

# Regional Assessment in the Ring of Fire Area

Overview of Draft Agreement and Terms of Reference

Information Sessions: December 9, 17, 2021; January, 17, 18, 19  
2022

# PURPOSE OF THIS SESSION

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- To introduce the main concepts in the draft Agreement and Terms of Reference to conduct the Regional Assessment in the Ring of Fire Area (draft Agreement) between the Agency and Ontario
- Intended as a basis for discussion and to receive input to inform the planning, design and implementation of the Regional Assessment
- The draft Agreement was posted on the Canadian Impact Assessment Registry at #80468 December 3<sup>rd</sup>, 2021 for a 60-day and comment and engagement period ending February 1, 2022

Registry

<https://iaac-aeic.gc.ca/050/evaluations/proj/80468>

# OUTLINE

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## Presentation Outline

- What are Regional Assessments under the *Impact Assessment Act* (IAA)?
- Why is a Regional Assessment in the Ring of Fire area being undertaken?
- Introduction to the draft Regional Assessment Agreement and Terms of Reference for the Regional Assessment Committee
- Question and Answer session

# WHAT ARE REGIONAL ASSESSMENTS?

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- Regional Assessments are NOT project level impact assessments
- Regional Assessments are studies in areas of existing projects or anticipated development to inform planning and management of cumulative effects and inform future project impact assessments
- They allow the Government of Canada to go beyond project-focused impact assessments to understand the regional context and provide more comprehensive analyses to help inform future impact assessment decisions
- Regional Assessments can focus on broader effects which are often challenging to address solely through individual project-level assessments and decisions, making a regional-scale approach to effects assessment and management beneficial
- Regional Assessments are intended to enable improved efficiency and effectiveness of future project impact assessments

# WHY A REGIONAL ASSESSMENT IN THE RING OF FIRE AREA?

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- RA initiated February 2020 when the Minister responded to three requests for a Regional Assessment in the Ring of Fire Area (posted on Registry)
- Minister's rationale to conduct a regional assessment:
  - A regional assessment could inform future project-specific federal impact assessments and decisions
  - Anticipated developments have the potential to cause adverse effects within federal jurisdiction such as: climate change, effects on fish and fish habitat; migratory bird populations; and wildlife listed under the *Species at Risk Act*
  - There are opportunities to collaborate with the province of Ontario and to involve Indigenous groups, non-government organizations, and others in the planning and conduct of a regional assessment
  - There is potential for development to impact the rights of Indigenous people in the area
  - There is public interest related to developments resulting in cumulative effects in the area

# WHO CONDUCTS REGIONAL ASSESSMENTS?

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- The federal Minister of Environment and Climate Change is responsible for establishing a committee or authorizing the Agency to conduct a regional assessment
- If the region is partly or entirely outside of federal lands, the Minister can enter into an agreement or arrangement with another jurisdiction for the joint conduct of the regional assessment
  - In the case of the Regional Assessment for the Ring of Fire Area, the Agency and the Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry have been in discussions on a potential agreement that describes how the Regional Assessment would be conducted
- If a regional assessment is to be conducted by a committee, the Minister must appoint a committee and establish a terms of reference to provide direction to committee members on how to conduct the regional assessment

Source: IAA s.92-94, 96-103

# WHAT IS THE DRAFT AGREEMENT BETWEEN IAAC AND ONTARIO?

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- The draft Agreement sets out how IAAC and Ontario could jointly direct the conduct the RA and sets out key aspects of its governance and administration
- Appended to the draft Agreement is the draft Terms of Reference
- The draft Terms of Reference would guide the Regional Assessment Committee in conducting the regional assessment and sets out the required content of the Committee's Regional Assessment Report
- We would like your input to help inform the design of the Regional Assessment process, and the development of the draft Agreement and Terms of Reference

## Key Components:

- Goal
- Objectives
- Boundaries (assessment area and study area)
- Assessment priorities
- Regional Assessment Committee
- Procedures, administration and reporting
- Outcomes

