

Webequie Supply Road Project – Webequie First Nation

CIAR No.: 80183

All comments should be submitted via the **Submit a Comment** feature available on the Project's Canadian Impact Assessment Registry page (Reference #80183 at <https://iaac-aeic.gc.ca/050/evaluations/proj/80183>). Letters and forms can be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency using the information provided below for assistance.

Ministry/Agency:	Ministry of Tourism, Culture and Sport		
Contact Name:	Karla Barboza Katherine Kirzati	Telephone:	416.314.7120 416.314.7643
Address:	Heritage Planning Unit 401 Bay Street Suite 1700 Toronto, ON M7A 2R9	Fax:	
Email:	karla.barboza@ontario.ca katherine.kirzati@ontario.ca		

Please complete this form. If you have already provided this information during the prior comment period, we will be pleased to utilize those comments; however, the Agency has incorporated new questions or has made edits to previously included questions. As such, we request that you carefully review this form and request that you refine your input as appropriate.

1. Please confirm whether your ministry would like to participate in the federal impact assessment process for this Project, and if yes, please provide a contact person who will be working with the Agency.

Yes, MTCS would like to participate in the federal environmental assessment.

2. What technical analysis would you be undertaking? Would you be willing to cooperate with the Agency on this analysis?

MTCS reviews technical cultural heritage studies such as archaeological assessment reports, cultural heritage existing conditions reports and heritage impact assessment reports.

Yes, MTCS looks forward to working with the Agency on this project.

3. Does your ministry have any advice on matters that should be included in the Summary of Issues and addressed by the proponent in the Detailed Project Description?

For each issue discussed, provide a concise, plain-language summary that is appropriate for inclusion in the Summary of Issues

The Detailed Project Description was not on the Canadian Impact Assessment Registry, therefore, MTCS cannot comment on this. Only the Initial Project Description and the Summary Project Description were available for downloading.

4. Does your ministry have any advice on matters to consider for inclusion in the Tailored Impact Statement Guidelines?

The Tailored Impact Statement Guidelines were not on the Canadian Impact Assessment Registry, therefore, MTCS cannot comment on this. Only the Initial Project Description and the Summary Project Description were available for downloading.

5. Do you have any comments about the Project in relation to effects defined in section 2, prohibitions defined in section 7 and factors defined in section 22 of IAA¹, species at risk or impacts to Indigenous peoples?

In respect to Section 7 and Section 22 of the IAA, potential impacts to Indigenous peoples regarding their physical and cultural heritage, current use of lands and resources for traditional purposes, or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance should be identified through engagement with Indigenous communities via the environmental assessment process and, if necessary, during the Stage 3 archaeological assessment process (pursuant to the [Standards and Guidelines for Consultant Archaeologists](#)).

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 about known or potential cultural heritage resources that are of value to them.

6. Do you have comments related to issues such as health, environment, economic or social conditions that you wish to note for the Agency's consideration (both positive and negative)? Additional topics for consideration include gender-based analysis; alternative means to carry out the Project and / or alternatives to the Project; cumulative effects; and sustainability.

Under the Canadian Environmental Assessment Act (Act), physical and cultural heritage resources must be considered when undertaking a federal environmental assessment. MTCS notes that CEAA has published a Reference Guide on Physical and Cultural Heritage Resources, to assist with assessing environmental effects on physical and cultural heritage through the Canadian Environmental Assessment Act.

<https://www.canada.ca/en/environmental-assessment-agency/services/policy-guidance/technical-guidance-assessing-physical-cultural-heritage-or-structure-site-or-thing.html>

7. Please identify the contact information for your ministry for the public. Could be a generic email box or specific to your ministry's role on the project (e.g. permits, authorizations, guidance or funding within your ministry's mandate.)

As noted above.

8. Based on the Initial Project Description, please confirm what project components and activities you would consider relevant in relation to permits, authorizations or guidance within your ministry's mandate. For each provide links or attach the document to this form.

MTCS's interests in an environmental assessment process relates to its mandate in the conservation, protection and preservation of Ontario's heritage, which include archaeological resources, built heritage resources and cultural heritage landscapes as well as a provincial interests and role in tourism.

¹ A link to IAA text can be found here: <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>

MTCS has reviewed the Initial Project Description report (dated July 2019) and has the following comments:

In Section 4.4 Provincial Permits, Licenses, or Other Authorizations (p. 29), the document states our ministry's corresponding applicability to the project as issuing letter(s) of satisfaction for archaeological cultural heritage assessments. Please note that our ministry does not issue letters of satisfaction, therefore, this should be left as "letters".

