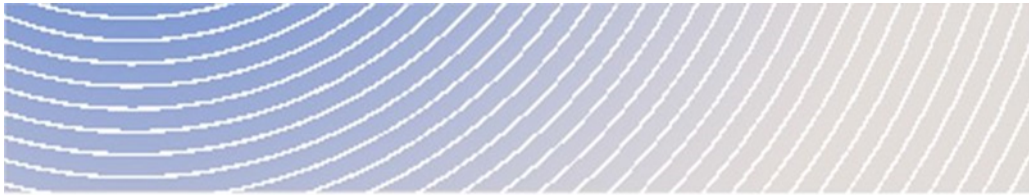


# Cooperation Plan



NORTHERN ROAD LINK PROJECT

JUNE 21, 2023

DRAFT VERSION



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## 1. Introduction

On May 23, 2023, the Impact Assessment Agency of Canada (the Agency) determined that an impact assessment is required for the Northern Road Link Project (the Project), pursuant to subsection 16(1) of the *Impact Assessment Act*. On October 28, 2020, a voluntary agreement was signed with Marten Falls First Nation, Webequie First Nation, and the Ontario Minister of the Environment, Conservation and Parks to make the Project subject to Ontario's *Environmental Assessment Act*. On March 3, 2023, the Ontario Minister of the Environment, Conservation, and Parks approved the Terms of Reference with an amendment for an individual environmental assessment under Ontario's *Environmental Assessment Act* for the Project.

The Cooperation Plan (the Plan) was developed by the Agency, with input from the Ministry of the Environment, Conservation, and Parks (MECP), to set out intentions and plans for a cooperative assessment process for the Project.

The Plan is intended to be flexible and does not preclude the Agency or MECP from making changes to the cooperative approach described in the Plan in order to accommodate changes that may occur during the assessment processes.

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## 2. Project description

Marten Falls First Nation and Webequie First Nation (the Proponent) are proposing the construction and operation, including maintenance, of an all-season multi-use road located in northern Ontario. As proposed, the Project would be about 117 to 164 kilometers long and cross the Attawapiskat River. It would connect the proposed Marten Falls Community Access Road and the proposed Webequie Supply Road. The Project would become part of a future all-season road network connecting mineral development activities in the Ring of Fire area to the provincial highway system at Nakina, Ontario.

For more information on the impact assessment of the Project or to view the information and comments received, visit the Canadian Impact Assessment Registry (the Registry) at <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>

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## 3. Approach to cooperation

The Agency and MECP will undertake their respective assessment processes of the Project in a cooperative manner whereby the Agency and MECP will coordinate activities, where possible, including harmonizing timelines, streamlining processes, and reducing regulatory burden. Each jurisdiction retains its own decision.



## 4. Gathering and review of proponent information

The following table identifies common factors that both the Agency and participating Ontario ministries have expertise. During the assessment processes, the Agency and Ontario will work together to facilitate the exchange of information and expert advice and reduce duplication.

**Table 1 – List of common factors of federal-provincial review**

Common Factors related to the Assessment	Common Areas of Federal-Provincial Review
Changes to the natural environment	Atmospheric, acoustic and visual environment Riparian, wetland and terrestrial environments Groundwater and surface water Fish and fish habitat Birds, migratory birds and their habitat Other terrestrial wildlife and their habitat Species at risk
Changes to health, social and economic conditions	Health services Human health Land and resource use and recreation Use of land and water bodies for commercial operations
Impacts on Indigenous peoples, communities, and groups	Physical and cultural heritage Current use of lands and resources Structures/sites/things of significance Aboriginal and treaty rights
Other factors	Effects of the environment on the Project, including climate change resiliency Cumulative effects Alternative means (methods) of carrying out the Project

The factors identified above are not intended to limit or determine what will be considered by the Proponent in the assessment for the Project. The information that the Proponent will need to provide to meet the requirements of the respective jurisdictions will be contained in the Tailored Impact Statement Guidelines for the Agency and the approved Terms of Reference for MECP.

The Agency and relevant Ontario ministries will participate in joint meetings with the Proponent, Indigenous communities, federal and provincial authorities, and community groups, as appropriate.



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## 5. Timelines and time management

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.

The Agency and MECP have agreed to undertake their respective assessment processes in a cooperative manner to strive toward a timely review of the Proponent's documentation. This includes but is not limited to, cooperating on the timing of the Agency's public comment period on the Impact Statement and MECP's comment period for the Environmental Assessment report, and cooperating on the timing of the Agency's Impact Assessment Report and MECP's Ministry Review.

The Plan recognizes that the alignment of respective timelines is subject to the legislative obligations prescribed in the *Impact Assessment Act* and *Environmental Assessment Act*, as well as the completeness of any information submitted by the Proponent.

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## 6. Sharing of information

The Agency and MECP will share, as appropriate, the following information obtained during the assessments of the Project, with the goals of minimizing consultation fatigue and increasing efficiency of government review:

- Public comments
- Existing studies and information
- Comments from Indigenous communities, when not prevented due to confidentiality
- Information received from the Proponent on matters identified in Table 1 (e.g., responses to deficiency reports)
- Expert advice on matters identified in Table 1

The Agency and MECP will, subject to applicable legislation, endeavour to respect preferences of Indigenous communities related to confidentiality of Indigenous Knowledge.

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## 7. Public participation

The Agency will, where possible, align and coordinate with MECP public comment periods and associated timelines for the Project.

The Agency and MECP will include links to each others' websites and, where appropriate, coordinate public notices.

For further information on public participation and engagement activities, please see the Project's [Public Participation Plan](#).



