

Appendix B

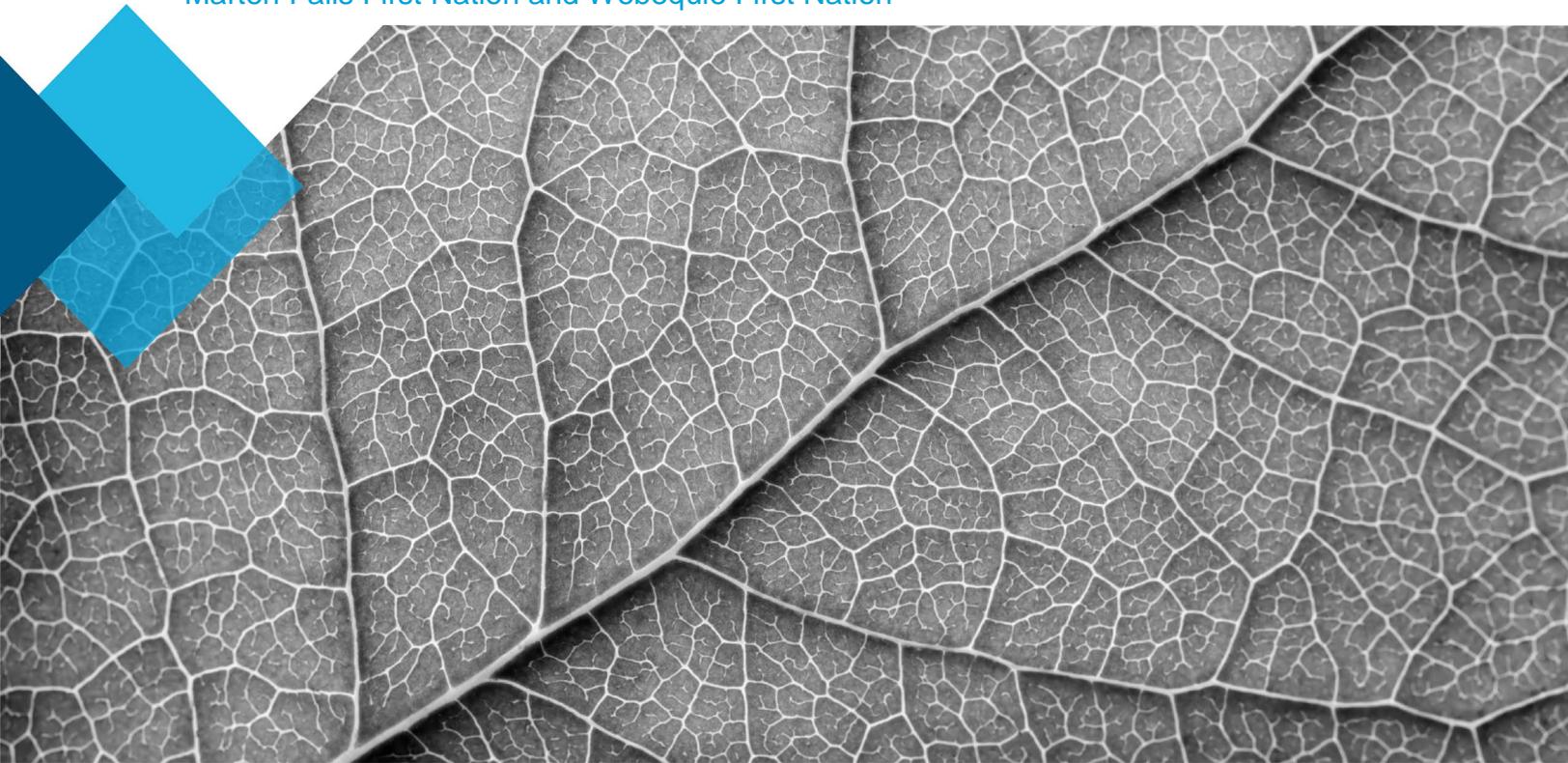
Environmental Assessment Consultation and Engagement Plan



Environmental Assessment Consultation and Engagement Plan

April 2022

Marten Falls First Nation and Webequie First Nation



April 2022

679878

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List of Acronyms and Abbreviations

Term	Definition
Dillon	Dillon Consulting Limited
EA	Environmental Assessment
EAR	Environmental Assessment Report
GRT	Government Review Team
IA	Impact Assessment
IAA	Impact Assessment Act
IAAC	Impact Assessment Agency of Canada
IK/ILRU	Indigenous Knowledge/Indigenous Land and Resource Use
IS	Impact Statement
Indigenous communities	Includes First Nations, Métis and Inuit communities
Indigenous organizations	Includes Tribal Councils, Provincial Territorial Organizations (PTOs) and other Indigenous groups
MECP	Ontario Ministry of the Environment, Conservation and Parks
MFCAR	Marten Falls Community Access Road
MFFN	Marten Falls First Nation
MOU	Memorandum of Understanding
MTO	Ministry of Transportation Ontario
NMDMNR	Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry
NGO	Non-Governmental Organization
NRL	Northern Road Link
Plan	EA Consultation and Engagement Plan
Project	Northern Road Link
Project Team	MFFN and WFN Working Group (including two Project Co-Leads) plus Consultants
PTO	Provincial Territorial Organizations
SNC-Lavalin	SNC-Lavalin Inc.
TLU	Traditional Land Use
ToR	Terms of Reference
WFN	Webequie First Nation
WSR	Webequie Supply Road

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1 Introduction

This Consultation and Engagement Plan (the Plan) describes the consultation and engagement activities proposed for the Northern Road Link Project's (the Project) provincial Environmental Assessment (EA). As it is expected that a federal Impact Assessment (IA) will be required, the collective term EA/IA will be used throughout this document. The community of Marten Falls First Nation (MFFN) and Webequie First Nation (WFN) (collectively referred to as the Proponent) are conducting an EA for the Project under the Ontario *Environmental Assessment Act*, RSO.1990, c. E.18. The Project is also described as a designated physical activity under section 51 of the schedule to the Physical Activities Regulations, SOR/2019-285, and may require an impact assessment under the Federal *Impact Assessment Act*, SC. 2019, c.28, s.1 (IAA). This Plan has been prepared to meet the consultation requirements of the provincial EA process. If it is decided that a federal impact assessment (IA) is required for the Project, revisions to the approach to consultation and engagement with Indigenous communities and the public could be needed to reflect specific federal requirements for engagement on the Project.

The Plan presented in this document is expected to be further refined subject to input received from agencies, participating Indigenous communities, and stakeholders as the EA/IA evolves and the consultation and engagement plan is implemented.

The Ministry of the Environment, Conservation and Parks (MECP) Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (Government of Ontario 2014), Code of Practice: Consultation in Ontario's EA Process (Government of Ontario 2015) and the Impact Assessment Agency of Canada (the Agency, 2020) Practitioner's Guide to Federal Impact Assessments under the Impact Assessment Act, are tools that provide guidance to proponents to develop a consultation and engagement plan during the EA/IA process. In accordance with these Codes of Practice, consultation is required to provide opportunities for interested persons to participate in the EA process and comment on undertakings that may affect them. Importantly, the Crown has a Duty to Consult with Aboriginal (referenced as Indigenous) Communities which is discussed under **Section 2.2.6**. This document also notes the guiding principles that will be followed as prepared by MFFN and WFN and outlined in **Section 2.2**.

The following Plan describes the proposed approach to consultation and engagement, identification of Project affected Indigenous communities and stakeholders, as well as the overall consultation process (including communication tools, schedule, issues tracking) to provide timely and ongoing opportunities for Indigenous communities, general public, and interested stakeholders to engage, provide feedback, and participate throughout the EA/IA process. It is anticipated that there will be individuals, groups, or other interested persons that may require additional consultation not reflected in this current plan. As a living document, it allows for additions or revisions to be reflected in the engagement strategy on an as-needed basis throughout the EA/IA phase of the Project.

1.1 Project Overview

On February 26th, 2020, an Agreement was reached between the Marten Falls First Nation, Webequie First Nation and the Province of Ontario (as represented by the then Minister of Energy, Northern Development and Mines (now Minister of NDMNRF) and the Minister of Indigenous Affairs) to proceed with the planning and development of the proposed Northern Road Link.

On October 28, 2020, Marten Falls First Nation and Webequie First Nation entered into a voluntary agreement with the Ministry of the Environment, Conservation and Parks to make the proposed Northern Road Link project subject to the Environmental Assessment Act.

MFFN and WFN, as the Project Proponent, have retained SNC-Lavalin Inc. (SNC-Lavalin) and Dillon Consulting Limited (Dillon) to undertake a provincial EA, federal IA (if required), and Preliminary Engineering Design for a multi-use road between the proposed Marten Falls Community Access Road (MFCAR) to the proposed Webequie Supply Road (WSR), in northern Ontario. The Project will connect the mineral deposits in the McFaulds Lake area in the Ring of Fire to the all-season highway network via the MFCAR, by constructing a new all-season multi-use gravel road with an approximate length of 117 km to 164 km (depending on the chosen corridor). The Project will also provide an opportunity to connect WFN to the all-season highway network. The Project would enable a broader range of economic activity than currently exists by facilitating the transport of goods, services and resources.

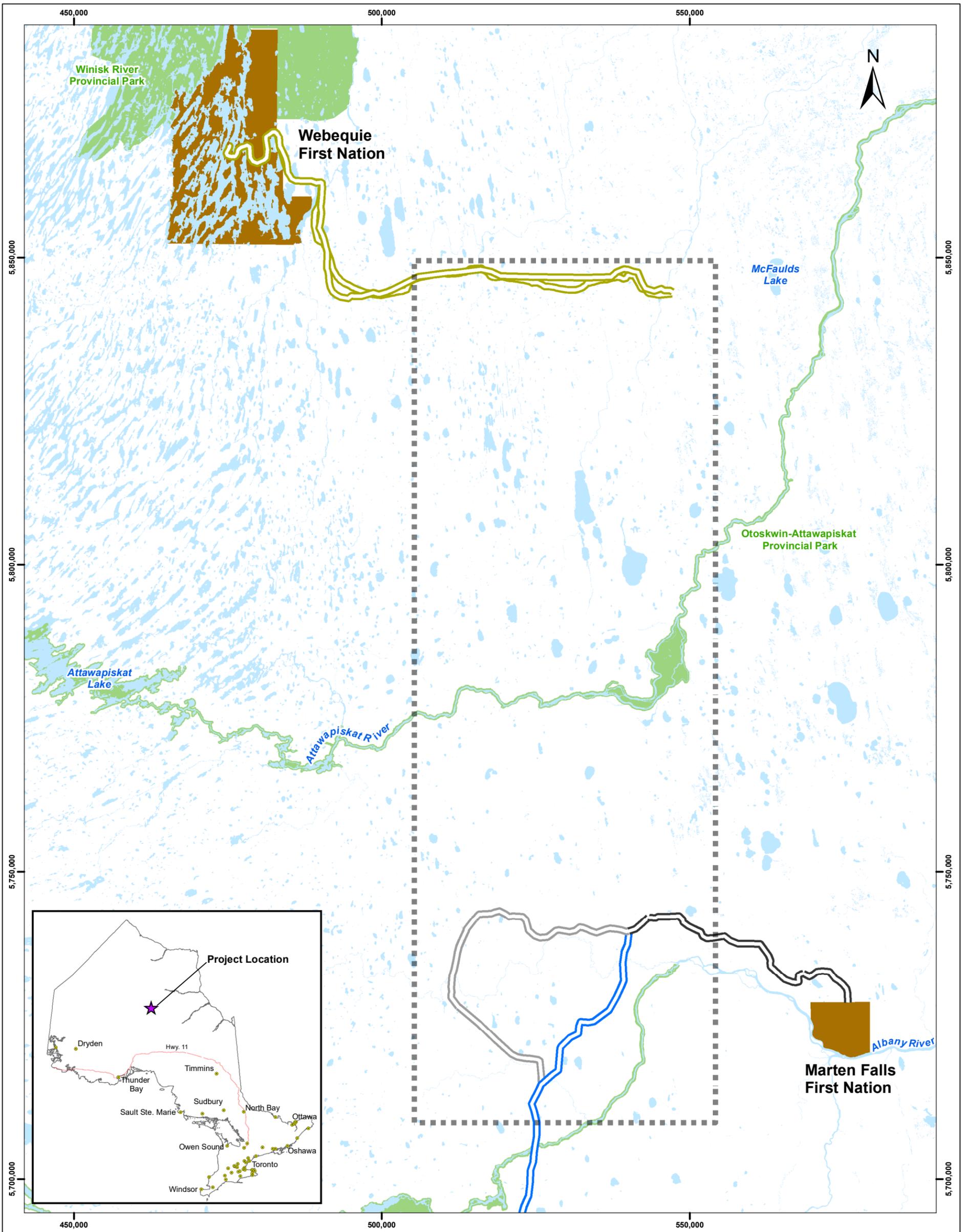
As part of the Project, the proponent will:

