

Attachment 1: Guiding Questions for this Comment Period

Please respond by February 16, 2021

ATCO Salt Cavern Storage Expansion Project

Canadian Impact Assessment Registry File No.: 81297

The Agency encourages you to use the “Submit a Comment” feature on the Agency’s Registry website using reference number: 81297

Potential Effects and Impacts

1. Please identify any potential effects of the Project that are of concern to your community. Also please identify any potential effects that you are aware of that are not listed in the initial project description.

Note: Information on effects and direct and incidental effects as well as effects within federal jurisdiction are defined in section 2 of IAA¹.

- **Our primary concerns as a community regarding this project is potential ground pollution and the environmental fate of the water/brine used in the construction of the salt caverns that may be developed for the Project.**
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2. Please describe how the potential effects of the Project could result in changes to your community’s:

(a) physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes)

- **Water and its surrounding area are used for ceremonial purposes in the Metis culture, any disturbance to the land and water may create adverse impacts for these practices.**
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(b) current use of lands and resources for traditional purposes (e.g. hunting, fishing, trapping)

- **This project falls within harvesting area ‘D’ and Region 2 has 471 harvesters approved to practice harvesting in this area.**
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(b) structures, sites or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historic buildings or symbols)

- **Historical findings may be found within the area of the Project as the Metis have been found in and around the area of the Project historically and currently.**
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3. Please describe how the Project may result in changes (both positive and negative) to your community’s:

(a) health, social or economic conditions (e.g. employment opportunities, easier access to goods and services, economic development, accessibility to health-care services);

- **Until we are able to formally engage our citizenry with respect to this specific Project, we cannot explicitly state the impacts this Project may have on the health, social, or economic conditions of our community.**

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

(b) Indigenous knowledge, indigenous language or indigenous culture.

- **We believe that any changes to the natural landscape may impact Indigenous culture, knowledge, and way of life. However, until we formally engage our citizenry, it would be inappropriate to detail these impacts.**
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4. Please describe how the Project may result in any change (positive or negative) to:

(a) the intersection of sex and gender with other identity factors (would there be effects to different sub-groups within your community, identified based on factors such as gender, age, race, religion etc.. For example, to women, youth, elders);

- **Until we are able to formally engage our citizenry on this Project, we are unable to fully describe the resultant positive or negative changes relating to the intersection of sex and gender with other identity factors within our community.**
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(b) sustainability, considering, for example, the interconnectedness and interdependence of human-ecological systems and the well-being of present and future generations.

- **The sustainability and quality of natural resources are a concern our community has perpetually held regarding all Projects and activities done on the land and water. This Project and its use of water may adversely impact the sustainability of water resources, the water used and recycled within this Project may decrease in quality consequently impacting the use of water by our Métis citizens.**
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5. If you expect the Project may impact your community's potential and/or established rights as protected under section 35 of the *Constitution Act, 1982*, please describe how.

- **This Project and its use of water may adversely impact the availability or sustainability of water resources. Furthermore, whenever water is used or drawn for a project and removed from the environment it is of particular concern to Métis citizens and the potential impacts must be examined in more depth.**
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Approach to Consultation and Engagement

6. If a federal impact assessment is required for the Project, the Agency will be developing a draft Indigenous Engagement and Partnership Plan and, if applicable, will contact you to seek your comments. Please provide information on how you would like to be consulted by the Agency (for example, does your community have specific cultural practices, traditions or protocols, etc.).

- **We would like to be consulted according to the MNA-Canada consultation agreement, with mutually agreed-upon timelines between the Proponent and our Region. We would also require capacity funding by the Proponent and/or the Crown to support consultation and engagement activities needed for our Region to identify potential impacts and concerns of the Project and to outline any mitigation or accommodation recommendations once consultation is completed.**
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7. Please also provide your views on how you would like the proponent to engage your community during all phases of the Project.

- Flowing from the express authorization the MNA receives from its members, the MNA Bylaws mandate democratically-elected Métis governance structures at the local (i.e., Local Councils), regional (i.e., Regional Councils), and the provincial (i.e., Provincial Council) levels to work—together—to represent all MNA members and the Métis Nation within Alberta. Collectively, these structures constitute the “Government of the Métis Nation,” which are authorized to represent, assert, and advance the MNA’s individual members’ collectively-held s. 35 Métis rights. Since the Crown’s duty to consult flows from these s. 35 Métis rights, the MNA (including its Locals, Regions, and the Provincial Council) is also authorized to deal with this constitutional obligation owing to regional rights-bearing Métis communities throughout Alberta.
- In order to facilitate these activities, the MNA, each of its 6 administrative Regions, and the MNA Local Councils therein, have entered into Regional Consultation Protocols. In accordance with these protocols, Regional Consultation Offices have been established under the technical guidance of Regional Consultation Committees. These committees are composed of the Provincial, Regional, and Local leadership within each Region and form the decision-making body of each Regional Consultation Office. In order to engage the MNA Region 2 community, communication should be conducted through the Region 2 consultation committee via the Region 2 consultation coordinator (Ashley Shaw, MNAR2notifications@metis.org / <contact information removed>). By conducting consultation through the Regional coordinator, the Governance structure of MNA Region 2 is necessarily engaged as well.
- This is the approach the proponent should use to engage MNA Region 2. This is also the approach accepted by the Government of Canada which, on July 19, 2018, signed a Consultation Agreement with the MNA. This Consultation Agreement acknowledges the MNA’s Regional Consultation Protocol Agreements as the means by which to conduct consultation with the Métis Nation within Alberta.² Therefore, to engage with our community during all phase of the Project, please contact Ashley Shaw using the above stated contact information.

8. If a federal impact assessment is required for the Project, the Agency will act as the Crown Consultation Coordinator and will be responsible for implementing the Duty to Consult. Do you have any views on how the Agency should work with your community in relation to the assessment of impacts on the potential and/or established rights of your community, as protected under section 35 of the *Constitution Act, 1982*?

- Please see above.
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² MNA – Canada Consultation Agreement (July 19, 2018);