Source: Registry

<https://iaac-aeic.gc.ca/050/evaluations/proj/80468>

# REGIONAL ASSESSMENT GOAL

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*To provide information, knowledge and analysis regarding mine development activities and other existing and future physical activities in the Ring of Fire and their potential effects, in order to enhance the effectiveness and efficiency of future impact assessments for these activities in a way that helps protect the environment and health, cultural, social and economic conditions while also creating opportunities for sustainable economic development.*



# PROPOSED REGIONAL ASSESSMENT OBJECTIVES

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a) Providing information, knowledge and analysis related to key, regional-scale environmental, health, cultural, social and economic conditions, values, and issues, with consideration and integration of both Indigenous knowledge and scientific information

**Rationale:** Key purpose of the Regional Assessment is to compile existing and available information to provide an understanding of existing conditions in a regional context, to inform future project-level assessments. This will include and integrate both Indigenous knowledge and Western science

b) Identifying and recommending mitigation measures and other potential and innovative approaches for addressing potential positive and adverse effects (both project-specific and cumulative, including potential impacts on Indigenous peoples) as part of future decision-making for mine development activities, in a manner that fosters sustainability

**Rationale:** The Regional Assessment will provide recommendations on how to avoid or reduce adverse effects and to create or maximize positive effects – Both as input to future project assessments and decisions, but also to identify other non project-specific measures and management approaches to address key issues

# PROPOSED REGIONAL ASSESSMENT OBJECTIVES

*(CONTINUED)*

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c) Providing an understanding of the regional context that can be used in considering and evaluating the effects of future mine development activities, to inform future impact assessments and the planning and management of cumulative effects

**Rationale:** The Regional Assessment will provide further “regional context” on past, present and future development and the key characteristics of the region, so that future projects and their effects can be considered and evaluated in context – including their potential to result in or contribute to cumulative effects

d) Describing how the findings or recommendations of the Regional Assessment could be used to enhance the effectiveness and efficiency of, future impact assessments, as well as other initiatives as applicable

**Rationale:** The Regional Assessment will provide recommendations on how information and outcomes could be used to inform and improve future project assessments, and other initiatives

# PROPOSED SCOPE

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- Given the known mineral resources and mining potential of the Assessment Area, the Regional Assessment will focus on future mine development activities and their potential effects (both positive and adverse), as these types of activities are considered the most likely future physical activities to be proposed and carried out in this region in the foreseeable future
- The Regional Assessment will consider the types of future mining activities that are most likely to occur, based on the mineral deposits that are known to be present and the manner in which they could be developed (e.g. open pit mining, underground mining, power generation, etc.)
- The Regional Assessment will also consider the relationship of, and potential interactions between, the potential effects of future mine development activities with those of other existing and future activities, including the potential for resulting cumulative effects Section: 2.1
- The on-going impact/environmental assessments for proposed road developments in Northern Ontario will continue according to their legislated processes and timelines. The regional assessment scope will not include or duplicate these on-going assessments, including their project-specific assessments of effects, analyses of the purpose or need for these projects, or other factors and components Section: 2.5