An archaeological assessment must be undertaken by an archaeologist licensed under the Ontario Heritage Act. The assessment shall include all areas that may be impacted by project activities, including but not limited to:

- the main project area
- temporary storage
- staging and working areas
- temporary roads and detours

The archaeological assessment shall be undertaken prior to any ground disturbance and during the EA process in order to inform the EA process.

Table 5.3: Potential Effects of Designated Project on Indigenous Peoples (p. 47), notes "no anticipated effects on cultural/spiritual/archaeological sites". MTCS considers this statement to be premature as a full screening and evaluation of cultural heritage resources has not been undertaken. The category should be called 'Physical and Cultural Heritage', to be consistent with the *Impact Assessment Act*.

A Stage 1 archaeological assessment (Project Information Form Number P016-281-2010) was submitted to MTCS in 2010, which recommended further Stage 2 archaeological fieldwork in some areas. The report has been entered into the Ontario Public Register of Archaeological Resources. To date, a Stage 2 assessment report has not been submitted to MTCS. MTCS understands that further stages of archaeological assessments will be submitted once the project is further refined. This should be articulated in the impact assessment documentation.

As mentioned in Question 9, when a project includes Crown land, the *Standards and Guidelines for Conservation of Provincial Heritage Properties* apply, and a cultural heritage resources existing conditions report will be required to determine whether known or potential built heritage resources and/or cultural heritage landscapes are found within the study area. This should be undertaken by a qualified heritage consultant, with recent and relevant experience. Our ministry's checklist [Criteria for Evaluating Potential for Built Heritage and Cultural Heritage Landscapes](#) can assist the proponent to determine if a cultural heritage existing conditions report is needed.

MTCS would also like to see a section on commitments for undertaking the appropriate technical cultural heritage studies and following the recommendations of those studies.

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9. Will your ministry be issuing a permit, authorization or be involved in the aforementioned Project in a regulatory manner? If yes, please indicate below.

MTCS' Heritage Planning Unit acts as the one-window within the Culture Division to provide advice and comments within an environmental assessment process.

MTCS does not issue permits but has a regulatory role under the *Ontario Heritage Act*, for example, reviewing archaeological assessment reports as a condition of licensing in accordance with Part VI of the Act. Certain approvals and Minister's consent may be triggered in accordance with the *Standards and Guidelines for Conservation of Provincial Heritage Properties*.

Please note that the [Standards and Guidelines for Conservation of Provincial Heritage Properties](#) (S&G), prepared pursuant to Section 25.2 of the *Ontario Heritage Act (OHA)*, came into effect on July 1, 2010. All Ontario government ministries and public bodies that are prescribed under Ontario Regulation 157/10 must comply with the S&Gs. They apply to property that is owned or controlled by the Crown in right of Ontario or by a prescribed public body.

When an archaeological assessment is required, the proponent must hire an archaeologist licensed under the Ontario Heritage Act. The archaeological assessment report is sent by the licensed archaeologist directly to our ministry's Archaeology Program Unit for review. Once reviewed, the ministry provides the archaeologist with a letter indicating that the report has been entered into the Ontario Public Register of Archaeological Reports. The letter is copied to the proponent and the approval authority (e.g. IAAC/MECP).

Archaeological sites are reported to MTCS by licensed archaeologists. These sites are entered into our database and made available to any licensed archaeologist who undertakes assessments.

Cultural heritage existing conditions reports, cultural heritage evaluation report and/or heritage impact assessment reports are undertaken qualified heritage professionals with recent and relevant experience and are sent to the ministry's Heritage Planning Unit.

