

Comment Form - Draft Tailored Impact Statement Guidelines and Cooperation Plan – Provincial Review Team

Crawford Nickel Project

Deadline: March 3, 2023

All comments should be submitted via the Submit a Comment feature available on the Project’s Canadian Impact Assessment Registry website (Reference #83857 at <https://iaac-aeic.gc.ca/050/evaluations/proj/83857>). Documents can be uploaded using this feature. If you have any difficulties submitting this way, please contact the registry directly at registry-registre@iaac-aeic.gc.ca. Please note that all comments submitted using this table may be posted on the Project’s Canadian Impact Assessment Registry website.

Please note that this will be your final opportunity to provide input to the Tailored Impact Statement Guidelines.

Ministry/Organization:	Ministry of Citizenship and Multiculturalism (MCM)		
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1. Please review the draft Tailored Impact Statement Guidelines (the Guidelines) sections that are applicable to your ministry’s mandate.
2. Using the table below, given the context of the Project, please provide any comments and include your recommendation for how the final Guidelines should be adapted to address any comments.
 - Please indicate any recommended **additions or deletions** to the text. Please provide clear context and rationale for your recommendations.
 - As a reminder, the Guidelines should focus on key issues, effects and factors anticipated to be material and relevant to a public interest decision, and requirements should be clear and specific.

Ministry – Comment ID (e.g., MNRF-01)	Draft TISG Section	Context and Rationale (provide an explanation of your comments)	Recommendation: provide text to be inserted or deleted. Be specific on the location within the draft Guidelines that the text would be added/deleted.
MCM-01	3.2 (Project Location)	It is not clear whether the last bullet (“culturally important features of the landscape”) is applicable to Indigenous and non-Indigenous communities and whether these relate to physical and cultural heritage. MCM recommends revising this bullet.	Please replace the last bullet of section 3.2 (Project Location) with the following, consistent with the <i>Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing that is of Historical, Archaeological, Paleontological or Architectural Significance under the Canadian Environmental Assessment Act, 2012</i> : <ul style="list-style-type: none"> • physical and cultural heritage or to any structure, site or thing that is of historical, archaeological, paleontological or architectural significance • culturally important features of the landscape to Indigenous communities
MCM-02	12.1.1 (Indigenous physical and cultural heritage, and structures, sites or things of significance - Baseline conditions)	The Project may impact cultural heritage of significance for non-Indigenous peoples. Different types of heritage, structures, sites or things can fall under the authorities of municipal, provincial/territorial or federal governments and sometimes under several of these authorities. Although the effects within	MCM recommends that a section be included under Social Conditions (section 10) or have a section on Physical and Cultural Heritage that addresses both Indigenous and non-Indigenous peoples. MCM recommends adding the following bullets to Section 12.1.1 Baseline Conditions to clarify what technical studies/documentation and aligned with the Technical Guidance will be completed: <ul style="list-style-type: none"> • identify VCs which will include an inventory of potential lands

		<p>federal jurisdiction are related to Indigenous peoples, baseline conditions should also include non-indigenous communities that may identify areas of cultural heritage value (significance) within the project's location.</p> <p>It is not clear how this section is aligned with the <i>Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing that is of Historical, Archaeological, Paleontological or Architectural Significance under the Canadian Environmental Assessment Act, 2012</i></p> <p>Technical cultural heritage studies (e.g. cultural heritage assessment reports, archaeological assessments) undertaken for the federal EA process could also be used for the provincial EA process.</p>	<p>and resources and establishing their importance as heritage or as a structure, site or thing. This may be assessed through a combination of consultation, desk-based research and a site survey or inspection. This will be documented in an archaeological assessment and Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment.</p> <ul style="list-style-type: none"> • An archaeological assessment(s) should be undertaken by an archaeologist licenced under the <i>Ontario Heritage Act</i> (OHA) • A Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment should be undertaken for the entire study area during the planning phase. This study will: <ul style="list-style-type: none"> i. 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. ii. Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified. The
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			<p>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.</p> <p>iii. 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.</p>
MCM-03	<p>12.1.2 (Indigenous physical and cultural heritage, and structures, sites or things of significance – Effects Indigenous physical and cultural heritage)</p>	<p>The Project may impact on cultural heritage of significance for non-Indigenous peoples.</p> <p>Different types of heritage, structure, site or thing can fall under the authorities of municipal, provincial/territorial or federal governments and sometimes under several of these authorities. Effects of any changes to the environment on heritage or any structure, site or thing (other than those with respect to Indigenous peoples) that are directly linked or necessarily incidental to a federal decision (e.g., disturbance to a</p>	<p>MCM recommends the following edits:</p> <p>The Impact Statement must:</p> <ul style="list-style-type: none"> ○ <u>Include a description of the nature and current condition of the heritage of any structure, site or thing</u> ○ assess potential effects to physical and cultural heritage, and structures, sites or things of historical, archaeological, paleontological or architectural significance to <u>indigenous and non-Indigenous</u> communities, including, but not limited to: (...) ○ <u>consider the potential cumulative effects</u> ○ (...) describe the outcomes of engagement and consultation activities with <u>the public and Indigenous communities</u> with concerns about heritage resources in the project area