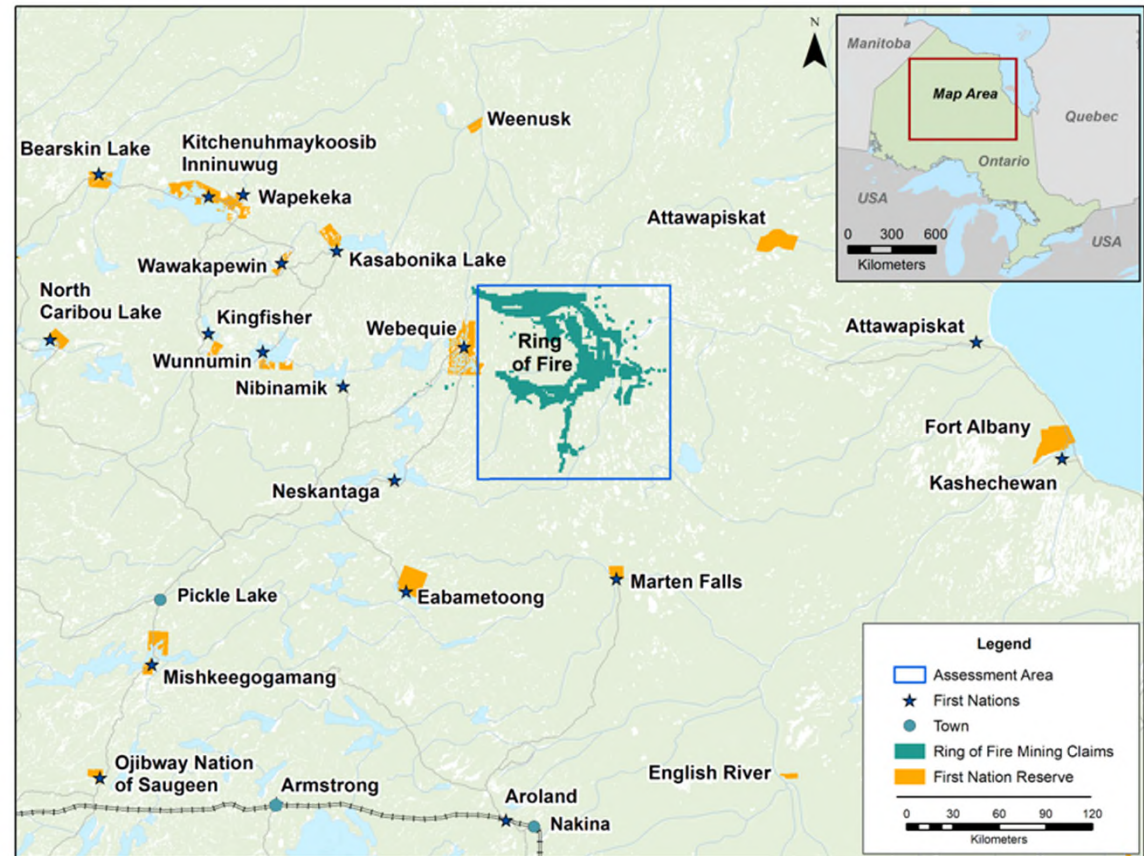
# PROPOSED BOUNDARIES

- **Assessment Area (See Map):** An area centered on the Ring of Fire mineral deposits in northern Ontario, which reflects the specific underlying geological formations that represent the Ring of Fire mineral deposits. This area encompasses the future mine development activities upon which the Regional Assessment's analysis of effects and associated recommendations will focus

Section: 2.2

- **Study Area(s): Not shown.** The Committee will define specific Study Area(s) for the assessment, with consideration of ecological and social characteristics and possible positive and adverse effects (including cumulative effects)

Section: 2.4



# HOW WILL THE REGIONAL ASSESSMENT FOCUS ON KEY ISSUES

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- It is not the intent of the Regional Assessment to assess all factors that would be assessed in project-level impact assessments.
- The Regional Assessment will focus on a number of “Assessment Priorities” that will be defined through ongoing Indigenous and public engagement
- These will represent key environmental, social, health, cultural or economic components which may be affected by future mine development activities in the Assessment Area
- Examples of potential Assessment Priorities that the Regional Assessment may focus on include (draft, for discussion):
  - Surface and ground water (quality and quantity), including wetlands (peatlands)
  - Woodland caribou
  - Physical and cultural heritage
  - Current use of lands and resources for traditional purposes by Indigenous peoples
  - Economy, employment and business
  - Community health and well-being
- The Assessment Priorities will be used to help focus the Regional Assessment on important issues that are often challenging to address solely through individual project-level assessments and decisions

