



Impact Assessment  
Agency of Canada

Ontario Region  
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Agence d'évaluation  
d'impact du Canada

Région de l'Ontario  
600-55 rue York  
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August 8, 2022

Sent by email

**Correspondence to Federal Review Team**

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Thomas Hoggarth, Fisheries and Oceans Canada  
Tonina Simeone, Indigenous Services Canada  
Vera Haslett, Transport Canada

Dear Colleagues:

**Subject: Federal Authority Advice Record for the Crawford Nickel Project**

***Please complete and return Enclosure 2 by August 31, 2022, and Enclosure 3 by September 7, 2022.***

On August 5, 2022, the Impact Assessment Agency of Canada (the Agency) accepted the Initial Project Description for the Crawford Nickel Project (the Project) from Canada Nickel Company (the Proponent) as meeting the requirements of Schedule 1 of the *Information and Management of Time Limits Regulations* under the *Impact Assessment Act* (IAA). As of August 8, 2022, the 180-day planning phase of the impact assessment process has commenced. The Initial Project Description is available on the Canadian Impact Assessment Registry (Registry) at <http://iaac-aeic.gc.ca/050/evaluations/proj/83857>.

The Agency is conducting a 30-day comment period on the Initial Project Description from August 8, 2022, to September 7, 2022, inviting the public, Indigenous communities, and other jurisdictions to provide feedback related to the Project. Your comments are invited as detailed below.

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Feedback will help the Agency prepare a Summary of Issues for the Proponent and inform the Agency's decision as to whether the Project requires an impact assessment. If an impact assessment is required, this same feedback would help the Agency prepare draft planning documents including Tailored Impact Statement Guidelines for the Proponent.

### **Crawford Nickel Project**

The Proponent is proposing the construction, operation, decommissioning and abandonment of an open-pit nickel-cobalt mine and on-site metal mill, located 43 kilometres north of Timmins, Ontario. As proposed, the Project would have a mine ore production capacity of 290,000 tonnes per day and a mill ore input capacity of 120,000 tonnes per day. The Project would operate for about 41 years.

### **Context for federal authority advice**

When deciding whether a project requires an impact assessment, the Agency considers the factors outlined in section 16 of the IAA, including the potential for adverse effects, comments received, and any other factors the Agency considers relevant.

Expert federal authorities contribute to the Agency's conduct by scoping expert advice commensurate to the type and situational context of projects. The Agency asks that federal authorities align expert advice with the Agency's approach to consider risk-based prudence and proponent evidence, with strong reliance on well understood mitigation measures, existing guidance, and the oversight of regulatory instruments that will manage effects.

The Agency tailors impact assessments to focus on key issues anticipated to be material and relevant to a public interest decision.<sup>1</sup> Measured advice from federal authorities on key issues and solutions — with carefully chosen suggestions for the scope and detail of any required information and studies — will enable the Agency to focus assessments on matters material to decision-makers.

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<sup>1</sup> For further context, see the Operational Policy Statement: Development of Tailored Impact Statement Guidelines at <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/operational-policy-statement.html>

In identifying key issues, federal authorities should be mindful of the Project's context (size, scope, geography, policy) and the definitions of *effects*,<sup>2</sup> *sustainability*<sup>3</sup> and *public interest*.<sup>4</sup>

### **Request for comments**

Attached to this letter are three enclosures. **Enclosure 1** describes a risk-based approach to identifying key issues and solutions that will help federal authorities to scope expert advice commensurate to project context.

**Enclosure 2** is the Federal Authority Advice Record. Please complete Enclosure 2 as per subsection 13(1) of the IAA and submit<sup>5</sup> **no later than August 31, 2022**. Enclosure 2 seeks your views on the Initial Project Description, including:

- the key issues anticipated to be material and relevant to a public interest decision, such as key potential effects of the Project within your mandate, taking into account the context above and risk-based approach in Enclosure 1;
- solutions for addressing the key issues, including:
  - instructions for how the Proponent can build confidence that the issues will be addressed, through commitments and clarifications in the Detailed Project Description and Response to Summary of Issues;
  - high-level advice about information and studies that might be required in the Tailored Impact Statement Guidelines; and
- information on your department's powers, duties, or functions that may be required for the Project to proceed as well as operational guidance that would be applicable to the Project's context.