- › Conduct an EA under the Ontario *Environmental Assessment Act*, RSO. 1990, c. E.18;
- › Conduct an Impact Assessment (IA) for the Project in accordance with the IAA, should the Impact Assessment Agency of Canada (the Agency) decide that an IA is required;
- › Coordinate the EA and IA processes to the extent possible, if a federal assessment is required; and,
- › Complete preliminary engineering and design for the road and its associated crossing structures to support the EA and provide the basis to move into the Detail Design phase, taking into account any IAA considerations if a Federal IA is required.

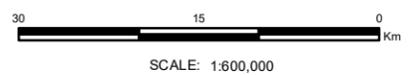
The objectives of the Project can be described as:

- › Stimulate sustainable regional economic activity by facilitating all-season road movement of materials, supplies, and people to and from the mineral deposit area during Ring of Fire exploration and mine development;
- › Provide employment and other economic opportunities to MFFN, WFN and local Indigenous community members, while residing in or near their communities, preserving their language and culture; and
- › Enable experience and training opportunities for youth to encourage pursuit of additional skills through post-secondary education.

Figure 1-1 illustrates the regional context of the Project location. The hatched area on the map outlines the project location.



- Legend:**
- Project Location
 - Proposed Webeque Supply Road (WSR) Alternatives
 - First Nation Reserve
 - Provincial Park
 - Waterbody
 - Highway 11
 - Cities
 - Proposed Marten Falls Community Access Road (MFCAR) Alternatives
 - MFCAR East/West Option Overlap
 - MFCAR West Option
 - MFCAR East Option
 - Airports



Northern Road Link

Project Location

Figure Number:		1-1	REV:		PA
Client:		Marten Falls and Webeque First Nations	Project Number:	679878	Date:
			DSC	DRN	CHK
			AD	ND	APP
				ND	ND

NOTES

- Coordinate System: NAD 1983 CSRS UTM Zone 16N.
- Cadastral boundaries are for informational purposes only and should not be considered suitable for legal, engineering, or surveying purposes.
- Topographic/landcover features obtained from CanVec v12.0 dataset, Natural Resources Canada Earth and Sciences Sector Centre for Topographic Information and Land Information Ontario (LIO) Warehouse Open Data (<https://geohub.io.gov.on.ca/>), Ontario Ministry of Natural Resources and Forestry (OMNRF). Download Date: 2021-02-04.

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1.2 Proponent Information

This Project is unique in that it is Indigenous led by MFFN and WFN. MFFN is a remote Anishinabe First Nation community in northern Ontario, located at the junction of the Albany and Ogoki Rivers approximately 170 km northeast of Nakina, Ontario. WFN is a remote Ojibway community located on the northern peninsula of Eastwood Island on Winisk Lake, approximately 500 km north of the city of Thunder Bay. These two communities are in close proximity to the Project.

The Project Team consists of two Project Co-Leads and a Working Group. Each community has appointed one Project Co-Lead to manage and lead the process under the direction of the Working Group. The Working Group consists of four members, two from each community, and they provide overall strategic direction on this Project directly to the two Project Co-Leads. In addition, the Community Consultation Coordinators will help with local community planning and engagement activities. The Working Group also reports to the Chiefs and Councils of the two First Nations and they are supported by the two Project Co-Leads. The Project Team envisions MFFN and WFN community members having two distinct roles in the Project:

1. Proponent of the Project – ‘community-led process’
2. Indigenous Communities potentially affected by the Project

The Project Team members and their roles are outlined in the project team organizational chart (Figure 1-2).

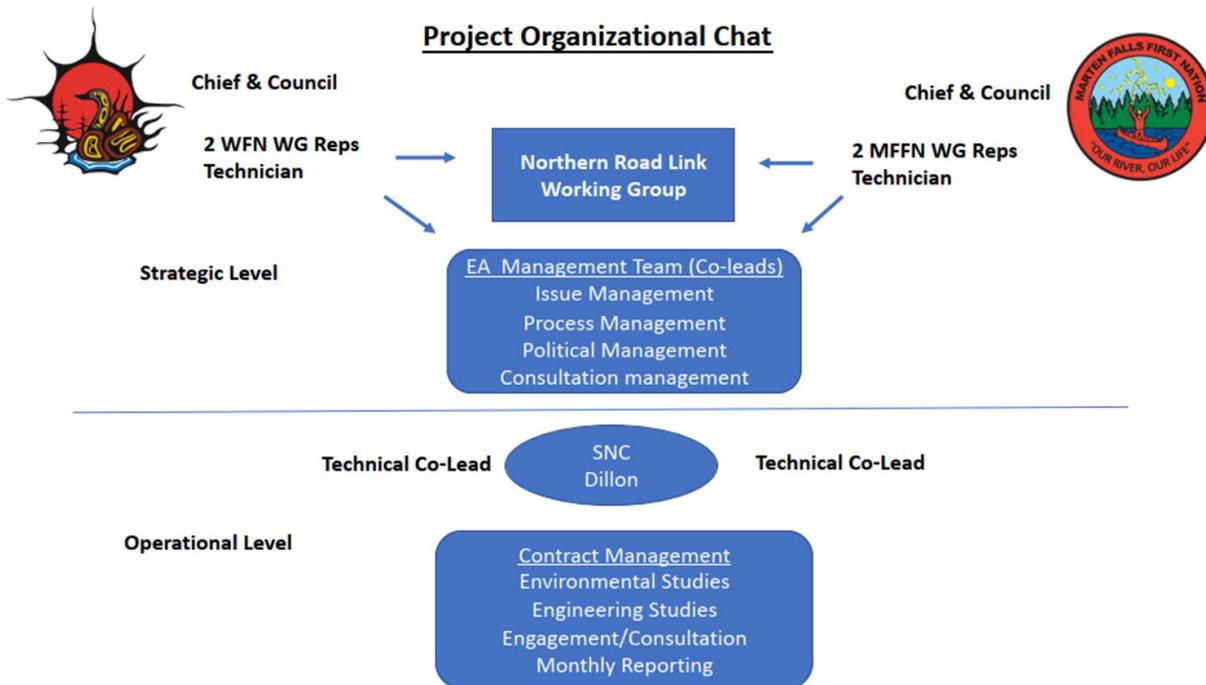


Figure 1-2: Project Team Organizational Chart

2 Consultation and Engagement Purpose, Objectives, Principles and Coordination

2.1 Purpose

The purpose of consultation and engagement is to promote effective two-way communication between the proponent and members of potentially affected Indigenous communities, Indigenous organizations, federal and provincial regulators, the public and other stakeholders; to present and receive information and to identify and address issues and concerns related to the Project through mitigation and/or accommodation. Furthermore, in accordance with the applicable Codes of Practice (MECP 2014a, 2014b, 2014c), consultation is intended to:

- › Identify Indigenous communities and other stakeholders who may be affected by or have an interest in the undertaking;
- › Share relevant information about the proposed Project;
- › Receive guidance on the ToR and EA/IA;
- › Identify information, concerns and opportunities to be considered in the EA/IA;
- › Support the development of commitments by the proponent;
- › Encourage the submission of requests for further information and analysis early in the EA/IA; and
- › Enable MECP to make a fair and balanced decision on the ToR and the EAR/IS.

Additionally, the MECP provided information about additional requirements for consultation with potentially affected or interested Indigenous communities as part of a letter dated November 3, 2020 (**Appendix A**). While outlining that the Project must adhere to the ToR Code of Practice (MOE, 2014a) and the EA Code of Practice (MOE, 2014b), the MECP also indicated the following minimum requirements for the consultation program, including:

- › Notification about the Project at key milestones;
- › Provide information about the Project;
- › Consider and provide responses to comments;
- › Provide opportunities to meet, as appropriate; and
- › Maintain a Record of Consultation for each community/organization.

The Record of Consultation must contain all related non-confidential communications including letters/emails (outgoing and incoming), publication of notices, meetings (i.e., agendas, meeting summaries), issues raised and how they have been addressed/considered.

2.1.1 Consultation and Engagement Plan Objectives

Engagement with Indigenous communities, stakeholders, federal agencies, provincial Ministries, the public and other Indigenous organizations is integral to creating and maintaining relationships and open communication.

The proponent is committed to conducting a comprehensive, and meaningful consultation and engagement process for the Project. The process has been developed, and will be executed in respect of the following:

- › General engagement principles;
- › MFFN Elders' guiding principles;
- › WFN's Three-Tier approach to Indigenous community consultation/engagement; and
- › Requirements of applicable legislation, policies and guidelines.

2.2 Guiding Principles

2.2.1 General Engagement Principles

The EA/IA-related consultation and engagement activities will embrace the following general engagement principles:

- › **Meaningful** – The Proponent will link participation and engagement directly to the Project objectives to inform the EA/IA process. The engagement process will provide meaningful opportunities for early involvement of Indigenous communities and organizations, regulatory agencies, the public and stakeholders to support their continued participation throughout all stages of the EA/IA. This includes engagement that allows for back-and-forth discussion about issues and responding to concerns and questions raised about the EA/IA through certain venues such as written documentation (letters and emails), open houses (virtual and in-person), surveys, livestream sessions, and radio call-in shows. We may respond to some comments by updating FAQs on the Project website and will provide written responses to all comments received in writing where the name and contact information of the commenter is provided. This will be documented in the Record of Consultation;
- › **Transparent** – Opportunities to participate will be communicated through multiple channels to share information appropriately and effectively. Feedback received will be documented and the Proponent will demonstrate how the input from Indigenous communities and organizations, government agencies, the public and stakeholders were used and incorporated into the EA/IA and documented in the Record of Consultation;
- › **Inclusive and Accessible** – The Proponent will provide different opportunities for diverse members of Indigenous communities and organizations, the general public and interested stakeholders to learn about and be involved in the Project. This includes providing and reasonably adjusting timeframes, where necessary, to consider working schedules, community meetings, in-person engagements as well as call-in options for those without a computer or reliable internet connection. Documents and materials will use language that is easy to understand and free of technical jargon and, where feasible, key documents/presentations may be translated into the Indigenous language of participating communities;
- › **Flexible** – The Proponent will be responsive to issues and concerns that are expressed, and will consider this input in the decision-making process related to this Project in a manner that will minimize adverse effects and maximize benefits; and
- › **Collaborative** – The Proponent will work closely with their communities (MFFN and WFN) and other potentially affected Indigenous communities and organizations, regulatory agencies, the public and stakeholders to leverage opportunities for collaboration, and share best practices and lessons learned, wherever possible.