		<p>designated heritage lighthouse) shall be assessed. Therefore, the Impact Statement will assess effects of changes to all cultural heritage resources, associated with Indigenous and non-Indigenous communities.</p> <p>The TSIG should align with the <i>Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing that is of Historical, Archaeological, Paleontological or Architectural Significance under the Canadian Environmental Assessment Act, 2012</i></p>	<p>and indicate the participation of the members of these communities in the related studies (e.g., archaeological studies), if applicable</p>
MCM-04	<p>12.2.2 (Current use of lands and resources for traditional purposes - Effects to current use of lands and resources for traditional purposes)</p>	<p>If the project involves lands that are owned or controlled by an Ontario Ministry or Prescribed Public Body (PPB) on behalf of the Crown (O. Reg. 157/10 includes the list of PPBs), a Ministry or PPB may have responsibilities under the Standards and Guidelines for Conservation of Provincial Heritage Properties (Ontario Heritage Act, Part III.1).</p> <p>This section should be expanded to indicate compliance with the <i>Ontario Heritage Act</i></p>	<p>For consistency MCM recommends including the following additional points:</p> <ul style="list-style-type: none"> ○ evaluate the potential effects of changes to physical and cultural heritage and to structures, sites, or things of historical, archaeological, paleontological or architectural significance to communities. ○ provide copies of correspondence with provincial or territorial authorities responsible for heritage resources containing their comments on the heritage resource assessment and proposed mitigation measures; ○ describe the results of consultation and engagement

		<p>for provincial heritage properties and for archaeological matters.</p>	<p>activities with the public and Indigenous and non-Indigenous communities having heritage resource concerns in the project area and indicate the participation of the members of these communities in the related studies, if applicable;</p> <ul style="list-style-type: none"> ○ in the event that project activities may disturb the soil, on the surface or underground, is carried out on Crown lands, conduct an archaeological potential study for the Crown territory affected. Archaeological resources should be screened using the MCM Criteria for Evaluating Archaeological Potential and Criteria for Evaluating Marine Archaeological Potential to determine if an archaeological assessment is needed. MCM archaeological sites data are available at archaeology@ontario.ca. If the project area exhibits archaeological potential, then an archaeological assessment should be undertaken by an archaeologist licenced under the <i>Ontario Heritage Act</i> (OHA), who is responsible for submitting the report directly to MCM for review. Based on the recommendations of this study, field work (visual inspection without snow cover, archaeological inventory, or other) could be necessary. Depending on the findings, this expertise could lead to mitigation measures related to the findings obtained, which can take the form, for example, of
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			<p>intensive digs at a given site or a proposal for modification of the anticipated route. Technically and economically feasible measures must be identified that would mitigate any significant adverse environmental effects;</p> <ul style="list-style-type: none"> ○ on lands under provincial jurisdiction, work that could disturb the soil on the surface or underground should comply with the <i>Ontario Heritage Act</i>, including the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>
MCM-05	12.5 (Mitigation and enhancement measures)	<p>Jurisdiction over heritage is shared among levels of government. Heritage sites may be specifically designated as protected sites or may be subject to a blanket system of protection either by legislation or by policy at the federal, provincial, territorial or municipal level.</p> <p>Information under section 12.5 should also be consistent with the Technical Guidance. Mitigation measures for physical and cultural Heritage or any structure, site or thing that is of Historical, archaeological, paleontological or architectural significance can only be identified by qualified persons and documented in</p>	<p>MCM recommends the following edits to clarify what mitigation measures should be undertaken for potential or known cultural heritage resources:</p> <ul style="list-style-type: none"> ● <u>describe the measures that would mitigate any significant adverse environmental effects on physical and cultural heritage or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance related to Indigenous peoples and non-Indigenous and supported by technical cultural heritage studies; (...)</u> ● provide any intervention and communication plans, as applicable, pertaining to heritage resources and structures, sites, and things of cultural, historical, archaeological, paleontological, or architectural significance, if there is a possibility of discovery during construction or development activities. This

		<p>technical cultural heritage studies (e.g., archaeological assessment, cultural heritage report).</p>	<p>plan must include, at a minimum, the person to be contacted, intervention measures and the conditions that would lead to a shutdown and resumption of work;</p> <ul style="list-style-type: none"> • provide copies of correspondence from the provincial or territorial heritage resource authorities containing their comments on the heritage resource assessment and proposed mitigation measures <u>authorities responsible for the conservation of cultural heritage. Correspondence should include comments from provincial authorities on due diligence under legislative and regulatory framework, including comments on technical cultural heritage studies.</u> • <u>In the event that project activities may disturb the soil, on the surface or underground, on federal Crown lands, an archaeological assessment(s) by an archaeologist licensed under the <i>Ontario Heritage Act</i> shall be conducted for the affected lands. Archaeological assessment(s) shall be undertaken during the impact assessment process and prior to any ground disturbing activities. Recommendations from the archaeological assessment(s) will be followed by the proponent.</u> • (...)
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Insert as many rows as applicable

3. Please review the draft Cooperation Plan sections that are relevant to your ministry or organization. Please indicate any recommended corrections to the text.

We recommend that the *Ontario Heritage Act* be include in Table A2 (Ontario Ministry Regulatory Mechanism References) in Appendix2:<https://www.ontario.ca/laws/statute/90o18>