

Enclosure: Provincial Advice Record – Summary of Issues and Potential Cooperation Plan

Project: Crawford Nickel Project
Proponent: Canada Nickel Company
CIAR No.: X83857
Response invited by: September 7, 2022

All comments should be submitted via the **Submit a Comment** feature available on the Project's Canadian Impact Assessment Registry page (reference 83857)¹. Letters and forms can be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency at Crawford@iaac-aeic.gc.ca.

Note: comments from the Ministry's Tourism Policy Unit start on page 7.

1. Confirm whether your ministry would participate in the federal impact assessment process for this Project. Yes No

If yes, please provide contact details for the person(s) who will be working with the Agency.

Ministry/Agency: Ministry of Tourism, Culture and Sport	
Date of Advice: September X, 2022	
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¹ <http://iaac-aeic.gc.ca/050/evaluations/proj/83857>.

2. Expertise

Please identify and describe the area of expertise within your ministry that is relevant to an assessment of the Project.

The Ministry of Tourism, Culture and Sport (MTCS) will review any technical cultural heritage studies related to this Project to ensure compliance with the *Ontario Heritage Act*.

MTCS has an interest in undertakings such as this under its mandate to develop policies and programs for the conservation of Ontario's cultural heritage, and to stimulate growth and investment in tourism, sport and recreational activities and facilities in Ontario.

As a government review agency, MTCS reviews various applications and associated technical studies, including those under an environmental assessment process to ensure compliance with the *Ontario Heritage Act* and fulfillment of due diligence related to cultural heritage more generally.

To meet its obligations related to the conservation of cultural heritage resources, including their identification, protection and wise management, the proponent retains qualified persons to prepare technical cultural heritage studies (e.g., archaeological assessments, cultural heritage evaluations, heritage impact assessments). It is these studies that MTCS reviews.

Under its mandate to conserve Ontario's cultural heritage, MTCS applies the following processes and approvals to address potential adverse effects on cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes.

Ontario Heritage Act, Part VI

Under the *Ontario Heritage Act* (OHA), MTCS regulates archaeology and licenses archaeologists. The ministry reviews archaeological reports as a condition of licensing in accordance with Part VI of the OHA. This review is to ensure that the archaeologist has met the terms and conditions of their license, that the archaeological sites have been identified and documented according to the standards set by MTCS and that the archaeological fieldwork and report recommendations ensure the conservation of archaeological resources.

Once they have reviewed an archaeological report, MTCS staff provide the archaeologist with a letter. If the report complies with the *Standards and Guidelines for Consultant Archaeologists* (MTCS, 2011), the letter informs the archaeologist that the report has been entered into the Ontario Public Register of Archaeological Reports. The letter is copied to the proponent (e.g., ministry or prescribed public body) and the approval authority (e.g., Ministry of the Environment, Conservation and Parks, Impact Assessment Agency of Canada). Approval authorities often rely on the letter to address legislative requirements, and more broadly, to address concerns for due diligence.

3. Key issues and solutions

(a) From the perspective of the mandate and area(s) of expertise of your ministry, what are the key issues that are material and relevant to decision-making and should be addressed? In identifying key issues, be mindful of the Project's context (size, scope, geography, policy) and the definitions of *effects*,² *sustainability*³ and *public interest*.⁴

(b) For each **key** issue:

- i. Identify the relevant valued component(s) within your mandate and describe the key pathway of effect, or describe the nature of the issue. This may consider⁵ positive and negative effects on components of the environment or on health, social and economic conditions.
- ii. Identify any clarifications or commitments the Proponent could make in its Detailed Project Description and Response to the Summary of Issues that would build confidence that issues can be addressed and managed without further impact assessment⁶, or that can help focus the Tailored Impact Statement Guidelines⁷, if an impact assessment is required.

(c) For each issue and solution discussed, provide a concise, plain-language summary that is appropriate for inclusion in the Summary of Issues.

Key issue: it is not clear whether the Project could impact cultural heritage resources, which include any known (previously recognized) or potential archaeological resources, built heritage resources and/or cultural heritage landscapes.

Valued component: archaeological resources, built heritage resources, cultural heritage landscapes.

Recommended clarifications and commitments in Detailed Project Description:

The Detailed Project Description should:

- better describe the cultural heritage environment
- confirm if there are any known or potential built heritage resources and/or cultural heritage landscapes in the study area
- better describe the potential effects on archaeological resources, including non- Indigenous cultural heritage resources

² Note: effects, direct and incidental effects, and effects within federal jurisdiction are defined in section 2 of the *Impact Assessment Act*, which can be found at <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>

³ Guidance: Considering the Extent to which a Project Contributes to Sustainability <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-considering.html>

⁴ Policy Context: Public Interest Determination under the *Impact Assessment Act* <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/public-interest-determination-under-impact-assessment-act.html>

⁵ Other considerations may include sources of high uncertainty that complicate predictions; the purpose and need for the Project and selected alternatives.