2.2.2 Guiding Principles for Engagement

The Proponent will pay special attention to maintaining the vision and mutual guiding principles of MFFN and WSR.

Elders from both communities have provided guidance to the proponent so that consultation and engagement for the EA/IA is conducted in a respectful manner that reflects the culture and traditions of MFFN and WFN as Indigenous proponent of the Project.

The Proponent will ensure that all EA/IA related consultation and engagement activities will be inclusive of the following guiding principles:

- › Mutual recognition of inherent rights;
- › Mutual recognition of ancestral knowledge;
- › Mutual recognition of traditional knowledge and practices;
- › Mutual recognition of clan families and relationships;
- › Mutual recognition of sustainable livelihood; and
- › Mutual recognition of traditional protocols.

Early in the process, the Proponent will reach out to Indigenous communities to request for information and direction on consultation and engagement principles, protocols, and practice. When visiting Indigenous communities, the Proponent will respect their protocols and principles, as appropriate. Additionally, consultation activities will include some of the key elements of consultation as outlined in the *Nishnawbe Aski Nation Handbook on Consultation in Natural Resource Development (2007)* to ensure that consultation is:

- › A continuous process;
- › About exchanging information;
- › About building relationships;
- › About getting feedback;
- › About exchanging additional information, as required;
- › About identifying issues;
- › About accommodation and reconciliation;
- › About fairness; and
- › About negotiating with the right attitude.

2.2.2.1 MFFN Elders' Guiding Principles

To honour the traditional lands in which this Project will be developed and to respect the traditional teachings, the following guiding principles have been endorsed by Chief and Council of both communities as part of the preparation of the ToR and will be used throughout the engagement process. These were originally prepared for the draft Marten Falls Community Based Land Use Plan that is currently being developed (MFFN 2020):

1. "Kezhikanawabajikateg kaye ji tepwaaniwaang kekikinozhiwemakaang."

"Everything on our land and water is living and needs to be respected."

The land and all of its living creatures are viewed by the Anishinabek as integral to the circle of life and integral to the survival and balance and harmony of the environment that Anishinabek is only one part of.

Northern Road Link Environmental Assessment Consultation and Engagement Plan



2. “Kawininitojikateg nikan onajikewining ineke.”

“The Anishinabek relationship to the land should be seen as a cultured landscape; also an area that is continuously being used by the Anishinabek as a habitation and as a resource.”

The Anishinabek are of the land; their customs, identity, and cultures are tied intricately to the land and its resources.

3. “Kakina ji wiinda mawa nowaht anishinabek ka onjiwatch.”

“Engage the Anishinabek on all issues that affect our shared and communal lands.”

All Anishinabek should be treated with respect and therefore, are to be engaged on matters that affect their lives directly.

4. “Jih ishi kanawejikatey kakina kekon.”

“Respect the natural and Anishnawbe customs and teachings at all times.”

The Creator put Anishinabek on these lands as stewards of the land to take care of the lands and use the lands and its resources indefinitely. The only conditions were to adhere to the natural and traditional teachings of the Elders.

5. “Chi Mamow waban ji kateg emishiinonaniwang mashkawisiinaniwang.”

“Looking at it together. In numbers there is strength.”

With consultation, the more persons that are directly affected, the more need to be involved in the process; therefore, the process will need to find ways to accommodate Anishinabek people (members and other stakeholders) (MFFN 2020).

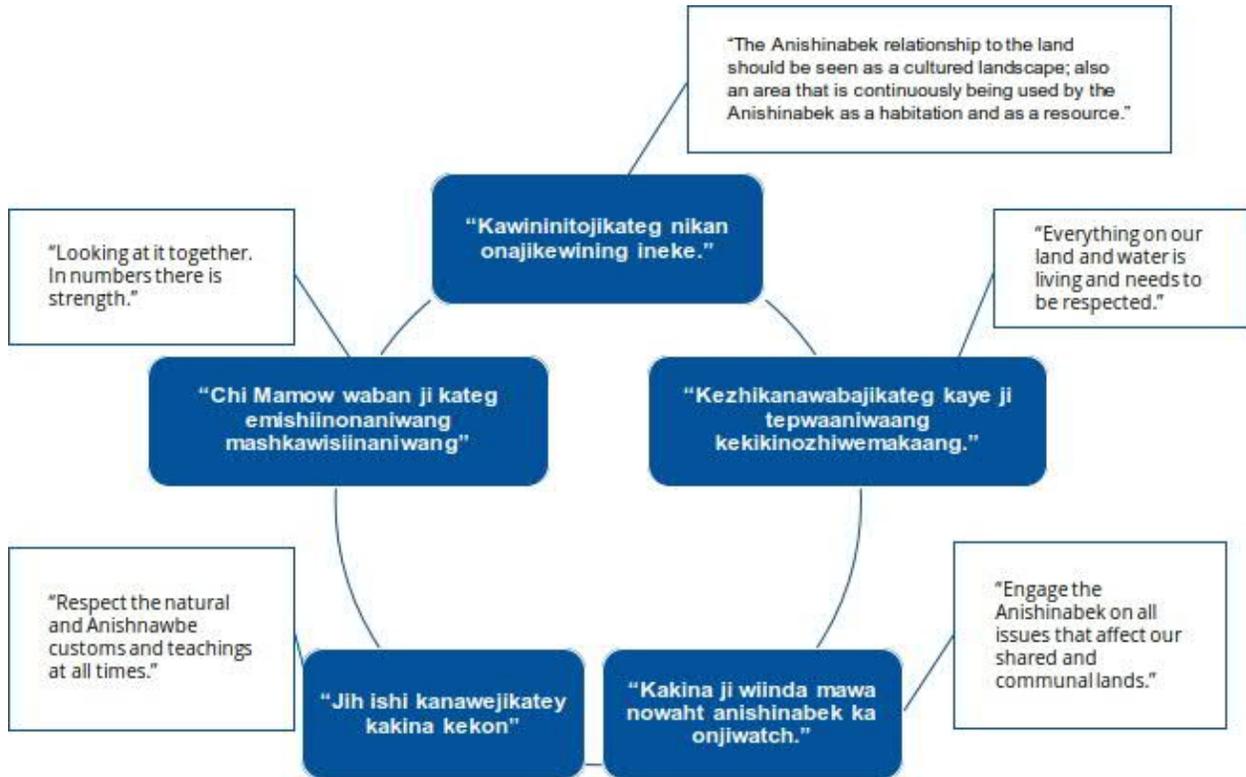


Figure 2-1: Guiding principles (MFFN 2020)

The guiding principles noted in **Figure 2-1** and other general principles of consultation and engagement will be refined in accordance with protocols and principles of other Indigenous communities and Indigenous organizations throughout the EA/IA. The consultation and engagement conducted for the ToR will help to guide development of the consultation process to be conducted throughout the EA/IA process.

2.2.2.2 Webequie First Nation Three-Tier Approach

A Three-Tier approach has been prepared for Indigenous consultation for the Project. The Three-Tier approach is consistent with Webequie and Marten Falls First Nations’ traditional cultural values, customs, and beliefs, as shown in **Figure 2-2**.

WEBEQUIE’S THREE-TIER APPROACH

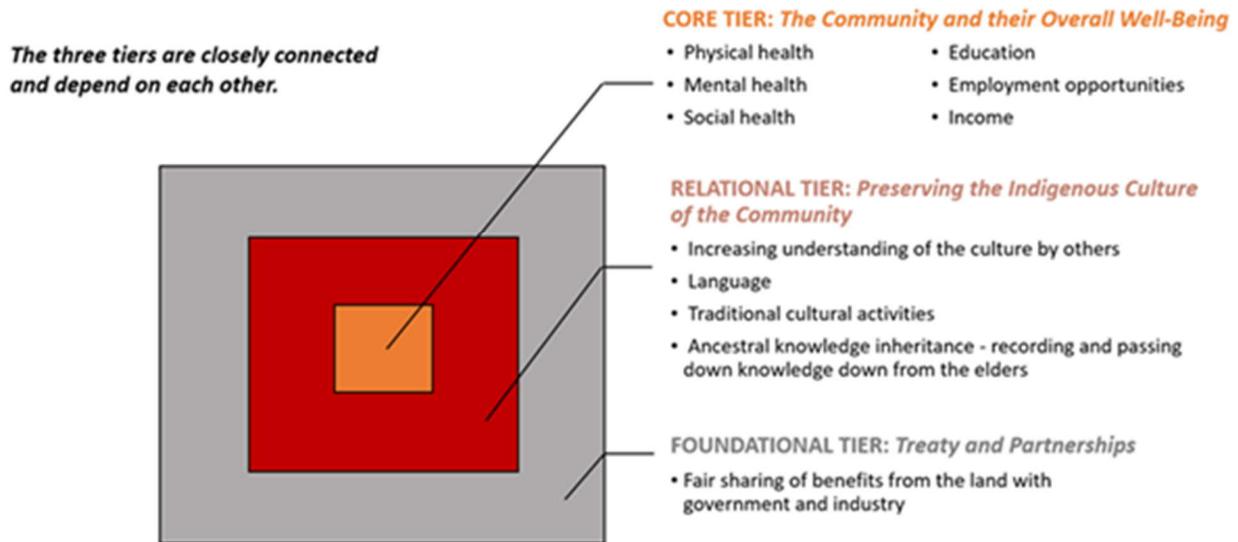


Figure 2-2: Three-Tier approach (Webequie First Nation, 2020)

This consultation approach has been inherently passed on through generations by Webequie First Nation’s Indigenous Knowledge Keepers and forms part of the Elders’ guiding principles that harmonize with regulatory requirements for consultation.

2.2.3 Core Tier - Webequie and Marten Falls First Nation

The community approach to project development and consultation is based on Bimachiiowiin (life sustaining or sustainable), Ondatissiiwiin (source of life) and Minobiimatissiiwiin (prosperity and good life agreements).

Bimachiiowiin is a result of sustainable community, which relies on the Foundational Tier. This is the tier where relationships are made with the Government and its various ministries and agencies. The benefits are brought back to flow to the community.

Ondatissiiwiin is the source of life. The source of livelihood depends on the relationship and benefit agreements with First Nation Partners, governments, and industry, which is a benefit for the community.

The source is realized through project development or exploring and it either must be found or created. For this Project, access to the source of Bimachiiowiin is a road project and, as such, must be explored and created.

Minobiimatissiiwiin is the result of prosperity and good life agreements. It is measurable through baseline studies of existing social and economic conditions today.

2.2.4 Relational Tier – First Nations Neighbours and Government Agencies

In order to sustain its way of life, the community must breathe, and the people must be able to practice their way of life with the land, as well as their languages and culture. The Relational Tier next to the core of the community is an adaptive transitional tier supporting the fixed location of the community and relies on the land animals and wildlife to allow community members to practice the Creator-given rights to hunt and fish without having to move the family to different locations for harvesting purposes.

