

# TERMS OF REFERENCE - NOTICE OF APPROVAL

## ENVIRONMENTAL ASSESSMENT ACT

### SUBSECTION 6(4)

## APPROVAL OF TERMS OF REFERENCE

### FOR

## THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT

RE: Proponent: Marten Falls First Nation and Webequie First Nation  
Terms of Reference: Northern Road Link Project Environmental Assessment  
Undertaking: The construction and operation of the Northern Road Link and ancillary facilities.  
EA File No.: 20019

As provided for by subsection 6(4) of the *Environmental Assessment Act*, R.S.O. 1990, c.E.18 (“the Act”), the proposed Terms of Reference submitted for approval to the Ministry of the Environment, Conservation and Parks on April 29, 2022, with the amendment which I consider necessary, which is set out in this notice, is hereby approved (“the approved Terms of Reference”).

Pursuant to subsection 6.1(1) of the Act, any environmental assessment for the above-noted undertaking, submitted to the Ministry of the Environment, Conservation and Parks pursuant to subsection 6.2(1) of the Act, must be prepared in accordance with the approved Terms of Reference.

### **Reasons:**

I am satisfied that an environmental assessment prepared in accordance with the approved Terms of Reference will be consistent with the purpose of the Act and the public interest for the following reasons:

- The amendment in this Notice of Approval contains additional requirements to ensure that all commitments that have been made by the proponent during the preparation of the Terms of Reference and following submission of the Terms of Reference will be included in the environmental assessment;
- The approved Terms of Reference includes consultation requirements that are intended to provide for appropriate input during the environmental assessment by any interested person;

- The approved Terms of Reference provides adequate rationale for focusing the environmental assessment;
- The approved Terms of Reference contains a sufficient level of detail to provide for an accurate assessment of the environmental effects of alternative methods of carrying out the proposed undertaking and the preferred undertaking; and,
- There are no outstanding issues that have not been incorporated into the approved Terms of Reference, or that cannot be addressed during the preparation of the environmental assessment.

### **Amendment:**

To the extent that there is any conflict between the requirements outlined in the approved Terms of Reference and the amendment below, it is the amendment below that will take precedence.

#### **1. Terms of Reference Commitments**

To ensure that all new commitments the proponent has made during the Terms of Reference review process will be captured in the environmental assessment, and to ensure the table of commitments will be well organized and traceable, Section 9.0 (Commitments) and Appendix E (Terms of Reference Commitments) of the Terms of Reference are amended as follows:

##### **1.1 – Terms of Reference Section 9.0 (Commitments):**

Starting at the paragraph that begins “Appendix E,” new text is added to the end of Section 9 of the Terms of Reference (ToR) as shown in italics:

**Appendix E** contains the commitments made during the ToR stage of the Project. *This table of commitments will be revised to include all new commitments that the proponent has made, following the submission of the ToR, in the tables the proponent prepared in response to comments from Indigenous communities, interested persons, and government agencies. The proponent will include the revised table in the draft and final EA/IA.*

*In updating the table of commitments, the proponent will:*

- *Remove any commitments from the table that duplicate commitments already included in the body of the approved ToR;*
- *Remove any duplicate commitments within the table; and*
- *Include, at minimum, the following in the table:*
  - *A unique commitment number for each commitment;*
  - *For each commitment, the relevant section(s) of the approved ToR to which it applies;*
  - *For each commitment, a cross-reference to the relevant comment number(s); and*
  - *A column for the proponent to identify where or how each commitment has been dealt with in the EA/IA.*

1.2 – Terms of Reference Appendix E (Terms of Reference Commitments):

An introductory statement above the commitments table is added to Appendix E of the Terms of Reference as shown in italics:

*This table of ToR commitments will be revised in accordance with the ToR Notice of Approval and included, as revised, in the draft and final EA/IAs.*

Dated the 3rd day of March, 2023 at TORONTO.



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Minister of the Environment, Conservation and Parks  
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