Under an environmental assessment process, proponents are required to assess potential impacts on cultural heritage resources. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. A cultural heritage existing conditions and preliminary impact assessment report should be undertaken for the entire study area. This study will:

1. Identify existing baseline cultural heritage conditions within the study area. The consultants preparing the cultural heritage resources report will need to define a study area and explain their rationale. MTCS recommends that the study area for the report include, at minimum, the project footprint and adjacent properties. Alternatively, the study area may include the project footprint and a study zone that is located immediately beside the footprint and extends a certain distance. The report will include a historical summary of the development of the study area and will identify all known or potential built heritage resources and cultural heritage landscapes in the study area. MTCS has developed screening criteria that may assist with this exercise: [Criteria for Evaluating for Potential Built Heritage Resources and Cultural Heritage Landscapes](#).
2. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The report should include a description of the anticipated impact to each known or potential built heritage resource or cultural heritage landscape that has been identified.
3. Propose and recommend measures to avoid or mitigate potential negative impacts to known or potential cultural heritage resources. The proposed mitigation measures are to inform the next steps of project planning and design

10. For any permits or authorizations that you intend to issue, please provide a short description of each with specific information on the location or component of the Project to which the permit or authorization would be applicable.

MTCS does not issue any permits or authorizations.

11. Will there be opportunities for engagement with the public or Indigenous groups as part of the regulatory process within your Ministry's mandate? If so, when is this likely to occur (e.g. during

the impact assessment process, during a specific phase of the impact assessment process such as the impact statement phase, or post-impact assessment, etc.)

It is up to the proponent and its consultants to engage with the public or Indigenous groups as part of the process. As per the *Standards and Guidelines for Consultant Archaeologists*, licensed archaeologists are encouraged to engage with Indigenous communities as early as possible, and are required to engage during a Stage 3 site-specific archaeological assessment when an archaeological site may be associated with Indigenous groups. More information: <http://www.mtc.gov.on.ca/en/publications/AbEngageBulletin.pdf>.

Heritage professionals who are undertaking a cultural heritage existing conditions and preliminary impact assessment report should be engaging with the public and Indigenous communities as early as possible in the study's research stage.

Both should be undertaken early in the impact assessment process, to inform the later stages and avoid unnecessary project amendments.

12. Will your ministry be providing any participant funding?

No.

13. For the Ministry of the Environment, Conservation and Parks only: The Agency is aware that this project is subject to an individual environmental assessment pursuant to Ontario's *Environmental Assessment Act*. In support of the Cooperation Plan, please answer the questions below.

a. Please provide your views on how the federal and provincial processes can be best coordinated.

b. Do you intend to delegate the duty to consult to the proponent during the EA?

Katherine Kirzati

26 September 2019

Name of responder

Date

Please provide your comments on the Summary of the initial Project Description via the Project's Canadian Impact Assessment Registry page (Reference #80183 at: <https://iaac-aeic.gc.ca/050/evaluations/proj/80183>) using the **Submit a Comment** feature by **September 26, 2019**. Letters and forms can be uploaded using this feature. Thank you.

If you have any difficulties, you may contact the Agency via email at CEAA.Webequie.ACEE@canada.ca

Provincial Authority Advice Record

Response requested by: **August 12, 2019**
To: CEAA.Webequie.ACEE@canada.ca

Webequie Supply Road Project – Webequie First Nation
CEAR No.: 80183

Ministry/Agency:	Ministry of Tourism, Culture and Sport		
EA Contact Name:	Karla Barboza Katherine Kirzati	Telephone:	416.314.7120 416.314.7643
Address:	Heritage Planning Unit 401 Bay Street Suite 1700 Toronto, ON M7A 2R9	Fax:	
Email:	karla.barboza@ontario.ca katherine.kirzati@ontario.ca		

1. The Canadian Environmental Assessment Agency (the Agency) is determining whether a federal environmental assessment is required for the aforementioned project. In the event that the Agency determines that a federal environmental assessment is required, please confirm whether your ministry would like to participate in the federal environmental assessment and if yes, please provide a contact person who will be working with the Agency.

Yes, MTCS would like to participate in the federal environmental assessment.

2. Will your ministry be issuing a permit, authorization or be involved in the aforementioned Project in a regulatory manner? If yes, please indicate below. This includes issuing permits, authorizations and other regulatory approvals. A short description of these permits, authorizations or approvals and any EA requirements would also be appreciated. If your ministry or agency has guidance material that would be helpful to the proponent or the Agency, please provide as an attachment or hyperlink in your response.

MTCS does not issue permits. It issues letters after reviewing assessment reports, indicating that the work was undertaken in accordance with accepted established standards.

MTCS is mandated with the protection and conservation of cultural heritage resources, which include:

- archaeological resources (land and marine)
- built heritage resources
- cultural heritage landscapes

Please note that the [Standards and Guidelines for Conservation of Provincial Heritage Properties](#) (S&G), prepared pursuant to Section 25.2 of the *Ontario Heritage Act* (OHA), came into effect on July 1, 2010. All Ontario government ministries and public bodies that are prescribed under Ontario Regulation 157/10 must comply with the S&Gs. They apply to property that is owned or controlled by the Crown in right of Ontario or by a prescribed public body.