It is well understood that any project developed within their traditional territory could have effects on others. It is also well understood that the regulatory environment to develop projects, requires approvals and authorizations from government agencies.

The Relational Tier of this approach to consultation and project development involves outreach to and involvement of other potentially affected First Nations, many of whom are home to WFN and MFFN family/clan members; and developing relationships with and working closely with agencies of the provincial and federal governments. It is recognized that these relationships and connections are important to maintain in a positive way.

2.2.5 Foundational Tier – Social and Economic Benefits from the Land

The approach to project development and consultation is based on the overarching objective to create social and economic benefits for the members of the WFN and MFFN through the use and development of resources on their lands.

Social and economic benefits will result in several positive outcomes for the community, including improved standard of living through increased revenues; and self-determination – reduced reliance on provincial and federal government sources of funding, and the ability for the community to make decisions about activities and development within their traditional territory.

The social benefits of increased economic activity and revenues into the community are many, including improved housing and family well-being through reduced crowding that will also lead to improved health conditions. Creating economic activity will also increase skill levels and employment opportunities, all of which contribute to economic prosperity, which will then contribute to the improvement of all social outcomes for the community.

Economic prosperity, social well-being and self-determination are at the foundation of the Three-Tier approach. Development opportunities must, in and of themselves, also be sustainable, providing long-term benefits to the community, and not at any cost. Any development within the traditional territory of the WFN and MFFN must be respectful of and consistent with the values, traditions, and culture of the community.

As can be seen, the basic guiding principles held by the two communities, while expressed differently, are very similar and intricately tied together. The Core Tier of the Three-Tier Approach, with its focus on the overall physical, mental, and social well-being of the community members, is linked closely with the principle of the importance of balance and harmony of all living things. The Relational Tier is directly linked to the principle of respecting and preserving the natural and Anishnawbe customs and teachings passed down by the Elders. The Foundational Tier is underpinned by the principle that the lands are shared and communal, and, as such, the benefits from the land should also be shared with government and industry.

2.2.6 Crown's Duty to Consult

The Crown has a legal obligation to consult with Indigenous communities when it contemplates decisions or actions that may adversely impact asserted or established Aboriginal or treaty rights. Boards, tribunals, regulatory authorities, and proponents all play a role in the consultation process; however, the Crown retains the responsibility to ensure that the necessary consultation and, if appropriate, accommodation has occurred. Our consultation efforts will provide opportunities for Indigenous peoples as well as stakeholders, federal agencies, provincial Ministries, and the public to be meaningfully engaged, as well as share IK/ILRU so that it that may be incorporated into the EA/IA, as described in Section 7.

It is the responsibility of the Crown to determine whether a duty to consult has been triggered by a Project and, if so, identify the Indigenous communities to be engaged and the appropriate consultation to be undertaken with those communities. For the Project, the Crown is represented by both federal and provincial agencies, as the Project falls under the jurisdiction of both the provincial *Environmental Assessment Act*, RSO 1990, c. E.18 and the federal *Impact Assessment Act*, SC 2019, c. 28, s. 1.

In order for consultation and engagement to be meaningful, it is important to recognize that Indigenous communities have varying rights and interests in respect of the Project, and as such may request different approaches to consultation and engagement, as well as mitigation and accommodation, where appropriate, to mitigate impacts to their rights and interests.

The courts have established that the constitutional duty to consult rests with the Crown and arises from the principle of the honour of the Crown. The Supreme Court of Canada in *Haida Nation v British Columbia (2004)* and *Mikisew Cree First Nation v Canada (2005)* has stated that consultation in relation to established Aboriginal and treaty rights requires the intention to substantively address Indigenous concerns. It is understood the Crown may rely on efforts by the proponents' Statutory Consultation in fulfilling its duty to consult.

The courts have also established that the government can delegate some of the procedural aspects of the duty to consult to a Project proponent. Also, the government may coordinate consultation activities of agencies, including the coordination of provincial and federal agencies, and proponents. The *Environmental Assessment Act*, RSO 1990, c. E.18 requires that proponents consult with interested persons, including Indigenous communities who may have an interest in the Project. When Ontario contemplates conduct that may adversely impact known established or asserted Aboriginal or treaty rights, Ontario has a constitutional duty to consult Indigenous communities and, where appropriate, accommodate impacts to their rights.

A Memorandum of Understanding (MOU) between MECP, NDMNRF and the MFFN and WFN is being finalized to set out which procedural aspects of consultation may be delegated by Ontario to the proponents. The MOU on shared consultation responsibilities will outline the roles and responsibilities of the proponents and Ontario.

2.3 Regulatory Framework

The Project is subject to the Ontario *Environmental Assessment Act*, RSO. 1990, c. E.18. The Project is also described as a designated physical activity under section 51 of the schedule to the Physical Activities Regulations, SOR/2019-285, and may require an impact assessment under the Federal *Impact Assessment Act*, SC. 2019, c.28, s.1 (IAA). In addition, other permits and approvals will be necessary prior to construction, which will be identified throughout the Project. The following sections provide details regarding provincial and federal assessment requirements, how the EA/IA is to be prepared, and information on EA/IA and project management principles that are key to the successful planning and will be followed throughout the EA/IA process.

Provincial

MFFN and WFN signed a voluntary agreement on October 28, 2020, with the MECP, thereby subjecting the Project to the requirements of the EAA; i.e., the need to prepare a Comprehensive EA (**Appendix A**). On November 3, 2020, MECP sent a letter to MFFN and WFN providing original copies of the signed agreement. With the agreement letter an attachment was included with a preliminary list of twenty-two potentially affected and/or interested Indigenous communities to be consulted on the Project (**Appendix A**).

The Project may require the completion of Class EAs prior to proceeding with construction. The Province of Ontario is undergoing a modernization process for Class EAs, where a new set of legislative, regulatory and policy changes have been proposed and are currently being consulted on (Government of Ontario, 2021a). Required Class EAs for the Project will be identified in consultation with provincial regulators, including the potential application of a Class EA for Resource Stewardship and Facility Development projects. The Comprehensive EA, and appropriate notices, will specify the intent to meet some or all of the Class EAs applicable to the Project in conjunction with the Comprehensive EA requirements, in consultation with relevant provincial ministries.

Federal Impact Assessment

The Project is a designated Project under IAA as the Project includes a physical activity that is described in the schedule to the *Physical Activities Regulations*, S.O.R./2019-285, specifically section 51 of the schedule:

“51 The construction, operation, decommissioning and abandonment of a new all-season public highway that requires a total of 75 km or more of new right of way”

Under the IAA, the Agency must take into account the factors described in subsection 16(20) when deciding whether an IA for the Project is required. Should the Agency decide that an IA is required for the Project, the Agency would issue Tailored Impact Statement Guidelines, which would include engagement requirements, for the proponent to fulfill during the IA.

Canada-Ontario Agreement on Environmental Assessment Cooperation

Projects subject to both the EA Act and the IAA may have different environmental assessment/impact assessment approval requirements under each Act. Such projects need a coordinated process to meet the requirements of both Acts concurrently. To guide this coordinated process, Canada and Ontario entered into

an agreement entitled “Canada-Ontario Agreement on Environmental Assessment Cooperation (2004)” (Minister of the Environment [Ontario] and Minister of the Environment [Canada], 2004). It is anticipated that the Project may undergo a coordinated process. If so, the proponent will produce one body of documentation, referred to as the EAR/IS. The EAR/IS will address the requirements of both the provincial ToR and the federal TISG.

2.3.1 Interagency Coordination Team

To help facilitate a coordinated process, an “Interagency Coordination Team” has been established for this Project that includes representatives of both the federal and provincial governments. The purpose of this team is to address and coordinate the requirements of both processes in an efficient manner.

The Interagency Coordination Team consists of representatives from the following provincial and federal agencies:

- › Ontario Ministry of the Environment, Conservation and Parks (MECP)
- › Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNRF)
 - Northern Development and Mines
 - Natural Resources and Forestry
- › Ontario Ministry of Transportation (MTO)
- › Impact Assessment Agency of Canada (the Agency)

The Interagency Coordination Team meets with the proponent on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA/IA process; explore issues and collectively try to resolve them; work on coordinating and keep the processes moving forward in lockstep to the greatest possible extent; and seek feedback on Indigenous, public and stakeholder consultation. Meetings with the Interagency Coordination Team are scheduled to occur every two weeks via teleconference, and in person when it is determined to be of assistance.

2.4 Implications of COVID-19

The proponent acknowledges the challenges many Indigenous communities and stakeholders face with respect to the current and on-going public crisis around COVID-19. Under normal circumstances, in-person meetings are typically a cornerstone of the consultation process. However, due to the COVID-19 global pandemic, the proponent will responsibly engage in innovative and adaptive ways to allow for meaningful consultation in a form that respects both the values and safety of Indigenous communities, other Indigenous organizations, and stakeholders. The implications of COVID-19 will result in the Project Team largely utilizing tools for virtual meetings until it is declared safe to meet in-person. The Project Team will rely on the direction of provincial government health authorities, Indigenous community leaders, and leaders of other Indigenous organizations to determine when in-person meetings may resume.

3 Participant / Stakeholder Information

3.1 Indigenous Communities and Organizations

Ontario (as per direction provided in the MECP letter dated on October 22, 2021), identified Indigenous communities whose Aboriginal and/or treaty rights may be potentially affected by the Project or that may have an interest in the Project as follows on **Table 3-1** (MECP, 2020a, provided as **Appendix A** and shown on **Figure 3-1**):

Table 3-1: Indigenous Communities to be Consulted/Engaged

Tribal Council or Affiliation	Community or Organization
Nokiiwin Tribal Council	Animbiigoo Zaagi'igan Anishinaabek
Matawa Tribal Council	Aroland First Nation Constance Lake First Nation Eabametoong First Nation Ginoogaming First Nation Long Lake #58 First Nation Marten Falls First Nation Neskantanga First Nation Nibinamik First Nation Webequie First Nation
Mushkegowuk Council	Attawapiskat First Nation Fort Albany First Nation Kashechewan First Nation Weenusk (Peawanuck) First Nation
Shibogama Council	Kasabonika Lake First Nation Kingfisher Lake First Nation Wapekeka First Nation Wawakapewin First Nation Wunnumin Lake First Nation
Independent First Nation	Kitchenuhmaykoosib Inninuwug (KI)
Independent Métis Nation	Red Sky Independent Métis Nation
Métis Nation of Ontario	Métis Nation of Ontario – Region 2
Provincial Territorial Organizations (PTO's)	
	Nishnawbe Aski Nation (also known as Grand Council Treaty 9)
	Chiefs of Ontario
Métis Nation of Ontario	
	Anishnabek Nation (also known as the Union of Ontario Indians)