**Enclosure 3** requests information on your department's interest in participating in the Agency's Indigenous consultation and public engagement activities. As there may be protected information in this form, please submit the completed Enclosure 3 by email to <email address removed> **no later than September 7, 2022**.

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<sup>2</sup> Note: effects, direct and incidental effects, and effects within federal jurisdiction are defined in section 2 of the *Impact Assessment Act*, which can be found at <email address removed>

<sup>3</sup> Guidance: Considering the Extent to which a Project Contributes to Sustainability  
<email address removed>

<sup>4</sup> Policy Context: Public Interest Determination under the Impact Assessment Act  
<email address removed>

<sup>5</sup> Please submit the completed **Enclosure 2** via the Submit a Comment feature available on the Project's Registry page (Reference 83857 at <email address removed> ). Letters and forms can be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency using the information provided below for assistance.

**IMPORTANT NOTE:** Any information submitted to the Agency to inform this project assessment will be made publicly available as part of the project file, and may be posted online via the Canadian Impact Assessment Registry (Reference #83857), subject to certain exceptions related to privacy, security or confidentiality. The Agency's Submission Policy<sup>6</sup> describes what submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice.<sup>7</sup>

Should you wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, please contact Harry Keess at 416-659-0765, or at <email address removed> before submitting the information. This will ensure that your submission is handled appropriately.

### **Next steps**

Upon receipt of the Summary of Issues from the Agency, the Proponent will prepare and submit a Detailed Project Description, including the Response to the Summary of Issues that includes an explanation of how it intends to address the issues raised. Following acceptance of the Detailed Project Description, the Agency will decide<sup>8</sup> whether an impact assessment of the Project is required.

If the Agency decides that an impact assessment is required for the Project, it will develop draft Tailored Impact Statement Guidelines and plans – which includes the Permitting Plan, the Public Participation Plan, the Indigenous Engagement and Partnership Plan, and the Cooperation Plan – for review and comment.

The comments your department or agency provides on the Initial Project Description, combined with the Proponent's Response to the Summary of Issues, will inform the decision as to whether an impact assessment is required, the draft Tailored Impact Statement Guidelines, and draft plans.

The Agency would hold a comment period and request your review of the draft Tailored Impact Statement Guidelines and draft plans. These documents would be finalized and issued to the Proponent with the notice of commencement of the impact assessment.

During the impact statement phase, the proponent would be expected to satisfactorily complete the required information and studies set out in the Tailored Impact Statement Guidelines. At the end of the impact assessment process, a decision is made about whether the adverse effects of the Project are in the public interest.

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<sup>6</sup> <https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>

<sup>7</sup> <https://iaac-aeic.gc.ca/050/evaluations/protection>

<sup>8</sup> In making its decision, the Agency must take into account the factors set out in subsection 16(2) of the *Impact Assessment Act*.

If you have any questions, do not hesitate to contact Harry Keess, Project Manager, by email at <email address removed> or by phone at 416-659-0765.

Sincerely,

<Original signed by>

Marc Leger  
A/ Director, Ontario Region

Enclosures: 1 - A Risk-Based Approach to Identifying Key Issues and Solutions  
2 - Federal Authority Advice Record: Summary of Issues, and Potential Tailored Impact Statement Guidelines and Permitting Plan  
3 - Federal Authority Participation in Indigenous Consultation and Public Engagement Activities

c.c.: Amandeep Chohan, Employment and Social Development Canada  
Andre Gossignac, Employment and Social Development Canada  
Anica Madzarevic, Natural Resources Canada  
Anik Guertin, Indigenous Services Canada  
Brandi Mogge, Fisheries and Oceans Canada  
Clayton James, Fisheries and Oceans Canada  
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David Zeit, Transport Canada  
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Wesley Plant, Environment and Climate Change Canada  
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