⁶ This could mean that mitigation measures that the proponent has committed to in the Detailed Project Description are referenced in the potential Tailored Impact Statement Guidelines.

⁷ For example, regulatory instruments, operational guidance or well-understood mitigation and monitoring measures of proven effectiveness.

- Confirm whether further studies need to be completed to identify, evaluate and assess potential project impacts
- Provide the conclusions and recommendations of archaeological assessment(s) undertaken to date
- indicate whether the project could impact marine (or underwater) archaeological resources. The [Criteria for Evaluating Marine Archaeological Potential](#) should be completed and included with the appropriate documentation. If the checklist indicates that there is potential for marine archaeological resources, the proponent should hire a licensed archaeologist to undertake a marine archaeological assessment inform whether further archaeological assessment will be undertaken and the timing.

MTCS recommends that the following be completed a part of the environmental assessment:

- 1) 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.
- 2) A Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment be completed by qualified person(s). This report will:
 - a) describe the existing baseline cultural heritage conditions within the study area by identifying all known or potential built heritage resources and cultural heritage landscapes, including a historical summary of the study area. MTCS has developed screening criteria that may assist with this exercise: [Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes](#)
 - b) 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.
 - c) Recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The proposed mitigation measures are to inform the next steps of project planning and design.
- 3) The IPD does not indicate that the area has archaeological potential, but it does state that archaeological assessments will be undertaken. MTCS recommends that archaeological assessment be undertaken by an archaeologist licensed under the Ontario Heritage Act, as early as possible during the environmental assessment process.

Key issue: the IPD does not clearly articulate the potential effect(s), including residual effects, on cultural heritage resources. Table E.2 Preliminary Summary of Potential Environmental Effects states the following: “*Archaeological studies are ongoing and no cultural heritage features or artefacts have been identified in proposed development areas.*” Therefore, it is not clear whether the proposed mitigation and/or monitoring measures are adequate.

Valued component: archaeological resources, built heritage resources, cultural heritage landscapes.

Recommended clarifications and commitments in Detailed Project Description: see comments above.

4. Provincial policies, operational guidance, and permits and approvals

Within the mandate and area(s) of expertise of your ministry, list, along with a brief description, specific operational policies or guidance documents that could help address issues and manage effects relevant to the project context.

MTCS has developed screening checklists to assist property owners, developers, consultants, and others to identify known and potential cultural heritage resources:

- [Criteria for Evaluating Archaeological Potential](#)
- [Criteria for Evaluating Marine Archaeological Potential](#)
- [Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes](#)

The following technical guidance documents may also be of assistance:

[*Standards and Guidelines for Consultant Archaeologists \(2011\)*](#)

These Standards and Guidelines are for consultant archaeologists conducting land-based archaeology in Ontario. Consultant archaeologists undertake archaeological work for clients who are required to address archaeological considerations as part of the land use planning and development process. While written for consultant archaeologists the document may help proponents understand the archaeology framework in Ontario and assist with project planning.

[*Engaging Aboriginal communities in archaeology \(2011\)*](#)

This bulletin is intended to help consultant archaeologists engage Indigenous communities on their archaeological projects as effectively as possible. It summarizes the requirements for engagement in the Standards and Guidelines and provides information and resources to help consultant archaeologists meet these requirements. While written for consultant archaeologists the document may help proponents understand the archaeology framework in Ontario and assist with project planning.

[*Standards and Guidelines for Conservation of Provincial Heritage Properties \(2010\)*](#)

It is anticipated that the project location will include Crown land. All Ontario government ministries and public bodies that are prescribed under Ontario Regulation 157/10 must comply with the Standards and Guidelines for Conservation of Provincial Heritage Properties (S&Gs). They apply to property that is owned or controlled by the Crown in right of Ontario or by a prescribed public body.

The following federal guidance may also be of assistance:

[Standards and Guidelines for the Conservation of Historic Places in Canada](#)

[Reference Guide on Physical and Cultural Heritage Resources](#)

5. (a) List and provide a short description of provincial permits or regulatory approvals that might be applicable to the Project.
- (b) For each provincial permit or regulatory approval that would be required for the Project, please provide the following information:
- i. Explain any associated framework to address effects on valued components within your mandate.
 - ii. Describe any Indigenous consultation activities that would occur, potential timelines for Indigenous participation, and how potential impacts to Indigenous communities are addressed by your ministry.
 - iii. Describe any public participation opportunities that would occur, and potential timelines for public participation.

For 5 (a) and 5 (b) i. see response to question 2 above.