Marten Falls First Nation and Webequie First Nation

679878
April 2022

Northern Road Link Environmental Assessment Consultation and Engagement Plan



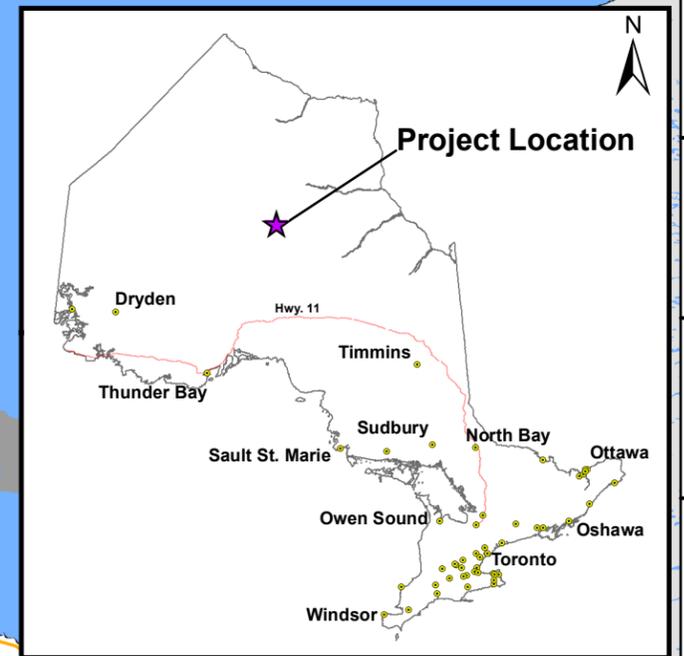
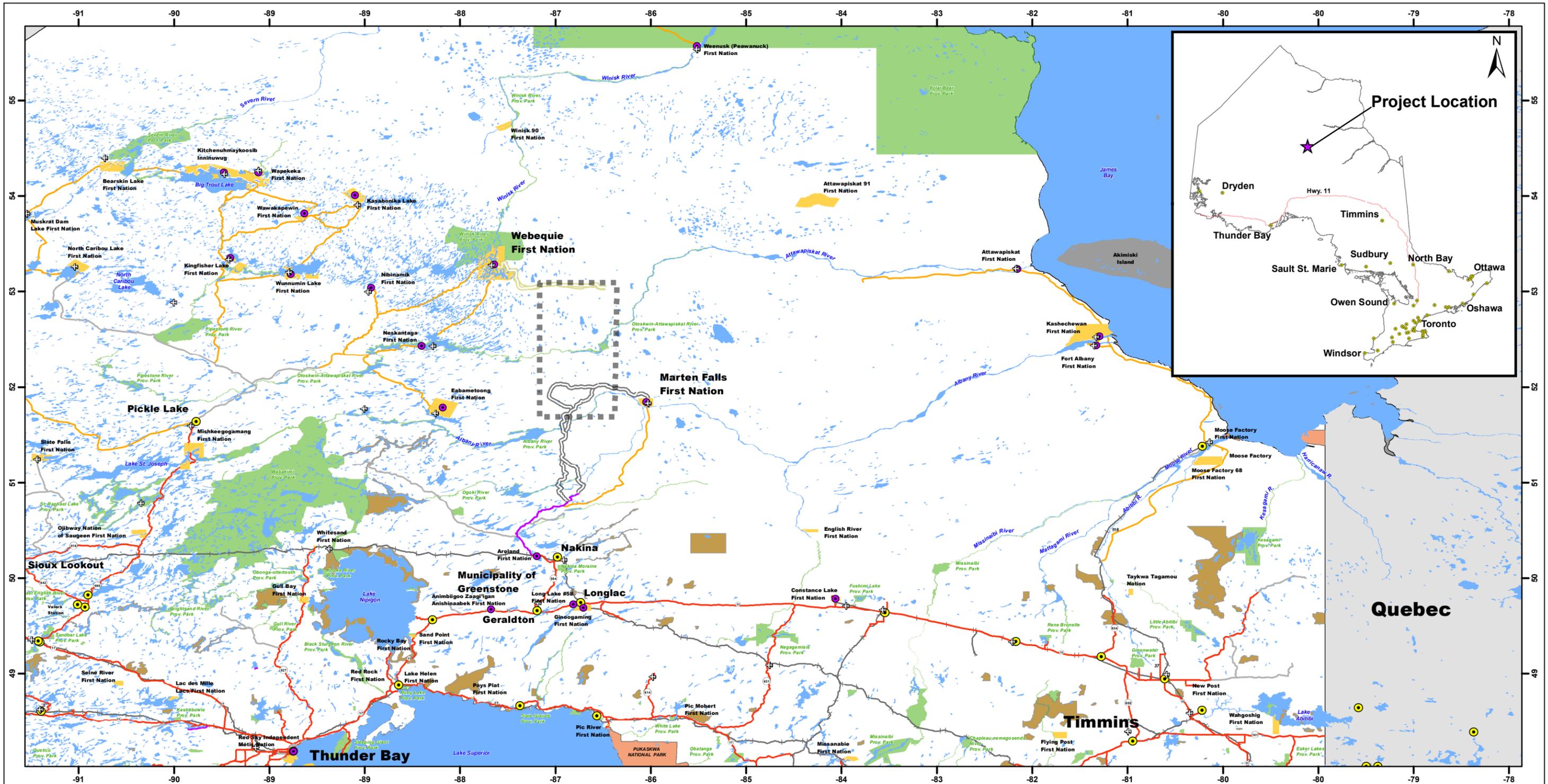
The Agency has also provided a separate list of Indigenous communities whose Aboriginal and/or treaty rights may be affected by the Project or who may have an interest in the Project, which are bolded in the above list (17 communities). This is a preliminary list prepared by the Agency and is subject to change as more information becomes available.

Through work on the Project, we will work to identify each community's level of interest and engagement throughout the Project, as well as consider the potential impacts of the Project to the community. Regardless, communities that identify an interest in this Project would be consulted. The location of the reserves for the First Nations noted above are shown on **Figure 3-1**.

We will notify these groups (Indigenous communities, Tribal Councils and PTO's) of the proposed Project and gauge their interest in participating in the EA/IA process.

Following the EA/IA Notice of Commencement, the 20 First Nation communities and 2 Métis groups identified by Ontario will be directly contacted to ensure they have been notified of the Project. The purpose of contacting Indigenous communities (by phone and by email) is to start early consultation and to keep the communities updated on Project milestones.

As the EA/IA process progresses, certain rights-bearing Indigenous communities may express interest with respect to their expected level of engagement in the EA/IA. The proponent and their technical team will engage with other Indigenous communities at an appropriate level as determined through discussions with each community. The NRL Project Team will keep pertinent regulatory bodies up to date of consultation efforts through the Record of Consultation and through the regularly scheduled meetings planned. The preliminary Contact List is provided in **Appendix C**. This list will be updated as necessary to include other contacts who indicate specific interest in being added to the list and provide their contact information throughout the Project lifecycle.



Legend:

Project Location	Proposed Marten Falls Community Access Road (CAR) Alternatives	Anaconda Road and Painter Lake Road
Airport	Proposed Webeque Supply Road (WSR) Alternatives	Rail
Cities/Towns	All-Season Road	Federal National Park
First Nation Reserve	Winter Road	Provincial Park
Indigenous Community Potentially Affected by or Interested in the Project	Local Road	Conservation Reserve
		Waterbody

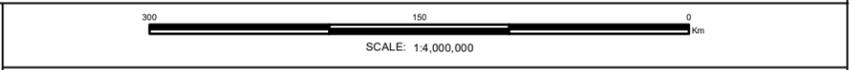


NOTES

- Coordinate System: GCS North American 1983 CSRS.
- Cadastral boundaries are for informational purposes only and should not be considered suitable for legal, engineering, or surveying purposes.
- Topographic/landcover features obtained from CanVec v12.0 dataset, Natural Resources Canada Earth and Sciences Sector Centre for Topographic Information; and Land Information Ontario (LIO) Warehouse Open Data (<https://github.io.gov.on.ca/>), Ontario Ministry of Natural Resources and Forestry (OMNRF). Download Date: 2021-02-04

DISCLAIMER

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Northern Road Link

Project Location and Context

Figure Number: 3-1		REV: PA	
Client: Marten Falls and Webeque First Nations	Project Number: 679878	Date: 2022-04-13	
DSC		DRN	CHK
The MECP identified the Indigenous Communities and groups that may be interested in or affected by the Project in a letter to Proponent (MECP, 2020a, provided as Appendix C)		AD	ND

3.2 Public and Stakeholders

The public and interested or potentially affected stakeholders were identified based on the following:

- › Residents of the Municipality of Greenstone, City of Thunder Bay, City of Timmins, Township of Pickle Lake, and the Municipality of Sioux Lookout;
- › Those with recreational interests (e.g., hikers, campers, hunters, fishers, boaters);
- › Environmental groups (e.g., Non-Governmental organizations [NGO's]);
- › Camp operators and outfitter businesses;
- › Other interested businesses;
- › Resource users (e.g., forestry, trappers, mining and mineral tenure holders in the area,);
- › Other interests (e.g., Chamber of Commerce); and
- › Interested persons who ask to be added to the Project contact list.

The public and stakeholder list was compiled and refined based on work undertaken for the MFCAR and WSR projects and feedback from the Interagency Coordination team, and is presented in **Appendix C**. This list will be updated, as necessary, to include other non-Indigenous communities and stakeholders who indicate specific interest in being added to the list and provide their contact information throughout the Project lifecycle.

3.3 Municipalities

Municipalities to be included in the consultation program were identified based on their proximity to the NRL Project, and include:

- › City of Thunder Bay
- › City of Timmins
- › Municipality of Greenstone
- › Municipality of Sioux Lookout
- › Township of Pickle Lake

3.4 Government Review Team (GRT)

Project information such as Project notification letters and request letters will be sent to the agencies on the Government Review Team (GRT). These letters will provide a brief overview of the Project and upcoming studies and will request agencies to provide a statement of confirmation that they wish to participate in the study, as well as provide any required or useful information to the proponent.

At subsequent Project milestone points, the proponent will provide information to and request input from the GRT. Those agencies listed on the GRT that have indicated an interest in the Project will receive Project status reports, opportunities to comment on studies to be conducted, preliminary alternatives and evaluation criteria, notices of upcoming consultation events, and the opportunity to contribute to the review of the Draft EA/IA.

Members of the GRT will be contacted prior to the distribution of the Draft EA/IA for confirmation regarding how they wish to receive the Draft EA/IA (i.e., hard copy or electronic copy) and required timelines to review. MECP will be kept informed on any planned discussions with the GRT.

4 EA/IA Consultation and Engagement Overview

The proponent will provide opportunities for engagement with all identified communities, through their leadership or other identified representatives, to determine the level of interest in the Project and appropriate consultation activities.

4.1 Coordinated Consultation Process

The proponent will be undertaking a coordinated consultation process to complete the Environmental Assessment requirements under the Ontario *Environmental Assessment Act*, RSO 1990, c. E.18, and the IA requirements of the *Impact Assessment Act*, SC 2019, c. 28, s. 1., should the Agency decide that an IA is required for the Project. Prior to commencing the EA/IA, Indigenous communities, the public, stakeholders, municipalities and government agencies have been afforded the opportunity to review and provide input on the draft ToR, and are also being provided the opportunity to review the proposed ToR as required by the Ontario EA process. The proponent will incorporate input received from participants of the Ontario EA process into preparations of submissions to the Agency (e.g. Initial Project Description, Detailed Project Description submissions) in relation to the IAA, including submissions to inform decision-making on whether an IA is required.

4.2 EA/IA Schedule

Project initiation officially started with the issuance of the ToR Notice of Commencement in May 2021 and circulation of the Draft ToR in November 2021. Under the current schedule, the EA/IA is expected to formally commence in mid-2022. The schedule for consultation activities pertaining specifically to the EA/IA is outlined in **Table 4-1**, including key milestones. These timelines are subject to various assumptions including community consultation timelines and context, implications of COVID-19; ToR decision date review timelines by regulators; timing windows for field studies; and to provide time to determine the level of interest and undertaking meaningful consultation with interested persons, including Indigenous communities.

