

Comment Form – Draft Permitting Plan and Draft Tailored Impact Statement Guidelines – Federal Review Team

Crawford Nickel Project

Response required by: March 3, 2023

All comments should be submitted via the Submit a Comment feature available on the Project's Canadian Impact Assessment Registry page (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. All comments submitted using this table will be posted on the Project's Registry website.

Please note that this will be your final opportunity to make changes to the Tailored Impact Statement Guidelines. The Agency is required to issue the final Guidelines and plans by day 180 of the Planning Phase, on April 1, 2023.

Department/Agency:	Indigenous Services Canada, including First Nations and Inuit Health Branch
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Section 1:

1. Confirm that all applicable legislative and regulatory oversight that may apply to the Project, under the authority of your department, is accurately listed in the draft Permitting Plan.

<p><u>Insert response here:</u></p> <p>Indigenous Services Canada is not responsible for approving or issuing licences, permits or authorizations for the assessments of large, proposed projects.</p>

2. Indicate whether your department has identified any power that it will be unable to exercise to allow the Project to proceed, in whole or in part. For more information, refer to subsection 17(1) of IAA.

<p><u>Insert response here:</u></p> <p>ISC (Indigenous Services Canada) has not identified/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.</p>

Section 2:

1. Please review the draft Tailored Impact Statement Guidelines (the Guidelines) sections that are applicable to your department'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 Tailored Impact Statement 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.

Department – Comment ID (e.g., ECCC-01)	Draft Guidelines 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.
ISC-01	3.2 Page 8	3.2 paragraph ending with “maps”, should include location of First Nation communities, and municipalities within the “Regional Study Area”.	The following information should include, and where appropriate, located on maps, and include First Nation communities and municipalities, and the Regional Study Area.
ISC-02	3.2 Page 9		Descriptions and locations of potable drinking water sources (ie. Municipal, private and Indigenous communities).
ISC-03	3.4 Page 10	First bullet should include cultural effects.	Describe the project components.... To assist in the understanding of the potential environmental, health, social, cultural , and economic effects... on Indigenous People...
ISC-04	3.4 Page 14	Describe components and activities - Under “Suspension, abandonment and decommissioning”: include water monitoring and describe any agreements with Indigenous communities	Add a bullet: <ul style="list-style-type: none"> • water monitoring and describe any agreements with Indigenous communities.
ISC-05	3.5. Page 14-15	Workforce requirements: add a bullet to address business opportunities and partnerships with Indigenous Communities	<ul style="list-style-type: none"> • Business opportunities and partnerships with First Nation-owned businesses entities or First Nation Businesses.
ISC-06	6. Page 21	The proponents should identify how they will engage with multiple First Nation communities and determine how “free and Informed consent” will be accomplished	Add to end of first paragraph Page 21: The proponent should have clear communication with First Nations and identify what actions or processes will be used to clearly define free and informed consent.
ISC-07	6. Page 22	Culture includes living expressions such as oral traditions/events/social manners that are intangible or measured, and has been affected by colonial practices.	Page 22 first two lines: Indigenous-led evaluation.... “cultural (oral traditions, events, social manners) and physical heritage...”

