote 8 in Section 9.2 “ <i>In February 2020 a regional assessment of the Ring of Fire region commenced; however, it is not sufficiently advanced at this time to inform the Project VCs.</i> ” is inaccurate, as the Regional Assessment in the Ring of Fire area has not yet begun.	Replace the text in footnote 8 with “ <i>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. Relevant information available in relation to the Regional Assessment in the Ring of Fire area would be considered in the impact assessment of the Project.</i> ”