The following includes the time between receiving comments at key points to allow for thoughtful consideration before documents are updated for submission.

Table 4-1: Proposed EA/IA consultation and engagement schedule

Task	Estimated Time Period
Notice of Commencement (NoC) of Terms of Reference	May 4, 2021
Indigenous Community Open House #1 & Public Open House #1	September 14-15, 2021
Circulation and Notice of Draft ToR	November 24, 2021
Responses to Stakeholder Comments on Draft Terms of Reference	January – April 2022
Indigenous Community Open House #2 & Public Open House #2	February 23 & 24, 2022
Submission of Proposed ToR to MECP (Provincial Task)	April 29, 2022
Submission of Initial Project Description (Federal Task)	May 2022
Submission of Detailed Project Description (Federal Task)	Summer 2022
Minister's Decision on the Proposed ToR and NoC of EA (Provincial Task)	Summer 2022

Task	Estimated Time Period
Indigenous Community Open House #3 & Public Open House #3	Summer 2022
IAAC issues TISG and NoC of IA (Federal Task)	Fall 2022
Technical EA/IA studies	2022-2024
Alternatives Evaluation	Spring 2023
Indigenous Community Open House #4 & Public Open House #4	December 2023
Submission and Notice of Draft Environmental Assessment Report/Impact Statement (EAR/IS) (Provincial/Federal Task)	Late 2024/early 2025
Indigenous Community Open House #5 & Public Open House #5	Fall 2025
Submission of Final EAR/IS (Provincial/Federal Task)	Spring/Summer 2026
Minister issues Decision on EA (Provincial/Federal Task)	Fall 2026

**Dashed Line indicates end of ToR and start of EA consultation activities*

4.3 Key Communication and Engagement Tools

A variety of activities of methods will be used for consultation throughout the EA/IA to obtain input from all interested parties. Engagement will include opportunities for translation of communications into Ojibway, Oji-Cree and Cree languages to ensure clear understanding of the Project. Communication and engagement methods are summarized in **Table 4-1** outlines the tools and activities that are to take place at various stages throughout the preparation of the EA/IA and will be used and presented at milestone points to facilitate and elicit important feedback at those points. Comments and questions received will be addressed through appropriate channels and noted in the Record of Consultation. Virtual meetings may be needed in replacement of in-person meetings based on challenges related to the current COVID-19 pandemic.

Table 4-2: Summary of Engagement Methods

Method of Engagement	Description
Registered Mail Notification Letters	Notification letters will be prepared and sent by registered mail to the identified Indigenous communities, Tribal Councils and PTOs (as listed in Section 3.1) to inform them of the EA/IA milestones, including: EA/IA commencement/introduction; Draft EAR/IS for feedback and comments; and Final EAR/IS with comments incorporated.
Direct mail/email Notifications	A mailing list has been developed and will be maintained through the duration of the EA/IA. Those on the mailing list will be sent notices of meetings and other key milestones of the EA/IA. We plan to provide (at a minimum) quarterly updates to the Chiefs of the Indigenous communities being engaged for this Project.
Notices and Newspaper Advertising	Notices will be issued at various points through the duration of the EA/IA to inform identified Indigenous communities/organizations and others on the stakeholder list of Project milestones and to invite attendance to Open Houses, including: <ul style="list-style-type: none"> › Notice of Commencement of Terms of Reference › Notice of Draft Terms of Reference for Review › Notice of Submission of Proposed Terms of Reference › Notice of Commencement of the Environmental Assessment › Notice of Draft EAR/IS for Review › Notice of Submission of Final EAR/IS

Northern Road Link Environmental Assessment Consultation and Engagement Plan



Method of Engagement	Description
	› Notice of Open Houses
Comment Forms	Comment forms will be made available at Indigenous community meetings, Open Houses, and the Project website.
Newsletters, videos, radio, livestream	<p>Project newsletters will be developed to provide updates and summaries of project milestones. Newsletter distribution will be scheduled around the timing of the planned Open Houses and other key activities. Each newsletter will be distributed to MFFN and WFN community members, other Indigenous communities and to the public and stakeholders who have expressed an interest. Newsletters will also be made available on the Project website.</p> <p>Radio shows will be broadcast over Wawatay Radio, throughout the Wawatay broadcast region. These sessions will take place bi-weekly and each session will be in an open dialogue format with the Project Team to allow community members to ask questions about the Project and to obtain their feedback and input.</p> <p>Livestream events will also take place bi-weekly and these livestreams will be available on the Project website, FaceBook and YouTube. Invitation letters with posters are sent to the Chiefs inviting them and their membership to participate in the radio shows and the livestream events.</p>
Open Houses (in-person and/or virtual)	Public and Indigenous Open Houses will be conducted in-person and/or virtually. The Open Houses will each start with a presentation, followed by time to visit different stations with display boards to discuss different topics and speak to the proponent. There will be an opportunity to ask questions and provide feedback via a survey during and after the Open Houses to support our consultation efforts. In addition, we will be posting a recording of the Open House presentation to the project website, and additional times are provided for question and answer to be done virtually. A Virtual Reality (VR) Open House portal will be available for viewing two weeks before the Open House as well as during the Open House period to view the display boards. Comments can also be left on each display board in the VR Open House.
Community Visits / Virtual Community Sessions	<p>Community visits and virtual community sessions, in the form of video teleconferences or live streaming sessions on Facebook or YouTube are planned throughout the EA/IA schedule with the most interested and potentially affected communities.</p> <p>Specific activities to be conducted during community visits may include:</p> <ul style="list-style-type: none"> › Introduce the NRL Project Team to the Chief and Council and Elders and to provide a Project overview › Confirm key community participants and leaders to engage and consult with › Determine existing community protocols for engagement and consultation › Outline the purpose of the ToR and EA/IA, including schedule and milestones › Obtain input and feedback from community members on the ToR and EA/IA › Obtain general input from community members about the Project and information they wish to share
Meeting with Off-Reserve Community Members	Meetings with off-reserve Indigenous community members can take place either before or after the Open Houses when they can occur in person. In addition, members will be able to participate in either the Indigenous Open Houses or the Public Open Houses.

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Method of Engagement	Description
Engagement with Métis	Periodic information meetings will be held with the Métis Nation of Ontario-Region 2 and the Red Sky Métis Independent Nation throughout the ToR and EA/IA, and they will be invited to the general Indigenous community Open Houses and the Public Open Houses.
Engagement with Tribal Councils and Provincial Territorial Organizations (PTOs)	Tribal Councils and PTOs will be provided information and will be provided opportunities to comment throughout the ToR and EA/IA. Meetings will be held upon request.
Project Website & Social Media	A Project website is available for the Indigenous Communities/organizations, public and stakeholders to review Project related information at https://northernroadlink.ca The Project website will serve as a hub for all public documents. There is also a phone number to reach the Project team: 1-888-515-3607 or info@northernroadlink.com

Publication of notices is proposed at the following locations:

- › Geraldton Times Star
- › Thunder Bay Chronicle Journal
- › Timmins Daily Press
- › Sioux Lookout Bulletin
- › Northern Ontario Business (online)
- › Anishnabek News (online)
- › Windspeaker (online)
- › Government ministries and agencies
- › Identified property owners, interest groups and members of the public
- › Indigenous communities and groups
- › Project website
- › Wawatay News (online)
- › Thunder Bay Source

The following locations are proposed for viewing the draft and final ToR and draft and final EA project documents, pending COVID-19 health precautions:

- › City of Timmins Public Library (Main Branch) – 320 Second Avenue, Timmins
- › Greenstone Public Library (Elsie Dugard Centennial Public Library Branch) – 405 Second Street West, Geraldton
- › Greenstone Public Library (Longlac Public Library Branch) – 110 Kenogami Road, Longlac
- › Mattawa First Nations Management – 233 Court Street South, Thunder Bay
- › Thunder Bay Public Library (Waverly Community Hub) – 285 Red River Road, Thunder Bay
- › Sioux Lookout Municipal Office – 25 Fifth Avenue, Sioux Lookout

Table 4-3 outlines the project milestones and associated proposed consultation activities. Virtual meetings may be needed in replacement of in-person meetings, based on challenges related to the current COVID-19 pandemic.

Table 4-3: Consultation Milestones

Regulatory Milestone/Activity	Consultation Activity	Outcome
Notice of Commencement of EA	<ul style="list-style-type: none"> › Circulate Notice of Commencement of EA › Letter to Chiefs and Councils › Meet Chiefs and Councils 	<ul style="list-style-type: none"> › Identify interest to participate › Consolidate/update initial Stakeholder Contact List
Baseline Data Collection, Identification of Alternatives	<ul style="list-style-type: none"> › Indigenous Open Houses to introduce the Project and seek input on baseline data collection and identification of alternatives › Off-reserve Open House › Non-Indigenous communities, public and stakeholder Open House (Thunder Bay) › Website › Newsletters (to be posted on the website) 	<ul style="list-style-type: none"> › Input to study plans (e.g., scope of baseline studies, effects assessment) › Input to cumulative effects assessment study plan › Input to alternatives (e.g., routing, supportive infrastructure – aggregate sources) › Input to criteria and indicators › Input to baseline information › Gather IK/ILRU to characterize existing conditions and identify project area features and resources that are of value to the community
Evaluation of Alternatives Selection of Preferred Methods, Preliminary Effects Assessment, and Cumulative Effects Assessment	<ul style="list-style-type: none"> › Indigenous Open Houses to receive input on the evaluation of alternatives and preliminary effect assessment results › Website › Newsletters (to be posted on Website) › Circulation of EA/IA materials 	<ul style="list-style-type: none"> › Input to evaluation of alternatives › Input to effects assessment, including mitigation and monitoring › Incorporate IK/ILRU into evaluation of alternatives and effects assessment
Review of Draft EAR/IS	<ul style="list-style-type: none"> › Indigenous Open House to discuss and present the Draft EAR/IS, seek comments on the Draft EAR/IS, and solicit additional information for inclusion in the Final EAR/IS › Non-Indigenous communities, public and stakeholder open house (Thunder Bay) › Website › Newsletters (to be posted on Website) › Circulation of Draft EAR/IS › Post document at Indigenous community Administration offices and participating municipal offices and libraries (document will be provided via email; hardcopy will be provided upon request) 	<ul style="list-style-type: none"> › Incorporate IK/ILRU obtained into Final EAR/IS › Input to evaluation of alternatives › Input to effects assessment, including residual and cumulative › Input to mitigation measures › Respond and address to comments on Draft EAR/IS › Update Stakeholder Contact List for notices on Final EAR/IS

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Environmental Assessment Consultation and Engagement Plan



Regulatory Milestone/Activity	Consultation Activity	Outcome
	<ul style="list-style-type: none"> › Follow-up calls to confirm receipt of document 	
Review of Final EAR/IS	<ul style="list-style-type: none"> › Circulate Notice of Submission of Final EAR/IS › Letter to Chiefs and Councils › Website › Newsletters (to be posted on Website) › Distribution of Final EAR/IS › Post document at Indigenous community Administration offices and participating municipal offices and libraries (document will be provided via email; hardcopy will be provided upon request) › Indigenous community Open Houses, upon request or as necessary to resolve issues › Follow-up calls to confirm receipt of document 	<ul style="list-style-type: none"> › Receive comments on EAR/IS › Prepare responses to comments on EAR/IS

5 Issues Resolution

The proponent expects that, during the EA/IA, issues will arise that will need to be resolved. To manage these issues, all comments, questions and concerns will be documented in the Record of Consultation (RoC) and responded to accordingly. The comments and responses will be included in the EAR/IS, as applicable, including how feedback was incorporated into the EA/IA, including commitments to future work where applicable. Ongoing discussion, meetings, and proposed issues resolution (e.g., mediation) will be documented.