Section: 2.3

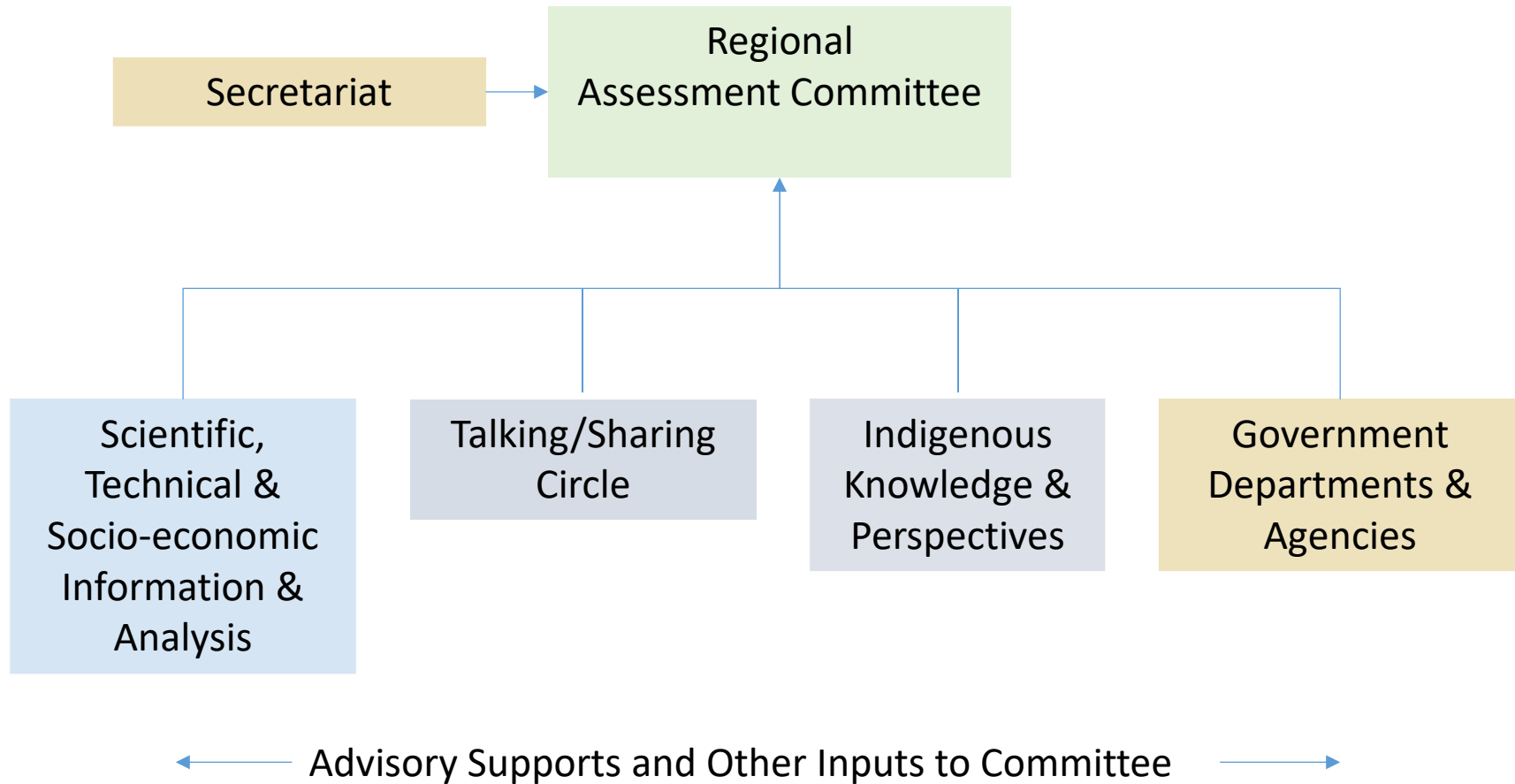
# REGIONAL ASSESSMENT COMMITTEE AND ADVISORY SUPPORTS

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- The Regional Assessment in the Ring of Fire area will be carried out by a Regional Assessment Committee Section: 3.0
  - The Committee will be established under the IAA and guided by its Terms of Reference
  - To ensure the integrity of the Regional Assessment process, Committee members will need to demonstrate that they have no conflict(s) of interest
  - The Committee will be appointed by the federal Minister under the IAA, with the agreement of the provincial Minister
  - The Committee will be supported by a Secretariat co-managed by, and comprised of staff assigned from, the Agency and Ontario Section: 4.0
- To assist the Committee, it is proposed that the Committee set up two advisory supports through which they can seek information, knowledge and advice Section: 5.0
- Proposed Advisory Supports: Sections: 5.7 – 5.10
  - 1) Indigenous knowledge and perspectives
  - 2) Scientific, technical and socio-economic information and analysis
- There would be an opportunity to establish an Indigenous-led Talking/Sharing Circle Sections: 6.0

# REGIONAL ASSESSMENT COMMITTEE

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# INDIGENOUS PARTICIPATION

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- *WHEREAS the Governments of Canada and Ontario wish to ensure that Indigenous peoples and the public have opportunities to participate meaningfully in the planning and conduct of the Regional Assessment that is the subject of this Agreement.*
  - Funding to participate throughout (planning and conduct) Regional Assessment process
  - Early engagement before any public release of draft Agreement for public review
  - Invitation to provide nominations for committee members for consideration until December 10, 2021
  - Formal draft review period of draft Agreement and Terms of Reference
  - The Committee will develop and implement an Indigenous Participation Plan
  - Advisory Supports to the Committee
  - Indigenous-led Talking/sharing Circle
  - Opportunity to review any draft Committee report before submission to the Ministers



# TENTATIVE SCHEDULE

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|------------------|---|
| November 2021    | - Initial engagement with Indigenous groups on the draft Agreement and Terms of Reference   |
| December 3, 2021 | - Agency and Ontario release draft Agreement<br>- Commence 60-day public comment period and engagement on the draft Agreement and Terms of Reference          |
| February 1, 2022 | - End of public comment period  |
| March 2022 (TBC) | - Target Ministers approve the Agreement and Terms of Reference<br>- Ministers appoint Committee Members<br>- Start of the conduct of the Regional Assessment |

Note: The Committee will submit their Final Report to the Ministers within 18 months of its establishment



