

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 the Environment, Conservation and Parks		
Contact Name:	Agni Papageorgiou and Sasha McLeod	Telephone:	416-314-7213 416-314-8221
Address:	135 St. Clair Ave. W., 1 st Floor	Fax:	N/A
Email:	agni.papageorgiou@ontario.ca , sasha.mcleod@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.

[Agni Papageorgiou, Special Project Officer, and Sasha McLeod, Special Project Officer
Environmental Assessment and Permissions Division](#)

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

[The Ministry of the Environment, Conservation and Parks will be undertaking an analysis of whether the Terms of Reference, once submitted, has met the legislative requirements of the Ontario Environmental Assessment Act, the ministry's expectations, and other items listed in section 7.3 of the Code of Practice: Preparing and Reviewing Terms of Reference for EAs in Ontario, 2014.](#)

[The ministry is willing to cooperate with IAAC in coordinating the federal and provincial EA processes to the extent possible.](#)

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 proponent should include a description of how it plans to coordinate the federal and provincial EA processes, including technical work and consultation requirements.](#)

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

[Please see response to question #3.](#)

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

The proponent is currently preparing its Terms of Reference, which will provide the framework for the preparation of the EA. The Terms of Reference, if approved, will set out the framework for meeting the requirements of Ontario's Environmental Assessment Act. The proponent will be required to consider a broad range of potential environmental effects.

For areas of commonality between the provincial and federal requirements, the ministry encourages the proponent to ensure both sets of requirements are met in the EA report and to seek ways to find efficiencies in meeting the requirements (e.g. technical studies, consultation). It is expected that ongoing guidance toward achieving efficiency and coordination in the review of the proponent's EA-related studies will be necessary.

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.

Please see response to question #5.

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.)

Contact information for the EA process for this project is identified in response to question #1. Contact information for other ministry permits and authorizations is not known at this time.

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.

The proponent's draft Terms of Reference issued on September 16, 2019 includes a preliminary list of potential permits that may be required from the ministry. These include permits to take water, environmental compliance approvals and endangered species act permits. This information will be further confirmed by the proponent during the EA and post-EA permitting phases.

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.

Please see response to question #8.

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.

Please see response to question #8.

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.)

Under the Ontario Environmental Assessment Act, the proponent is required to consult with interested persons, including Indigenous communities, the public, and government agencies, as it prepares the terms of reference and environmental assessment. The proponent has recently initiated a 30-day public, Indigenous and agency comment period on its draft Terms of

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

Reference, ending October 16, 2019. Once the final Terms of Reference is submitted, there will be a regulated 30-day public, Indigenous and agency comment period.

If the Terms of Reference is approved, there will be additional comment opportunities during the EA process, including proponent-led consultation during the preparation of the EA as well as regulated 7-week and 5-week comment periods. The timing of this is presently unknown.

12. Will your ministry be providing any participant funding?

No. The Ministry of Energy, Northern Development and Mines is administering a funding program for this project.

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.

The ministry supports coordination of provincial and federal EA processes to the extent possible. This includes using the 2004 Canada-Ontario Cooperation Agreement (or as updated) and any project-specific tools and methods that may be developed in supporting these coordination efforts.

In particular, should the Terms of Reference be approved, the ministry encourages the proponent to ensure both sets of requirements are met in the EA report and to seek ways to find efficiencies in meeting the requirements (e.g. technical studies, consultation). It is expected that ongoing guidance toward achieving efficiency and coordination in the review of the proponent's EA-related studies will be necessary.

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

Ontario has a constitutional duty to consult Aboriginal communities whose Aboriginal or treaty rights may be adversely affected by a project before it makes any decisions on that project. In the case of the Webequie Supply Road project, Ontario is working with the proponent to develop an approach that sets out the sharing of procedural aspects of that responsibility with the proponent.

Under the Environmental Assessment Act, the proponent must also consult with interested communities as it prepares the Terms of Reference and EA and will coordinate that consultation with the procedural aspects of the duty to consult, where appropriate.

Sasha McLeod

Name of responder

October 8, 2019

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 RecordResponse 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 the Environment, Conservation and Parks		
EA Contact Name:	Agni Papageorgiou and Sasha McLeod	Telephone:	416-314-8214 416-314-8221
Address:	135 St. Clair Ave. W., 1 st Floor	Fax:	N/A
Email:	agni.papageorgiou@ontario.ca , sasha.mcleod@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.

[Agni Papageorgiou, Special Project Officer, and Sasha McLeod, Special Project Officer
Environmental Assessment and Permissions Division](#)

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.

[The proponent signed a voluntary agreement to subject the project to an individual EA under the Ontario Environmental Assessment Act. The proponent is required to meet the requirements of the EAA and follow the Codes of Practice for preparing the Terms of Reference and EA as well as consultation, which can be accessed at <https://www.ontario.ca/page/preparing-environmental-assessments>.](#)

[The proponent anticipates requiring permits and approvals from MECP including permit to take water under the Ontario Water Resources Act, permit under the Endangered Species Act and Environmental Compliance Approvals under the Environmental Protection Act. This information will be further confirmed by the proponent during the EA and post-EA permitting phases.](#)

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?

[The proponent is currently preparing its Terms of Reference, which will provide the framework for the preparation of the environmental assessment. The ministry is working closely with the proponent to ensure that the ToR requirements are met. The ToR will be subject to approval by the Minister. At the EA stage, information about environmental effects in relation to the project is provided for review and comment.](#)

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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.

The ToR, if approved, will set out the framework for the proponent's EA study. For areas of commonality between the provincial and federal requirements, the ministry encourages the proponent to ensure both sets of requirements are met in the EA report and to seek ways to find efficiencies in meeting the requirements (e.g. technical studies, consultation). It is expected that ongoing guidance toward achieving efficiency and coordination in the review of the proponent's EA-related studies will be necessary.

5. The Agency is aware that this project is subject to an individual environmental assessment pursuant to Ontario's *Environmental Assessment Act*. Please provide your views on how the federal and provincial processes can be best coordinated.

The ministry supports coordination of provincial and federal EA processes to the extent possible. This includes using the 2004 Canada-Ontario Cooperation Agreement and any project-specific tools and methods that may be developed in supporting these coordination efforts.

[Sasha McLeod](#)

Name of responder

[August 19, 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.