6 Record of Consultation

To meet the requirements of the EA Act, the consultation and engagement process must be documented, and all feedback appropriately categorized and documented. To facilitate this process, the proponent will maintain an electronic communication log to keep track of all consultation and engagement activities such as correspondence, telephone calls, website communications, community and stakeholder meetings, open houses and any other meetings that were held. This log will also record the type of correspondence received, to whom it was addressed and when it was received, and a summary of the incoming and outgoing correspondence. The database will also document by whom and when the comments were addressed, the content of the response, and how the comment/response was incorporated into the EA/IA.

The consultation log is designed to include the following information relating to each engagement and consultation event or activity:

- › Date on which the communication, event or activity occurred;
- › Method of communication (e.g., letter, email, phone call, face-to-face);
- › Identification of initiator and recipient of communication or, in the case of a meeting, organizer and participants attending the meeting;
- › Copy of or link to communication in the case of written communication, as well as copy of/or link to any other relevant documentation provided or generated as part of the communication, including all information provided to fulfill regulatory requirements, notices for open houses, and draft versions of all materials prepared for the EA;
- › Summary of communication or, in the case of a meeting, meeting notes; and
- › Identification of issues raised or discussed and any follow-up actions or undertaking and status of the issue (e.g., outstanding, addressed/resolved).

The consultation log is an input to the Record of Consultation (RoC) for the Project. The RoC will document all of the consultation and engagement activities undertaken, including:

- › A description of consultation and engagement activities;
- › A description of engagement with Indigenous communities and interested stakeholders who were identified, notified and consulted with;
- › A summary of comments and concerns raised and proponent responses to comments and how concerns were considered and/or incorporated into the ToR and EA/IA;
- › Comment-response tables and meeting notes that include Government Review Team input;
- › A description of concerns and responses;
- › Summaries from meetings held;
- › Copies of written comments received from interested groups and responses provided; and
- › All related non-confidential communications including letters/emails, publication of notices, meetings, and issues raised and how they have been addressed/considered.

The EAR/IS will summarize the project-related consultation and engagement activities undertaken to date and/or planned by the proponent with the public, Indigenous communities and groups, federal and provincial regulators, and other stakeholders. The EAR/IS will include details of consultation including:

- › Principles and purpose of Consultation and Engagement
- › Identification of Indigenous communities/organizations, public stakeholders, local government, and regulatory agencies that were engaged
- › Consultation methods and schedule
- › Issues resolution
- › Detailed record of consultation and how it was used to inform the EA

6.1 Consultation Progress Reporting

The proponent will prepare written progress reports on the consultation activities associated with each of the following EA/IA milestones:

- › Notice of Commencement of EA
- › Baseline data collection, identification of alternatives
- › Evaluation of alternatives and selection of a preferred method
- › Preliminary effects assessment
- › Cumulative effects assessment

Each progress report will:

- › Be organized by each Indigenous community;
- › Contain a consultation log and summary that tracks consultation activities, information shared by the proponent with the community, any community input and the proponent's responses to such input for the EA/IA milestone; and
- › Contain a discussion of how any input and information provided by the Indigenous communities have informed the development of the EA/IA milestone.

After completion of each milestone, the progress reports will be distributed to NDMNRF-NDM, MECP. Community-specific sections of the progress reports will also be distributed to each Indigenous community.

The proponent will respond to any questions or concerns raised by NDMNRF-NDM, MECP and/or Indigenous communities regarding the progress reports and revise the progress reports as appropriate. Final progress reports will be included in the Record of Consultation.

7 Consideration of Indigenous Languages, Dialects, and Knowledge

7.1 Indigenous Language and Dialects

The people of MFFN and WFN speak dialects of Ojibwe and Oji-Cree (also known as Severn Ojibwe), all within the Algonquin language group. Some First Nation people still use and understand the syllabics writing system and Roman orthography (writing Native language with Roman letters). There is significant concern that Indigenous languages have faded in use over time. Language is a substantial component of identity and a foundation of Indigenous cultures.

Until recent times, Elders only spoke their Native Ojibwe, and Oji-Cree language and English was very limited. Elders say that over a lifetime, the English language has spread. As children, they would have spoken no English. Residential schools taught English, which was brought back to the community. The people of MFFN and WFN have sought to employ various techniques and methods to retain their Indigenous language, including having maps, books, and land use plans in Ojibway and Oji-Cree, which can be used as teaching resources in community schools.

Given this context, EAR/IS summary and other communication materials will be made available in Ojibway, Oji-Cree, and Cree to support the reclaiming of language.

7.2 How Indigenous Knowledge Will be Gathered and Used

The Project Team acknowledges that Indigenous communities have been documenting Indigenous Knowledge for years within the project area. It is further acknowledged that gathering Indigenous Knowledge is separate from (but related to) consultation and engagement. The Project Team will collect existing Indigenous Knowledge that is specific to the NRL Project area to be included in the Indigenous Knowledge study for the project. It is also acknowledged that, despite the extensive amount of existing Indigenous Knowledge available, there may be information gaps that necessitate additional, site-specific data collection.

Indigenous Knowledge is considered to be a holistic body of knowledge containing information and records collected by Indigenous communities on places and things that are considered to be of cultural, spiritual, historical and community significance to its members. Much of this knowledge may have been passed on from generation to generation. Each community will have its own approach to collecting, recording, sharing and using this knowledge. Where possible, MFFN and WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.

MFFN and WFN intends to use Indigenous Knowledge and other information received from community members for the Project to assist with several key elements of the EA process, including:

- › Assessing existing Indigenous Knowledge information in relation to the road project and to understand additional work that may be required;
- › Incorporating Indigenous Knowledge currently available to establish a baseline to monitor change going forward;

Northern Road Link Environmental Assessment Consultation and Engagement Plan



- › Evaluating alternatives and assessing potential impacts of the Project (e.g., criteria and indicators of relevance to Indigenous communities for all environmental components); and
- › Developing environmental mitigation, protection and compensation measures, and monitoring commitments and accommodation measures, where necessary.

For additional information on how the EA plans to use Indigenous Knowledge please refer to Section 5 of the proposed ToR.

8 Consultation on Cumulative Effects Assessment

Table 4.3 and 6.1 note specific activities to be completed related to consultation as part of the planned cumulative effects assessments for the project. Indigenous communities and regulators will be consulted on the cumulative effects assessment study plan, methodology, results and mitigation/impact management measures during preparation of the EAR/IS. This will include targeted consultation opportunities to participating Indigenous communities, including methods of engagement that the Indigenous communities might request.

9 Closure

SNC-Lavalin Inc. (SNC-Lavalin) and Dillon Consulting Limited (Dillon) prepared this Environmental Assessment Consultation and Engagement Plan for the Northern Road Link (NRL) Project on behalf of Marten Falls First Nation (MFFN) and Webequie First Nation (WFN).

Prepared by:



Brandon Fox, MCIP, RPP
Indigenous Communities Engagement Lead
Dillon Consulting Limited

Reviewed by:



Don Parkinson, B.Sc.
Consultation Specialist
SNC-Lavalin Inc.

10 References

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Northern Road Link Environmental Assessment Consultation and Engagement Plan



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Nishnawbe Aski Nation. 2007. Handbook on Consultation in Natural Resource Development.

Webequie First Nation. 2020. Webequie Supply Road Record of Consultation for the Terms of Reference. Available: <https://1drv.ms/b/s!Apmtrl9sGrglgb5rp7w4avLK0YReCg?e=95wMC3>.

Appendix A

Letter from MECP with Voluntary Agreement and List of potentially affected and/or interested Aboriginal communities for consultation on the Northern Road Link Project

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature
et des Parcs**

Environmental Assessment
Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télééc. : 416 314-8452

November 3, 2020

Chief Cornelius Wabasse
Webequie First Nation
PO Box 268
Webequie ON P0T 3A6
corneliusw@webequie.ca

Chief Bruce Achneepineskum
Marten Falls First Nation
General Delivery
Ogoki Post ON P0T 1L0
bruce.achneepineskum@gmail.com

Re: Northern Road Link Environmental Assessment

Dear Chief Wabasse and Chief Achneepineskum:

Thank you for requesting that the proposed Northern Road Link Project (the Project) be made subject to the requirements of the Environmental Assessment Act (the Act).

Please find enclosed an original signed copy of the Agreement between the Minister of the Environment, Conservation and Parks, Marten Falls First Nation and Webequie First Nation. The Agreement requires Marten Falls First Nation and Webequie First Nation to fulfill the requirements of the Act prior to proceeding with the Project, including the preparation and submission of a Terms of Reference and environmental assessment for review and approval.

The first step of the environmental assessment process is the preparation of a Terms of Reference. During preparation of the Terms of Reference, and at other milestones, the environmental assessment process requires consultation with “interested persons,” including Aboriginal communities who may have an interest in the project. These are statutory responsibilities that proponents are expected to satisfy to meet the requirements of the Act. Consultation during the regulatory process may be about a wide range of things – including but not limited to consultation with Aboriginal communities whose credibly asserted Aboriginal or treaty rights may be affected by the proposed Project.

Ontario uses existing regulatory processes as one way to fulfill its constitutional duty to consult. The Ministry of the Environment, Conservation and Parks (the ministry) will be relying, in part, on the environmental assessment process established in the Act, including the mandatory public consultation requirements, as a means of ensuring relevant information is shared and that identified Aboriginal communities have an opportunity to participate including by asking questions and bringing forward their concerns.

Based on the information Marten Falls First Nation and Webequie First Nation have provided to date about the Project, the potential effects on the environment, and Ontario's current understanding of Aboriginal and treaty rights in the area, Ontario has concluded that there may be adverse effects to the constitutionally protected rights of a number of Aboriginal communities resulting from the Project, and that other Aboriginal communities may be interested in the environmental effects of the Project. These Aboriginal communities are set out in Attachment B to this letter. It is the ministry's expectation that Marten Falls First Nation and Webequie First Nation, as the proponents for the Project, will reach out to each of the listed Aboriginal communities in preparing its terms of reference.

Please be aware that the list of potentially affected and/or interested communities is subject to change as new information becomes available and/or there are changes to the scope of the Project. Once Ontario has completed its preliminary assessment of communities owed a duty to consult for the purposes of the environmental assessment of the Project we will follow-up with you to provide further clarification.

It should also be noted that we are aware that, at this time, many Indigenous communities have declared a state of emergency or taken other measures to protect community health and safety. Many Indigenous communities are facing unique challenges, particularly in terms of capacity to respond to requests from government, industry and other third parties, and that this may disrupt normal review and consultation processes. Ontario respects the measures taken to protect the health and well-being of communities and remains committed to meeting our obligations with respect to Aboriginal consultation. As the EA process progresses, the ministry will remain flexible in our approach to consultation.

Aboriginal Consultation Resources and Requirements

Steps that you may need to take in relation to Aboriginal consultation for your proposed Project are outlined in the "Code of Practice for Consultation in Ontario's Environmental Assessment Process" (available at: <https://www.ontario.ca/document/consultation-ontarios-environmental-assessment-process>). The "Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario" (available at: <https://www.ontario.ca/page/preparing-and-reviewing-terms-reference-environmental-assessments-ontario>) provides additional specific guidance relating to consultation expectations to support the preparation of the terms of reference.