MTCS Heritage Planning Unit acts as the one-window within the Culture Division to provide advice and comments within the environmental assessment process. Should an archaeological assessment be required, then the proponent needs to hire a licensed archaeologist. The ministry regulates archaeology under the *Ontario Heritage Act* and reviews archaeological assessment reports, as a condition of licensing in accordance with Part VI of the Act. The archaeological assessment report is sent by the licensed archaeologist directly to the ministry's Archaeology Program Unit for review. Once reviewed, the ministry provides the archaeologist with a

compliance letter, copying the proponent and the approval authority (e.g. CEAA/MECP).

Archaeological sites are reported to MTCS by licensed archaeologists. These sites are entered into our database and made available to any licensed archaeologist who undertakes assessments.

Heritage impact assessment reports are sent by the qualified heritage professional to the ministry's Heritage Planning Unit.

Under an environmental assessment process, proponents are required to assess potential impacts on cultural heritage resources. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. A Cultural Heritage Resources: Existing Conditions and Preliminary Impact Assessment report should be undertaken for the entire study area. This study will:

1. Identify existing baseline cultural heritage conditions within the study area. The consultants preparing the Cultural Heritage Resources report will need to define a study area and provide a rationale. MTCS recommends that the study area for the report include, at minimum, the project footprint and adjacent properties. Alternatively, the study area may include the project footprint and a study zone that is located immediately beside the footprint and extends a given distance. The report is to include a historical summary of the development of the study area and identify all known or potential built heritage resources and cultural heritage landscapes within the study area. MTCS has developed screening criteria that may assist with this exercise: [Criteria for Evaluating for Potential Built Heritage Resources and Cultural Heritage Landscapes](#).
2. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The report should include a description of the anticipated impact to each known or potential built heritage resource or cultural heritage landscape that has been identified.
3. Propose and recommend measures to avoid or mitigate potential negative impacts to known or potential cultural heritage resources. The proposed mitigation measures are to inform the next steps of project planning and design.

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3. Do you have any other comments or concerns about the project in relation to environmental effects, species at risk or impacts to Indigenous peoples?

A Stage 1 Archaeological Assessment (Project Information Form Number P016-281-2010) was submitted to MTCS in 2010, which recommended further Stage 2 archaeological fieldwork in some areas. To date, a Stage 2 assessment report has not been submitted to MTCS.

MTCS also points out that it may be necessary to undertake a cultural heritage existing conditions report to determine whether built heritage resources and cultural heritage landscapes are found within the study area.

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4. Given that the *Impact Assessment Act* received Royal Assent on June 21, 2019, and given that this project may be subject to the *Impact Assessment Act*, are there any additional comments, such as related to impact assessment (i.e. health, environment, economic or social) that you wish to note for the Agency's consideration? Additional topics for consideration include gender-based analysis, alternative means, and sustainability.

Under the Canadian Environmental Assessment Act (Act), physical and cultural heritage resources must be considered when undertaking a federal environmental assessment. MTCS notes that CEAA has published a Reference Guide on Physical and Cultural Heritage Resources, to assist with assessing environmental effects on physical and cultural heritage through the Canadian Environmental Assessment Act. <https://www.canada.ca/en/environmental-assessment-agency/services/policy-guidance/technical-guidance-assessing-physical-cultural-heritage-or-structure-site-or-thing.html>

In addition, potential impacts to Indigenous peoples should be identified through engagement with Indigenous communities via the environmental assessment process and during the Stage 3 archaeological assessment process, if necessary, and following the *Standards and Guidelines for Consultant Archaeologists*. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities includes a discussion about known or potential cultural heritage resources that are of value to them.

Katherine Kirzati

12 August 2019

Name of responder

Date

Please respond to the above questions by **August 12, 2019** via email at CEAA.Webequie.ACEE@canada.ca or call Alexandra Oakes at (647) 291-3721. Thank you.

