

**Ministry of Citizenship
and Multiculturalism**

Heritage Planning Unit
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**Ministère des Affaires civiques
et du Multiculturalisme**

Unité de la planification relative au
patrimoine
Direction du patrimoine
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Tél.: 613.242.3743



May 2, 2023

EMAIL ONLY

Mireille Lapointe, ing., M. Sc.
Project Manager
Quebec Regional Office
Impact Assessment Agency of Canada
901-1550 d' Estimauville Avenue
Québec, Quebec G1J 0C1
timiskaming-temiscamingue@iaac-aeic.gc.ca

MCM File : 0008853
Proponent : Public Services and Procurement Canada
**Subject : Canadian Environmental Assessment Act (CEAA 2012) –
Environmental Impact Statement**
**Project : Timiskaming Dam-Bridge of Quebec Replacement
Project**
**Location : Ontario Quebec border, at the Community of Thorn and City of
Témiscaming, on the Ottawa River, Nipissing District**

Dear Mireille Lapointe:

Thank you for inviting the Ministry of Citizenship and Multiculturalism (MCM) to the public consultation period on the proponent's environmental impact statement summary for the Timiskaming Dam-Bridge of Quebec Replacement Project.

MCM's interest in this project relates to its mandate of conserving Ontario's cultural heritage, which includes:

- archaeological resources, including land and marine);
- built heritage resources, including bridges and monuments; and
- cultural heritage landscapes.

Project Summary

Public Services and Procurement Canada is proposing replacement of the Quebec Dam (bridge), which is part of the Timiskaming Dam Complex. The Dam crosses the Ottawa River at the border between the provinces of Quebec and Ontario, on Route 101 (highway) in the city of Témiskaming, which becomes Route 63 in Ontario. The project includes building a new 25.8-meter structure downstream of the existing dam (bridge), followed by demolition of the pre-existing structure.

Comments

We have reviewed the Environmental Impact Statement Summary (EIS) (dated February 2023, prepared by Tetra Tech QI Inc) in support of the above referenced undertaking EIS and have attached a table with detailed comments.

Please note that the responsibility for administration of the *Ontario Heritage Act* and matters related to cultural heritage have been transferred from the Ministry of Tourism, Culture and Sport (MTCS) to the Ministry of Citizenship and Multiculturalism (MCM). Individual staff roles and contact information remain unchanged. Please continue to send any notices, report and/or documentation to both Karla Barboza and myself.

- Karla Barboza, Team Lead - Heritage | Heritage Planning Unit (Citizenship and Multiculturalism) | 416-660-1027 | karla.barboza@ontario.ca
- Joseph Harvey, Heritage Planner | Heritage Planning Unit (Citizenship and Multiculturalism) | 613-242-3743 | joseph.harvey@ontario.ca

Thank you for providing us with the opportunity to comment on the EIS. If you have any questions or require clarification, please do not hesitate to contact me.

Sincerely,

Joseph Harvey
Heritage Planner
Heritage Planning Unit
joseph.harvey@Ontario.ca

Copied to: Judith Brousseau, Senior Project Manager, Public Service Procurement Canada
Karla Barboza, Team Lead, Heritage Planning Unit, MCM
James Hamilton, Manager, Heritage Planning Unit, MCM

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. The Ministry of Citizenship and Multiculturalism (MCM) makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MCM be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out an archaeological assessment, in compliance with Section 48(1) of the *Ontario Heritage Act*.

The *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33* requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with *Ontario Regulation 30/11* the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism should also be notified (at archaeology@ontario.ca) to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

Comment #	Reference to EA	Comments & Rationale	Proposed Action/Solution
Instructions:	Provide specific volume, section and page number	Provide your comment along with an explanation for why the issue is important for EA purposes. Identify significance of issue (e.g., must be addressed at phase, should be addressed at permitting phase, or both).	Describe in detail what action you recommend to address your comments. Actions may include but not be limited to: revisions to the document, information requests, proposed commitments or conditions, future permits and approvals etc.
1.	Throughout the Documentation	We recommend that technical cultural heritage studies be consistently named and that the scope of those be made clear. Terminology may be used differently in provincial and federal jurisdictions. For example, the EIS refers to 'archaeological Study' and 'archaeological investigation' which in Ontario is defined as 'archaeological assessment'.	Revision to document.
2.	Throughout the Documentation	The federal EA legislation refers to 'physical and cultural heritage' which includes any structure, site or thing that is of historical, archaeological, paleontological or architectural significance. Please refer to the Reference Guide on Physical and Cultural Heritage Resources - https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/reference-guide-physical-cultural-heritage-resources.html . In Ontario, cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes. The term 'archaeological and cultural heritage resources' should be revised to align with the federal framework.	Revision to document.
3.	1. (Introduction and Environmental Assessment Context) p. 1	The EIS indicates that 'the Quebec Dam replacement project is located on PSPC owned lands between the provinces of Quebec and Ontario, the project is therefore subject to federal regulations.' Please confirm whether the Ottawa riverbed is federally or provincially owned as provincial legislation may apply.	Information request.