As a starting point, Marten Falls First Nation and Webequie First Nation are expected to develop a program or plan for how you will consult potentially affected or interested Aboriginal communities during the preparation of the terms of reference. At a minimum, consultation activities should include notification about the Project at key milestones, providing information about the Project, considering and providing responses to comments, providing opportunities to meet with communities, and maintaining a record of consultation for each community/organization.

Marten Falls First Nation and Webequie First Nation's record of consultation must contain all related non-confidential communications including letters/emails (outgoing & incoming), public notices, meetings (agendas, meeting minutes), issues raised and how they have been addressed. This information will be a vital component for Ontario's consideration prior to making required decisions about your Project.

Next Steps

Ontario is looking forward to discussing roles and responsibilities, particularly with respect to the consultation program, with you. In the meantime, should you or any members of your project team have any questions regarding the above, please contact Sasha McLeod, Special Project Officer, at 416-268-5984, sasha.mcleod@ontario.ca or Shannon Gauthier, Project Officer, at 416-258-8215, shannon.gauthier@ontario.ca.

Sincerely,

Kathleen O'Neill

Kathleen O'Neill
Director, Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks

Attachments:

Attachment A: Signed Voluntary Agreement for the Northern Road Link Project

Attachment B: List of Aboriginal communities for consultation

cc: Qasim Saddique, Marten Falls First Nation
Michael Fox, Webequie First Nation
Lori Churchill, Ministry of Energy, Northern Development and Mines
Mary Hennessy, Ministry of Energy, Northern Development and Mine
Ariane Heisey, Ministry of Energy, Northern Development and Mines
Paul MacInnis, Ministry of Energy, Northern Development and Mines
Jason Frechette, Ministry of Energy, Northern Development and Mines
Anjala Puvananathan, Impact Assessment Agency of Canada

Attachment A: Signed voluntary agreement for the Northern Road Link

AGREEMENT

This agreement is made in triplicate,

AMONG:

MARTEN FALLS FIRST NATION and its agents, successors and permitted assigns

AND:

WEBEQUIE FIRST NATION and its agents, successors and permitted assigns

(collectively "Proponents", individually "Proponent")

AND:

HER MAJESTY THE QUEEN in Right of Ontario as represented by the Minister of the Environment, Conservation and Parks

(collectively, the "Parties")

CONCERNING

The proposed construction, operation and maintenance of an all-season multi-use road and all associated infrastructure, between the community access road that has been proposed by Marten Falls First Nation and the supply road that has been proposed by Webequie First Nation, and connecting to the proposed Ring of Fire mining development area. The proposal is known as the Northern Road Link Project ("**Undertaking**").

WHEREAS section 3.0.1 of the Environmental Assessment Act, R.S.O. 1990, c. E.18 ("**Environmental Assessment Act**") states:

A person, other than a person referred to in clause 3 (a), who carries out, proposes to carry out or is the owner or person having charge, management or control of an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity may enter into a written agreement with the Minister to have this Act apply to the enterprise, activity, proposal, plan or program;

AND WHEREAS the Proponents are persons, other than persons referred to in clause 3 (a) of the Environmental Assessment Act, who propose to carry out or are the owners or persons having charge, management or control of an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity which is described above as the Undertaking;

AND WHEREAS the Proponents have requested that the Environmental Assessment Act apply to the Undertaking, such that the Proponents will carry out an environmental assessment process in respect of the Undertaking.

The Minister and the Proponents therefore agree that the Environmental Assessment Act applies to the Undertaking.

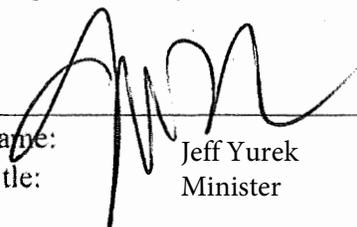
The assignment of the whole or any part of the Agreement shall require the written agreement of all Parties. Such assignment shall be subject to any terms and conditions that may be agreed to by the Parties.

The Agreement may be executed by the Parties in counterparts and may be executed and delivered by facsimile or other electronic means and all the counterparts and facsimile or other electronic transmissions together constitute one and the same agreement.

The Agreement shall take effect from the date of the last signature below and shall continue indefinitely unless terminated by the agreement of all Parties, in writing.

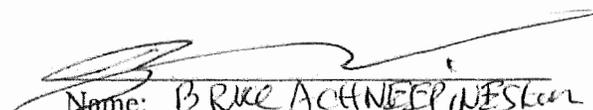
Executed by:

HER MAJESTY THE QUEEN in Right of Ontario
as represented by the Minister of the Environment, Conservation and Parks


Name: Jeff Yurek
Title: Minister

Oct 28 / 2020
Date

MARTEN FALLS FIRST NATION


Name: BRUCE ACHNEEPINESKAN
Title: Chief
I have the authority to bind Marten Falls First Nation.

Oct 14 / 20
Date

WEBEQUIE FIRST NATION


Name: Cornelius Wabasse
Title: Chief
I have the authority to bind Webequie First Nation.

October 9, 2020
Date

Attachment B: List of potentially affected and/or interested Aboriginal communities for consultation on the Northern Road Link Project

- Aroland
- Attawapiskat
- Animbiigoo Zaagi'igan Anishinaabek
- Constance Lake
- Eabametoong
- Fort Albany
- Ginoogaming
- Kasabonika Lake
- Kashechewan
- Kingfisher Lake
- Kitchenuhmaykoosib Inninuwug (KI)
- Long Lake #58
- Marten Falls
- Métis Nation of Ontario Region 2
- Neskantaga
- Nibinamik
- Red Sky Métis Independent Nation
- Wapekeka
- Wawakapewin
- Webequie
- Weenusk
- Wunnumin

Appendix B

Indigenous Communities Contact List

NRL Stakeholder List - February 2022
Organization
Indigenous Community Key Contacts
Animbiigoo-Zaagi'igan Anishinaabek
Aroland First Nation
Attawapiskat First Nation
Constance Lake First Nation
Eabametoong First Nation
Fort Albany First Nation
Ginoogaming First Nation
Kasabonika Lake First Nation
Kashechewan First Nation
Kingfisher Lake First Nation
Kitchenuhmaykoosib Inninuwig
Long Lake #58 First Nation
Marten Falls First Nation
Métis Nation of Ontario - Region 2
Neskantaga First Nation
Nibinamik First Nation
Red Sky Métis Independent Nation
Wapekeka First Nation
Wawakapewin First Nation
Webequie First Nation
Weenusk First Nation
Wunnumin Lake First Nation
Tribal Councils, Provincial Territorial Organizations and Métis
Chiefs of Ontario
Independent First Nations Alliance
Matawa First Nations Management
Métis Nation of Ontario
Mushkegowuk Council
Nishnawbe-Aski Nation (Grand Council Treaty #9)
Nokiiwin Tribal Council
Shibogama First Nations Council
Windigo First Nations Council
Union of Ontario Indians- Anishnabek Nation
MNO Greenstone Métis Council

Appendix C

Stakeholder Contact List

NRL Stakeholder List - February 2022

Organization

Emergency Medical Services & Law Enforcement Agencies

Ontario Provincial Police

Ontario Provincial Police

Nishnawbe-Aski Police Service

RCMP

Thunder Bay Police Service

Thunder Bay Fire Rescue

Municipality of Greenstone

Superior North District EMS

Superior North District EMS

Pickle Lake Fire Department

Kenora District Services Board

Kenora District Services Board

Provincial Parties

Ontario New Democratic Party

Liberal Ontario

Ontario Progressive Ontario Party

Green Party of Ontario

Forest Industry and Forest Management Companies

Ne-Daa Kii-Me Naan Inc.

Agoke Development Corporation

Green Forest Management

Ogwiidachiwaning Sustainable Forest Management Inc. (Forest Management Company on

Ogwiidachiwaning Sustainable Forest Management Inc. (Forest Management Company on

Mining Claim Holders

Canada Chrome Corporation

Canada Chrome Corporation

Debut Diamonds

Golden Share Resource Corporation

KWG Resources Inc.

KWG Resources Inc.

Wabassi Resources Inc.

Noront Resources

Noront Resources

Noront Resources

Noront Resources

Noront Muketei Minerals Ltd.

Noront Muketei Minerals Ltd.
Macdonald Mines Exploration Ltd.
Probe Metals
Metalex Ventures Ltd.
Perry Vern English
China Metallurgical Exploration Corp.
Fancamp Exploration Ltd.
6398651 Canada Inc
PLATINEX INC.
Clark Exploration and Consulting Inc.
DE BEERS CANADA INC.
Superior Exploration Ltd.
Superior Exploration Ltd.
Aurcrest Gold Inc.
De Beers Canada Inc.
De Beers Canada Inc.
Fancamp Exploration Ltd.
Abitibi Royalties Inc.
MFCAR Project Team
MFFN
MFFN
MFFN
Suslop
Bruin & Associates
WSR Project Team
Webequie First Nation
ICE
SNC Lavalin
Interested Parties / Potential Stakeholders - Unaffiliated
LH Crane (crane rental)/LH North (construction)
Mining Watch Canada
LH North Ltd
Hydro One
Municipality of Greenstone
Vision Mining Solutions Inc.

Trapline Holders

NRF sends correspondence on proponents behalf

Government Review Team

Ministry of the Solicitor General

Ministry of Economic Development, Job Creation and Trade

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Municipal Affairs and Housing

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of Northern Development, Mines, Natural Resources and Forestry

Ministry of the Environment, Conservation and Parks

Ministry of the Environment, Conservation and Parks

Ministry of the Environment, Conservation and Parks

Ministry of Heritage, Sport, Tourism, and Culture Industries

Ontario Provincial Police

Ministry of Transportation

Ministry of Transportation

Ministry of Transportation

Ministry of Transportation

Impact Assessment Agency of Canada

Impact Assessment Agency of Canada

Impact Assessment Agency of Canada

Ministry of Indigenous Affairs

Ministry of Indigenous Affairs

(Non-GRT) Government Representatives and Agencies

FedNor

Innovation, Science and Economic Development Canada (ISED)

Department of Fisheries and Oceans Canada

Employment and Social Development Canada

Employment and Social Development Canada

Health Canada
Health Canada
Indigenous Services Canada - First Nations and Inuit Health Branch
Indigenous Services Canada
Indigenous Services Canada
Transport Canada
Infrastructure Canada
Natural Resource Canada
Environment and Climate Change Canada
Women and Gender Equality Canada
Public Safety
Elected Officials (Provincial and Federal)
House of Commons
Legislative Assembly of Ontario
Municipal Representatives and Agencies
City of Thunder Bay
Thunder Bay Community Economic Development Commission
Municipality of Greenstone
The Corporation of the Municipality of Sioux Lookout
The Corporation of the Municipality of Sioux Lookout
District of Thunder Bay Social Services Administration Board
District of Cochrane
The Corporation of the City of Timmins
City of Thunder Bay
City of Thunder Bay
Municipality of Greenstone
Municipality of Greenstone
The Corporation of the City of Timmins
Corporation of the City of Timmins
Township of Pickle Lake
Township of Pickle Lake
Municipality of Sioux Lookout
Public and Catholic School Boards
Lakehead District School Board
Superior-Greenstone District School Board

Thunder Bay Catholic District School Board
Superior North Catholic District School Board



195 The West Mall
Toronto, Ontario, Canada M9C 5K1
416-252-5311
www.snclavalin.com