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## 8. Indigenous consultation and engagement

The Agency and Ontario (MECP and the Ministry of Mines) will coordinate, to the extent possible, joint consultation and engagement meetings and activities.

The Agency and Ontario will share relevant information, and take other actions, as appropriate and as desired by Indigenous communities, to minimize consultation fatigue and support meaningful consultation during the assessment.

The Agency's Participant Funding Program provides limited funding to Indigenous communities at key stages throughout the impact assessment process. Funding from the program is available to Indigenous communities listed in the [Indigenous Engagement and Partnership Plan](#) for the Project, for their participation in the Agency's Indigenous consultation activities.

Ontario has implemented a Participant Funding Initiative to support consultation with Indigenous communities whose Aboriginal and treaty rights may be adversely affected by the Project.

The Agency will lead Crown Consultation on behalf of the Government of Canada for this assessment, while Ontario will be responsible for provincial Crown Consultation for the assessment of the Project.

A Memorandum of Understanding between Ontario and the proponent sets out how consultation responsibilities are being shared for the provincial environmental assessment.

For further information on the Agency's Indigenous consultation and engagement activities, please see the Project's [Indigenous Engagement and Partnership Plan](#).

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## 9. Decision Statement

The Agency will consult with participating ministries regarding proposed conditions related to decisions and relevant complementary measures, to facilitate consistency and improve regulatory efficiencies. See Appendix 1 for a table with the preliminary list of provincial regulatory mechanisms, potentially applicable to the Project.

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## 10. Interpretation

The Plan is not a legal document and does not change any existing federal or provincial legislative or regulatory jurisdiction, right, power, privilege, prerogative or immunity by virtue, nor does it create any new legal powers, duties or legally binding obligations.



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## 11. Contact Information

The Agency office designated for administering the impact assessment of the Project is:

Impact Assessment Agency of Canada, Ontario Regional Office  
600-55 York Street  
Toronto ON M5J 1R7  
Tel.: 416-952-1576  
Email: [northernroad-routedunord@iaac-aeic.gc.ca](mailto:northernroad-routedunord@iaac-aeic.gc.ca)

MECP's office designated for administering the environmental assessment of the Project is:

Ministry of the Environment, Conservation and Parks  
135 St Clair Ave W, 1st Floor  
Toronto ON M4V 1P5  
Tel.: 437-247-9628 or 416-268-5984  
Email: [dorothy.moszynski@ontario.ca](mailto:dorothy.moszynski@ontario.ca) or [sasha.mcleod@ontario.ca](mailto:sasha.mcleod@ontario.ca)



## Appendix 1 – Provincial Regulatory Mechanisms

The following is a preliminary list of provincial regulatory mechanisms that may apply if the Project would be permitted to proceed.

Provincial Ministry	Regulatory Mechanism and Reference
Ministry of Natural Resources and Forestry	Authorizations under the <i>Fish and Wildlife Conservation Act</i> (1997) <a href="https://www.ontario.ca/laws/statute/97f41#BK75">https://www.ontario.ca/laws/statute/97f41#BK75</a>
	Burn Permit under <i>Forest Fires Prevention Act</i> (1990) and Ontario Regulation 207/96 <a href="https://www.ontario.ca/page/outdoor-fire-rules-and-permits">https://www.ontario.ca/page/outdoor-fire-rules-and-permits</a>
	Work Permits and Land Use Permits under the <i>Public Lands Act</i> (1990) <a href="https://www.ontario.ca/page/crown-land-work-permits">https://www.ontario.ca/page/crown-land-work-permits</a>
	Aggregate Permit under <i>Aggregate Resources Act</i> (1990) <a href="https://www.ontario.ca/page/aggregate-resources">https://www.ontario.ca/page/aggregate-resources</a>
	Approval under <i>Lakes and Rivers Improvement Act</i> <a href="https://www.ontario.ca/page/lakes-and-rivers-improvement-act-administrative-guide">https://www.ontario.ca/page/lakes-and-rivers-improvement-act-administrative-guide</a>
Ministry of the Environment, Conservation and Parks	Permit to Take Water or Environmental Activity and Sector Registration under the <i>Ontario Water Resources Act</i> <a href="https://www.ontario.ca/page/permits-take-water">https://www.ontario.ca/page/permits-take-water</a>
	Authorization under the <i>Endangered Species Act, 2007</i> <a href="https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization">https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization</a>
	Approval under the <i>Health Protection and Promotion Act</i> (1990) <a href="https://www.ontario.ca/laws/statute/90h07#top">https://www.ontario.ca/laws/statute/90h07#top</a>





Provincial Ministry	Regulatory Mechanism and Reference
	Environmental Compliance Approvals under the <i>Environmental Protection Act</i> (1990) <a href="https://www.ontario.ca/page/environmental-compliance-approval">https://www.ontario.ca/page/environmental-compliance-approval</a>
	Authorization under the <i>Provincial Parks and Conservation Reserves Act, 2006</i> <a href="https://www.ontario.ca/laws/statute/06p12#BK17">https://www.ontario.ca/laws/statute/06p12#BK17</a>
Ministry of Citizenship and Multiculturalism	<i>Ontario Heritage Act</i> <a href="https://www.ontario.ca/laws/statute/90o18">https://www.ontario.ca/laws/statute/90o18</a>
Ministry of Transportation	Ontario Provincial Standards for Roads and Public Works <a href="https://www.library.mto.gov.on.ca/SydneyPLUS/TechPubs/Portal/tp/opsViews.aspx">https://www.library.mto.gov.on.ca/SydneyPLUS/TechPubs/Portal/tp/opsViews.aspx</a>