# Questions

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- Send written comments or questions to: [iaac.regionalrof-cdfregionale.aeic@iaac-aeic.gc.ca](mailto:iaac.regionalrof-cdfregionale.aeic@iaac-aeic.gc.ca)

# APPENDIX A: PROPOSED OUTCOMES

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- a) An inventory and compilation of existing and publicly accessible scientific, technical, Indigenous and cultural information/knowledge for the Assessment Area and Study Area(s).
- b) A description of current environmental, health, cultural, social and economic conditions of the Assessment Area and Study Area(s).
- c) An identification and analysis of key information gaps, requirements and opportunities, with a focus on those with relevance to, and implications for, impact assessments for future mine development activities in the Assessment Area.
- d) Recommendations to address such information and knowledge gaps as appropriate.
- e) An identification and analysis of potential changes to the environment or to health, cultural, social or economic conditions that may result from mine development activities in the Assessment Area, and the potential positive or adverse consequences of these changes on the Assessment Priorities.
- f) Recommendations on potential mitigation measures and other approaches that are technically and economically feasible for addressing the potential adverse effects or maximizing the potential positive effects of future mine development activities in the Assessment Area on the Assessment Priorities.
- g) Recommendations on potential approaches and measures to address regional-scale and non-project specific effects on the Assessment Priorities.
- h) An identification and analysis of key environmental, health, cultural, social or economic components, values and issues with respect to potential effects on the Assessment Priorities, that should be considered in impact assessments for future mine development activities and other physical activities in the Assessment Area. This will include identifying and highlighting:
  - Any components, values, locations or times that may be particularly susceptible to further change as a result of past, on-going or future mine development activities and other natural or human-induced disturbances; and
  - Any circumstances where the nature, location, timing and potential accumulation of these effects may result in potential cumulative effects (positive or adverse), and potential approaches to avoiding, creating, reducing or maximizing such effects, as applicable.
- i) Recommendations on how to consider, implement or otherwise address the Regional Assessment findings in a clear, effective and efficient manner in future impact assessments for future mine development activities in the Assessment Area, and/or through other initiatives by governments or other parties.