5 (b) ii. The *Standards and Guidelines for Consultant Archaeologists* set out requirements for engaging with Indigenous communities. MTCS encourages engagement with Indigenous communities in all stages of archaeological assessment and requires it in Stage 3 archaeological assessments when making recommendations regarding the conservation of Indigenous archaeological sites. For more information about Indigenous engagement during archaeological fieldwork, see the ministry's draft technical bulletin, [Engaging Aboriginal Communities in Archaeology](#).

While not a regulatory approval, MTCS also recommends engaging Indigenous communities in any other cultural heritage technical studies, such as the Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment mentioned in response to question 3 above.

5 (b) iii. MTCS does not undertake public participation for projects undertaken by external parties.

6. Is there any additional information related to the geographic context of the Project (e.g. potential effects to natural heritage features, Indigenous protected and conserved areas, provincial species at risk, provincial policy statements on planning or zoning in the area) for which your ministry has information or authority?

No.

1. **Confirm whether your ministry would participate in the federal impact assessment process for this Project.** Yes No

If yes, please provide contact details for the person(s) who will be working with the Agency.

Ministry/Agency: Ministry of Tourism, Culture and Sport	
Date of Advice: September 8, 2022	
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2. **Expertise**

Please identify and describe the area of expertise within your ministry that is relevant to an assessment of the Project.

The Ministry's Tourism Policy Unit provides strategic tourism policy and planning expertise and advice. The Unit also promotes activities that protect, diversify and enhance tourism industry interests on lands and waters in Ontario.

3. **Key issues and solutions**

(a) From the perspective of the mandate and area(s) of expertise of your ministry, what are the key issues that are material and relevant to decision-making and should be addressed? In identifying key issues, be mindful of the Project's context (size, scope, geography, policy) and the definitions of *effects*,⁸ *sustainability*⁹ and *public interest*.¹⁰

(b) For each **key** issue:

⁸ Note: effects, direct and incidental effects, and effects within federal jurisdiction are defined in section 2 of the *Impact Assessment Act*, which can be found at <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>

⁹ Guidance: Considering the Extent to which a Project Contributes to Sustainability <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-considering.html>

¹⁰ Policy Context: Public Interest Determination under the *Impact Assessment Act* <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/public-interest-determination-under-impact-assessment-act.html>

- iii. Identify the relevant valued component(s) within your mandate and describe the key pathway of effect, or describe the nature of the issue. This may consider¹¹ positive and negative effects on components of the environment or on health, social and economic conditions.
- iv. Identify any clarifications or commitments the Proponent could make in its Detailed Project Description and Response to the Summary of Issues that would build confidence that issues can be addressed and managed without further impact assessment¹², or that can help focus the Tailored Impact Statement Guidelines¹³, if an impact assessment is required.

(c) For each issue and solution discussed, provide a concise, plain-language summary that is appropriate for inclusion in the Summary of Issues.

Identifying and assessing potential impacts of tourism activities across a wider scope of project study areas. The initial Project Description (IPD) only does this in the area of the project's footprint. We recognize that at the stage of the IPD there is not a requirement to address things like Local and Regional Study Areas and that they are normally raised through the Tailored Impact Statement Guidelines. However, we would expect that if an impact assessment/environmental assessment is required for the project that Local Study Areas (LSA) and Regional Study Areas (LSA) for the various valued components would be identified and assessed for potential effects.

For example, Table E.2: Preliminary Summary of Potential Environmental Effects in the IPD identified "Fishing, Hunting and Tourism" as an environmental component and looked at potential preliminary effects and mitigation. We recommend a similar assessment be done for tourism in an identified LSA and RSA.

4. Provincial policies, operational guidance, and permits and approvals

Within the mandate and area(s) of expertise of your ministry, list, along with a brief description, specific operational policies or guidance documents that could help address issues and manage effects relevant to the project context.

There are no specific policies or operational guidance that are directly relevant to the project.

- 5. (a) List and provide a short description of provincial permits or regulatory approvals that might be applicable to the Project.
- (b) For each provincial permit or regulatory approval that would be required for the Project, please provide the following information:
 - iv. Explain any associated framework to address effects on valued components within your mandate.
 - v. Describe any Indigenous consultation activities that would occur, potential timelines for Indigenous participation, and how potential impacts to Indigenous communities are addressed by your ministry.
 - vi. Describe any public participation opportunities that would occur, and potential timelines for public participation.

There are no permits or regulatory approvals required from a tourism perspective.

- 6. Is there any additional information related to the geographic context of the Project (e.g. potential effects to natural heritage features, Indigenous protected and conserved areas, provincial species at risk, provincial policy statements on planning or zoning in the area) for which your ministry has information or authority?

¹¹ Other considerations may include sources of high uncertainty that complicate predictions; the purpose and need for the Project and selected alternatives.