Provincial Authority Advice Record

Response requested by: **August 12, 2019**

To: CEAA.Webequie.ACEE@canada.ca

Webequie Supply Road Project – Webequie First Nation

CEAR No.: 80183

Ministry/Agency:	Ministry of Tourism, Culture and Sport – Northern Policy and Planning Unit		
EA Contact Name:	Jim Antler, Policy Advisor	Telephone:	705-493-0880
Address:	447 McKeown Avenue, Suite 203, North Bay, ON P1B 9S9	Fax:	705-494-4086
Email:	james.antler@ontario.ca		

1. The Canadian Environmental Assessment Agency (the Agency) is determining whether a federal environmental assessment is required for the aforementioned project. In the event that the Agency determines that a federal environmental assessment is required, please confirm whether your ministry would like to participate in the federal environmental assessment and if yes, please provide a contact person who will be working with the Agency.

Yes, we would like to continue to participate. Jim Antler will be the contact.

2. Will your ministry be issuing a permit, authorization or be involved in the aforementioned Project in a regulatory manner? If yes, please indicate below. This includes issuing permits, authorizations and other regulatory approvals. A short description of these permits, authorizations or approvals and any EA requirements would also be appreciated. If your ministry or agency has guidance material that would be helpful to the proponent or the Agency, please provide as an attachment or hyperlink in your response.

No permits or authorizations will be issued from a tourism perspective. Additional comments with regard to the Project Description are attached.

3. Do you have any other comments or concerns about the project in relation to environmental effects, species at risk or impacts to Indigenous peoples?

See additional comments provided.

4. Given that the *Impact Assessment Act* received Royal Assent on June 21, 2019, and given that this project may be subject to the *Impact Assessment Act*, are there any additional comments, such as related to impact assessment (i.e. health, environment, economic or social) that you wish to note for the Agency's consideration? Additional topics for consideration include gender-based analysis, alternative means, and sustainability.

See additional comments provided.

Jim Antler
Name of responder

August 8, 2019
Date

Please respond to the above questions by **August 12, 2019** via email at CEAA.Webequie.ACEE@canada.ca or call Alexandra Oakes at (647) 291-3721. Thank you.

INTRODUCTION

The MTCS Northern Policy and Planning Unit's main function is to provide strategic tourism policy and planning expertise to industry, other ministries and other levels of government. We also promote activities that protect, diversify and enhance tourism industry interests on lands and waters in Northern Ontario. As such, our comments on the Project Description reflect a tourism perspective.

Our interest in reviewing the Project Description is primarily how tourism is reflected and considered within the document. A secondary consideration relates to past and future consultation with tourism interests to ensure their perspectives are considered and addressed, if necessary, as the project is developed.

COMMENTS ON SPECIFIC SECTIONS OF THE PROJECT DESCRIPTION

Section 1.3 – List of Parties Consulted During Preparation of the Project Description

Page four lists a number of tourism businesses, Tourism Thunder Bay and some related associations that are involved in tourism-related activities (snowmobiling, canoeing/kayaking), that were consulted in preparation of the Project Description.

It is not clear how the listed tourism businesses were selected. In terms of resource-based tourism, two are based out of the Nakina area, with others generally located in the area between Savant Lake and Pickle Lake, several hundred kilometres away.

We would appreciate additional information on how the tourism interests listed in the document were selected. There are other resource-based tourism businesses in the Savant Lake-Pickle Lake area that were not included as well as other fly-in businesses out of Nakina and Armstrong.

It is positive that Section 7.1 (Public and Other Stakeholder Groups to be Consulted) outlines that the list of stakeholders will continue to be developed as the study continues and additional participants are identified.

The Sunset Country Travel Association website provides information on tourism camps/lodges/outposts west of Thunder Bay. Their associated map identifies specific waterbodies where facilities are located and may be a helpful resource.

- <https://visitsunsetcountry.com/towns-and-communities-in-sunset-country-ontario>.
- <https://visitsunsetcountry.com/order-your-guide>

The Municipality of Greenstone's website also contains a list of resource-based tourism businesses in the Greenstone area, including Nakina.

- <http://greenstone.ca/content/greenstone-resorts-outfitters-charters>

Section 3.3 – Land and Water Use

This section highlights that tourism lodges, fly-in hunting and fishing camps and other tourism-related activities are users of lands and waters in the “vicinity.”

Section 5.1.6 also identifies recreational activities, typically fly-in camps and tourist lodges, as anthropogenic uses in the “project area.”

It is positive that the report has identified tourism as an important land use to be considered. We look forward to further details about the identified tourism activities in future stages of the project.

August 8, 2019