Appendix B2

# Appendix B: Contact Information

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## Federal - Impact Assessment Agency of Canada

- Project Manager, Dave Bell  
[dave.bell@iaac-aeic.gc.ca](mailto:dave.bell@iaac-aeic.gc.ca)
- Indigenous Engagement Lead,  
[Martyna.Krezel@iaac-aeic.gc.ca](mailto:Martyna.Krezel@iaac-aeic.gc.ca)
- Funding Programs, [iaac.FP-PAF.aeic@iaac-aeic.gc.ca](mailto:iaac.FP-PAF.aeic@iaac-aeic.gc.ca)

## Provincial - Ministry of Northern Development, Mines, Natural Resources and Forestry

- Senior Advisor, Ariane Heisey  
[Ariane.heisey@ontario.ca](mailto:Ariane.heisey@ontario.ca)
- Director, Indigenous Consultation & Partnerships Branch and RoF Operational Lead  
[Lori.Churchill@Ontario.ca](mailto:Lori.Churchill@Ontario.ca)

### **Registry**

Ring of Fire Area Regional Assessment Registry #80468: <https://iaac-aeic.gc.ca/050/evaluations/proj/80468>

Regional Assessment general email: [iaac.regionalrof-cdfregionale.aeic@iaac-aeic.gc.ca](mailto:iaac.regionalrof-cdfregionale.aeic@iaac-aeic.gc.ca)

# Appendix C: Additional Information

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***Fact Sheet: Regional Assessment under the *Impact Assessment Act*:*** <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/regional-assessment-impact-assessment-act.html>

***Operational Guide: Requesting a Regional or Strategic Assessment under the *Impact Assessment Act*:*** <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/requesting-regional-strategic-assessment-iaa.html>

**Ring of Fire Regional Assessment Registry Page:** <https://iaac-aeic.gc.ca/050/evaluations/proj/80468>

## Types of Assessments: Project-specific Assessment Versus Regional Assessment

	Project	Regional
Applies to	<p>Federal: Individual, designated project as defined on the Project List regulation</p> <p>Ontario:</p> <ul style="list-style-type: none"> <li>• Most public sector proponents (e.g. ministries, municipalities, conservation authorities, transit providers)</li> <li>• Certain private sector proponents (designated through regulation (e.g. waste management and electricity projects))</li> </ul>	Existing and future physical activities in a region
Purpose	Determine the effects of a proposed project and mitigation	Purpose defined on an regional basis, to inform and improve the effectiveness and efficiency of subsequent project-specific IAs
IA or RA required Decision making	Agency decides if an IA is required (Planning Stage)	Minister decides if a regional assessment is required Public may request a regional assessment
Conduct	Proponent (provides information), Agency or Panel	Agency or Committee
Timeline	In Timeline regulations	Timelines set by Minister in Terms of Reference
Other Jurisdiction	Cooperation, Substitution or Joint Panel	Minister may enter into an agreement or arrangement
Information Required set out in	Federal=Tailored Impact Statement Guidelines Ontario=Terms of Reference	Terms of Reference
Decision	Minister's Decision statement with conditions, Project may proceed if it complies with conditions	Report to Minister, regional assessment must be considered at various steps of Project IA