¹² This could mean that mitigation measures that the proponent has committed to in the Detailed Project Description are referenced in the potential Tailored Impact Statement Guidelines.

¹³ For example, regulatory instruments, operational guidance or well-understood mitigation and monitoring measures of proven effectiveness.

Additional tourism-related comments on the Initial Project Description are included in the following Appendix.

APPENDIX: Ministry of Tourism, Culture and Sport Tourism Policy Unit Additional Comments on Crawford Nickel Project Initial Project Description (July 2022)

Canada Nickel Company is proposing the construction, operation, decommissioning and abandonment of an open pit nickel-cobalt mine. The proposed mine and associated development is located 43 kilometres north of Timmins and straddles a portion of Highway 655. The mine is expected to operate for 41 years.

Three pits are planned to be mined with initial nickel and iron concentrate processing facilities on site. Final processing of the concentrates will occur off site at a location to be determined. Stockpiles of ore, mine rock and overburden/topsoil, as well as tailings, will be kept on site. No accommodations complex is planned for workers at the site.

As noted in our comments on the draft IPD, in reviewing mining project materials such as these, our primary interest is how tourism is reflected and considered within the document. A secondary consideration relates to any past and future consultation with tourism interests to ensure their perspectives are considered and addressed as the project is developed.

Based on the IPD there does not appear to be any tourism facilities located within the footprint of the project site, though there is tourism activity described in each of the four nearby municipalities in Sections C.7.2.1 (Social Context: Municipalities) and C.7.3.1 (Economic Context: Municipalities). The impression left is that these activities are located away from the project area.

- Timmins (43 kms to the south by road)
- Cochrane (63 kms northeast by road)
- Smooth Rock Falls (63 kms to the north by road), and
- Iroquois Falls (112 kms east by road via Timmins or Cochrane)

There are snowmobile trails in the immediate area and dialogue has occurred with local snowmobile clubs with regard to how to manage those trails during the project lifespan, including relocation as needed. It is not clear from the document whether there is tourism use of those trails which should be clarified as the process moves forward.

SPECIFIC COMMENTS ON THE INITIAL PROJECT DESCRIPTION

Section	Page	IPD Context	Tourism Policy Unit Comments
A.3.2 Engagement with Stakeholders	5	Nature and Outdoor Tourism Ontario (NOTO) is listed as a stakeholder contact with an introductory meeting held July 2022.	We appreciate the inclusion of NOTO as we suggested the association be engaged in our comments on the draft IPD.
C.7.3.1 Economic Context: Municipalities	39	According to the 2022-2023 Abitibi River Forest Management Plan there are no commercial campgrounds, main base lodges, or outpost camps in the project footprint as well as no designated ATV trails. There is a designated snowmobile trail.	This is helpful information. However, resource-based tourism businesses can utilize a broad area beyond the location of their accommodation facilities for activities such as fishing, hunting, paddling or other land-based activities. As the impact assessment process moves forward we look forward to the identification of Local and Regional Study Areas (LSA, RSA) and additional information to describe tourism-related

			activities in these areas, including the potential existence of any commercial Bear Management Areas.
D.3.2 Federal, Provincial and Municipal Environmental Approvals: Provincial	52	The Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) may also be involved with permitting of Project components, although no permits are expected to be issued. MHSTCI provides confirmation that appropriate archeological studies and mitigation, if required, have been completed for the Project.	Please update the Ministry name in this section to Ministry of Tourism, Culture and Sport (MTCS). Note that the correct name of the Ministry is listed in Section A.3.2.
E.7.1 Atmospheric Emissions	59	Noise source modeling will be carried out to ensure noise and noise related effects and mitigation are fully considered during engineering design.	We look forward to more detail about potential receptor locations as the process moves forward, including for the LSA and RSA as warranted.
E.8 Land and Resource Use	62	Based on available information, there are no designated canoe routes, hiking or biking trails, ATV trails, outfitters, outdoor experiences, tours, provincial parks, or other resource-based tourism activities, aside from snowmobile trails, in the area to be developed by the project. There are no anticipated effects to the aforementioned tourism activities.	We understand the conclusion but the project footprint is only one area that could be impacted by the project. As activities are assessed beyond the project footprint (LSA and RSA) a more complete picture of potential project effects and mitigation will arise.
Table E.2 Preliminary Summary of Potential Environmental Effects	67	Under the “Hunting, Fishing and Tourism” Environmental Component, several potential effects and mitigation measures are noted, including: <ul style="list-style-type: none"> - No anticipated effect to known tourism activities, aside from potential snowmobile trail relocation. - Canada Nickel intends to continue work with the project stakeholders to mitigate potential localized effects during operations. 	It is positive that Canada Nickel intends to continue work with project stakeholders to mitigate potential effects.