

ATTACHMENT
Federal Authority Advice Record: Designation Request under IAA
Response due by February 18, 2022
Lambert La Ronge Peat Harvest Project

Department/Agency	Indigenous Services Canada
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1. Has your department or agency considered whether it has an interest in the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action (including provision of financial assistance) that would allow the Project to proceed in whole or in part?

Indigenous Services Canada has considered an interest in the Project related to impacts on Indigenous peoples and the rights of Indigenous peoples. ISC (Indigenous Services Canada) has not exercised a power or performed a duty or function under any Act of Parliament in relation to the Project or taken any course of action (including provision of financial assistance) that would allow the Project to proceed in whole or in part.

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2. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

If yes, specify that power, duty or function and its legislative source.

Indigenous Services Canada is not responsible for approving or issuing licences, permits or authorizations for the assessments of large, proposed projects.

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3. If your department or agency will exercise a power or perform a duty or function under any Act of Parliament in relation to the Project, will it involve public and Indigenous consultation?

Specify as appropriate.

Not Applicable for Indigenous Services Canada.

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4. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to any potential adverse effects within federal jurisdiction caused by the Project or adverse direct or incidental effects stemming from the Project?

Specify as appropriate.

Indigenous Services Canada has specialized knowledge pertaining to Indigenous peoples. Areas of expertise include but are not limited to; the provision of health services, community health and wellness programs, and drinking water on First Nations reserves and other social determinants of health.

Indigenous Services Canada also has information on and knowledge of Indigenous matters on Federal lands. Indigenous Services Canada has a mandate to support Indigenous people (First Nations, Inuit, and Métis) in their efforts to improve social well-being and economic prosperity; to develop healthier, more sustainable communities; and to participate more fully in Canada's political, social, and economic development.

5. Has your department or agency had previous contact or involvement with the proponent or other parties in relation to the Project?

Provide an overview of the information or advice exchanged.

Indigenous Services Canada has not had previous involvement with the proponent or other parties in relation to the Project.

6. From the perspective of the mandate and area(s) of expertise of your department or agency, does the Project have the potential to cause adverse effects within federal jurisdiction or adverse direct or incidental effects as described in section 2 of IAA? Could any of those effects be managed through legislative or regulatory mechanisms administered by your department or agency? If a licence, permit, authorization, or approval may be issued, could it include conditions in relation to those effects?

Specify as appropriate.

Lambert Peat Moss Inc. is proposing to construct and operate the La Ronge Area Peat Harvesting Project located approximately 15 kilometres south of La Ronge, Saskatchewan. The Project is to be located on the traditional lands and Treaty 6 territory of the Woodland Cree and Métis Peoples and includes the mining of peat for the production of horticultural products at four harvesting sites that together would represent 2,619 hectares of potentially harvestable area.

The Project is proposing clearing the area, which would include removal of all trees, bush, stumps and other obstacles laying within the development areas.

Currently, ISC does not have enough information to make determinations as to whether or not the Project may pose adverse direct or incidental effects as described in Section 2 of IAA 2019. However, any proposed changes from the Project activities could interfere with land use/access, loss of traditional lands and ability to hunt, fish gather and/or trap as well as the ability for Indigenous People to practice their culture.

The potential impacts of the proposed Project should be considered over an extended period of time (80-100 years) and with particular attention paid to anticipated impacts of advancing climate change on food security and traditional activities of First Nations potentially affected by the proposed Peat Mine. Common concerns surrounding impacts to Indigenous communities may potentially be centred around:

- *loss of food security (traditional foods);*
- *loss of lands with native habitats and associated wildlife;*
- *impacts to soils, waters, and fish habitat;*
- *loss of habitat for fowl/migratory birds harvested for food/cultural purposes;*
- *localized climatic changes due to potential emissions during construction, operation, and decommissioning*
- *social well-being and economic prosperity;*

- impacts to sacred sites and other cultural and heritage-sensitive areas; and
- cumulative effects due to significant oil, gas, forestry, and mining development activities over the past several decades.

Indigenous Services Canada does not have any legislative or regulatory mechanisms that could manage the potential adverse/incidental effects of the Project. ISC would not issue any licence, permit, authorization, or approval for this project.

7. Does your department or agency have a program or additional authority that may be relevant and could be considered as a potential solution to concerns expressed about the Project? In particular, the following issues have been raised by the requestor:
- effects to fish and fish habitats due to reduction in the volume of water, reduction in water filtration capacity of the watershed, and change in natural stream flow;
 - adverse effects on migratory birds and species at risk and their critical habitats (including the following threatened species at risk: Northern Leopard Frog, Common Nighthawk, Rusty Blackbird, and the boreal population of Woodland Caribou);
 - contribution to climate change due to greenhouse gas emissions and loss of carbon sequestration capacity;
 - adverse impacts on the rights of Indigenous peoples; and,
 - lack of consultation by the Crown.

If yes, please specify the program or authority.

*Indigenous Services Canada **does not** have programs or additional authority that may be relevant and could be considered as a potential solution to concerns related to the following items:*

- effects to fish and fish habitats due to reduction in the volume of water, reduction in water filtration capacity of the watershed, and change in natural stream flow;
- adverse effects on migratory birds and species at risk and their critical habitats (including the following threatened species at risk: Northern Leopard Frog, Common Nighthawk, Rusty Blackbird, and the boreal population of Woodland Caribou);
- contribution to climate change due to greenhouse gas emissions and loss of carbon sequestration capacity; or
- lack of consultation by the Crown.

*Indigenous Services Canada **may have** programs or additional authority that may be relevant and could be considered as a potential solution to concerns related to the following items:*

- adverse impacts on the rights of Indigenous peoples.
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8. Does your department or agency have information about the interests of Indigenous groups in the vicinity of the Project; the exercise of their rights protected by section 35 of the *Constitution Act, 1982*; and/or any consultation and accommodation undertaken, underway, or anticipated to address adverse impacts to the section 35 rights of the Indigenous groups?

If yes, please specify.

Indigenous Services Canada does not have information about the interests of Indigenous groups in the vicinity of the Project, the exercise of their treaty rights protected by Section 35 of the Constitution Act, 1982; and/or any consultation and accommodation undertaken, underway, or anticipated to address adverse impact to Section 35 rights of Indigenous group.

9. If your department has guidance material that would be helpful to the proponent or the Agency, please include these as attachments or hyperlinks in your response.

Indigenous Services Canada does not have additional guidance materials that would be helpful to the proponent or the Agency at this point in time.

Indigenous Services Canada

Name of departmental / agency responder

Anik Guertin - Manager

Title of responder

18-02-2022

Date