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4.	2. (Alternative Means of Carrying out the Project) Table 2.1 - Options Compared – Advantages and Disadvantages p. 6	Table 2.1 does not consider impacts to known (i.e., previously recognized) and potential built heritage resources and/or cultural heritage landscapes. See comment #2 above. We suggest the following revisions to align with terminology under federal (and provincial) legislation. Issues <ul style="list-style-type: none"> • Social Criteria • Physical and Cultural Heritage - Archaeological Resources and Areas of Archaeological potential • Physical and Cultural Heritage - Built Heritage Resources and Cultural and Heritage Landscapes 	Revision to document.
5.	4. (Engagement with Indigenous Peoples) p. 12	The EIS notes that Indigenous communities expressed an interest in reviewing the archaeological studies. Please note that cultural heritage resources, which in addition to archaeological resources include built heritage resources and cultural heritage landscapes, are often of critical importance to Indigenous communities. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities include a discussion of both known or potential built heritage resources and cultural heritage landscapes that may be of value to them.	Proposed commitments or conditions.

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6.	6.15 (Physical and Cultural Heritage - Description of the Baseline) p. 52-53	<p>See comment #2 regarding physical and cultural heritage.</p> <p>To better describe the cultural heritage environment this section should:</p> <ul style="list-style-type: none"> • confirm if there are any known or potential built heritage resources and/or cultural heritage landscapes in the study area • confirm whether further studies need to be completed to identify, evaluate and assess potential project impacts and the timing of any required study • present the conclusions and recommendations of archaeological assessment(s) undertaken to date • include whether the project could impact on marine (or underwater) archaeological resources. <p>Technical cultural heritage studies shall be completed to identify, evaluate, and assess impacts on the dam-bridge structure and setting.</p> <p>MCM recommends that the following be completed as part of the environmental assessment:</p> <ul style="list-style-type: none"> • Terminology and framework should be aligned with the federal EA process and associated guidance (such as the Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing, Standards and Guidelines for the Conservation of Historic Places in Canada). Technical studies may have different names within different jurisdictions and therefore we recommend that the scope and timelines of technical studies be clearly articulated. 	Revision to document.

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		<ul style="list-style-type: none"> • We recommend including the following new sub-sections under section 6.15; <ul style="list-style-type: none"> ○ 6.15.1 Archaeological Resources – Under Description of the baseline, it should provide the conclusions and recommendations of archaeological assessment(s) undertaken to date. <p>We note that as part of the Timiskaming Ontario Dam Replacement Project in 2013-2014 a Stage 1 and 2 archaeological assessment and report (Project Information Form – PIF- number P027-0234-2013) was entered into the Ontario Public Register of Archaeological Reports.</p> <p>Paragraph 3 of section 6.15 indicates that an “archaeological study” was undertaken in 2017. Please include the Project Information Form number(s) of any archaeological assessments (being) undertaken in support of this EA.</p> <p>We are aware that a marine archaeological assessment is being undertaken by an archaeologist licensed under the OHA.</p> <p>Please note that archaeological concerns have not been addressed until reports have been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that:</p> <ul style="list-style-type: none"> ▪ the archaeological assessment of the project area is complete and ▪ all archaeological sites identified by the assessment are either of no further cultural heritage value or interest (as per Section 48(3) of the OHA) or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy. 	

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		<ul style="list-style-type: none"> ○ 6.15.2 Built Heritage Resources and Cultural Heritage Landscapes - This section should confirm if there are any known (i.e., previously recognized) or potential built heritage resources and/or cultural heritage landscapes within study area, The EIS does not sufficiently characterize the potential impact on known or potential built heritage resources or cultural heritage landscapes. <p>We note that a Heritage Impact Assessment (HIA) (dated January 21, 2014 by Archaeological Research Associates Ltd.) was undertaken as part of the Timiskaming Ontario Dam Replacement Project in 2013-2014. The report found that the subject property of the Ontario Timiskaming Dam has cultural heritage value or interest according to the criteria laid out in O. Reg. 9/06. The Québec Dam, as well as buildings associated with the Dam—the Superintendent’s House, Superintendent’s Office, the Dam Workshop and Garage—also have cultural heritage value or interest. Together, with the shed of Dam Building 142 and the nearby Tembec Inc. plant, these resources form an evolving industrial Cultural Heritage Landscape.</p>	
7.	6.15. (Physical and Cultural Heritage – Mitigation Measures and Significance of Residual Effect) p.53-54	<p>The second paragraph of the current section does not reflect the current archaeological framework in Ontario. We recommend the following revisions to better align with current legislation and terminology:</p> <p>Based on Park’s Canada’s recommendations for marine archaeology, as presented below, given that the contracting process for professional services can take as long as 2 months and given that the marine archaeological survey cannot be conducted during winter and spring seasons due to cold weather and extreme hydrological conditions, the timeframe to complete these four phases could take 6 to 8 months with an expected completion date in September 2023. Consequently, the results of the underwater archaeological assessment are not included in this EIS and will be</p>	Revision to document.

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		<p>submitted to the Agency once completed. These four phases A marine archaeological assessment will be carried out by an underwater-marine archaeologist licensed in Ontario and the assessment will comply with the Ontario Heritage Act follow the protocols outlined by the Ministry of Tourism and Culture of Ontario. The four phases are:</p> <ul style="list-style-type: none"> • Phase 1 – Underwater Archaeological Potential Assessment (Stage 1) • Phase 2 – Underwater Archaeological Surveys (Stage 2) • Phase 3 – Underwater Archaeological Impact Assessment • Phase 4 – Archaeological Intervention Plan 	
8.	<p>6.15 (Physical and Cultural Heritage – Mitigation Measures and Significance of Residual Effect)</p> <p><i>Mitigation measures for potential destruction of archaeological resources (on Long Sault Island) (first table)</i></p> <p>p. 53</p>	<p>We recommend the following revisions to better align with current legislation and terminology:</p> <ol style="list-style-type: none"> 1. Halt activities if any archaeological resources are discovered, protect the site, notify Indigenous groups and the Ontario Ministry of Citizenship and Multiculturalism relevant authorities (provincial archaeological authorities). 2. Comply with the Ontario Heritage Act. <u>Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48(1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out an archaeological assessment, in compliance with Section 48(1) of the Ontario Heritage Act.</u> <p><u>The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers</u></p>	Revision to document.

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		<p><u>provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism should also be notified (at archaeology@ontario.ca) to ensure that the archaeological site is not subject to unlicensed alterations which would be a contravention of the <i>Ontario Heritage Act</i>.</u></p> <ol style="list-style-type: none"> 3. Involve interested Indigenous groups communities in archaeological studies. 4. PSPC will work with Indigenous groups prior to construction to prepare a protocol for the protection and management of any recovered artefacts based on the archaeological intervention plan (Phase 4) 5. If artefacts are found, they will be held in trust by PSPC until the protocol can be implemented. 	
9.	<p>6.15. (Physical and Cultural Heritage – Mitigation Measures and Significance of Residual Effect)</p> <p><i>Mitigation measures for potential destruction of marine archaeological</i></p>	<p>We recommend the following revisions to better align with current legislation and terminology:</p> <ol style="list-style-type: none"> 1. Conduct an underwater marine archaeological assessment potential assessment (Phase 1), underwater archaeological surveys (Phase 2, if recommended and deemed feasible), an underwater archaeological impact assessment (Phase 3) and develop an archaeological intervention plan (Phase 4) 2. Comply with the Ontario Heritage Act Ontario and/or Quebec Standards and Guidelines for Consultant Archaeologists 3. Conduct archaeological investigation based on the archaeological intervention plan in the dewatered area once cofferdam installed, document and recover any archaeological resources, if discovered, to prevent destruction 4. Involve interested Indigenous groups in archaeological studies 5. PSPC will work with Indigenous groups prior to construction to prepare a protocol for the protection and management of any recovered artefacts based on the archaeological intervention plan 	Revision to document.

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	<i>artefacts</i> (Second table) p. 53	6. If artefacts are found, they will be held in trust by PSPC until the protocol can be implemented	
10.	6.15. (Physical and Cultural Heritage – Mitigation Measures and Significance of Residual Effect) <i>Mitigation measures for changes to physical and cultural heritage value of Long Sault Island</i> (Third table) p. 54	We recommend the following revisions to better align with current legislation and terminology: <ol style="list-style-type: none"> 1. Discuss opportunities with Indigenous groups for re-establishing natural vegetation on Long Sault Island 2. Invite Indigenous groups to harvest any trees and plants with cultural value prior to the construction of the new dam. 3. Involve Indigenous groups and other interested parties in the planning, design, siting, installation and maintenance of a plaque or other permanent structure that provides the history of the Ottawa River and Long Sault Island 4. Respect and allow space for Indigenous groups to conduct cultural ceremonies prior to the construction of the new dam to bring recognition and awareness to the historical alteration of the island and Ottawa River which may subsequently help to heal these historical impacts and build reconciliation with the impacted Indigenous groups. 5. Compliance with the recommendations provided as part of the conservation strategy for the HIA undertaken as part of the Timiskaming Ontario Dam Replacement Project in 2013-2014 	Revision to document.