ISC-08	6. Page 22	Many factors beyond willingness influence the extent of a community's collaboration or engagement. In cases where an Indigenous community may not be willing or able to collaborate, the second last paragraph should address the question of "then what?".	"Where Indigenous communities may not be willing or able to collaborate, the proponent should inform the Agency as soon as possible to determine what supports can be made available to support participation or clearly demonstrate the reasons for not participating."
ISC-09	6.1 Page 23	Add "culture" to first paragraph.	Indigenous knowledge should be brought...including the health, social, cultural , economic and rights assessment...
ISC-10	6.2 Page 24	Add "elders of various expertise" to third bullet from the end.	A description of efforts to engage diverse segments....(e.g., hunters, trappers, other harvesters, and elders of various expertise)
ISC-11	6.4 Page 27	The Impact Statement must : describe how it will work with Indigenous communities if/when/ ownership changes, throughout the stages of the project	Add bullet to 6.4: <ul style="list-style-type: none"> describe how it will work with Indigenous communities if/when ownership changes, throughout the stages of the project.
ISC -12	7.1 Page 28	Acronyms: OCAP	Note: spell out OCAP at end of first paragraph
ISC-13	7.1 Page 28	Baseline conditions: add culture to first bullet	Describe the baseline for the environmental, health, social, culture , and economic conditions....
ISC -14	7.2 Page 29	Add an example of a proxy VC	Provide example to last bullet on page 29.
ISC -15	7.4 Page 33	Add culture to 4 th paragraph.	...the Impact Statement must describe residual environment, health, social, cultural , or economic effects...
ISC -16	7.4 Page 34	The Impact Statement must: <ul style="list-style-type: none"> 13th bullet should include the regional activities that have impacted First nations 	Add to 13 th bullet: Consider and describe the perspectives.... and other participants, including other regional activities that have impacted First Nations ;
ISC -17	7.4 Page 35 Page 36	Add Culture to first bullet under the Impact Statement must: Add culture to bullet	Describe the mitigative measures that specifically addresses each adverse effect to environmental, health, social, cultural , or economic conditions... <ul style="list-style-type: none"> Document specific suggestions raised by Indigenous groups.... environmental, health, social, culture, and economic effects....
ISC -18	7.6 Page 38	First dark bullet: should include culture significance including oral histories and traditions.	<ul style="list-style-type: none"> Cultural and physical heritage , and to any structure, site or thing that is of historical (including oral history/traditions), archeological...

	Page 38 Page 39	Sources of cumulative effects should address the influx of new residents and its relationship to housing availability, both on reserve and municipalities. Add “culture” second hard bullet	Add soft bullet: <ul style="list-style-type: none"> influx of new residents and its relationship to housing availability, both on reserve and municipalities. Describe technically and economically feasible mitigation measures....culture....
ISC -19	7.7 Page 40	Add “Cultural heritage and practices” 3 rd hard bullet.	The sensitivity and importance of affected aquatic and terrestrial species ... of importance to Indigenous Peoples and cultural heritage/practices ;
ISC -20	8.6 Page 51	Maps should include potable water sources for First Nation communities and municipalities	The Impact Statement must: 2 nd bullet: On the map(s), identify First Nation and municipal potable water sources...
ISC -21	8.6.3 Page 58	The Impact Statement must describe mitigation measures to contamination of potable water sources that could affect a community or compound to multiple communities under a catastrophic spill. Add First Nation involvement in water monitoring	<ul style="list-style-type: none"> describe mitigation measure to contamination of potable water sources that could affect a community or compound to multiple communities under a catastrophic spill. Describe groundwater and surface monitoring programs ...including: <ul style="list-style-type: none"> Identifying First Nation interests or planned involvement throughout the stages of the project.
ISC -22	9.2.2 Page 90	Community cohesion also includes negative attitudes and lateral violence.	Soft bullet top of page 90: <ul style="list-style-type: none"> Community cohesion and/or lateral violence and community programs that support cohesion.
ISC -23	9.3	The Impact Statement must address mitigation to municipal water intake and human health effects to Smooth Rock Falls (bullets 7 and 9) . The document should also identify whether First Nation’s potable water or health can be impacted and describe which First nations and mitigation measure would be	Bullet 7 and 9 <ul style="list-style-type: none"> Additionally.... Smooth Rock Falls, and First Nations where appropriate and required. Describe any mitigation of human health effects due to effluent...smooth Rock Falls and First Nations where appropriate and required.
ISC -24	10.1.1 Page 92	The community profiles should include lateral violence under community cohesion and social assistance rates	Second bullet <ul style="list-style-type: none"> Community cohesion (and known lateral violence), including level of support.... Add new bullet <ul style="list-style-type: none"> Describe social assistance rates and other social income means.

ISC -25	10.1.2	Social and infrastructure conditions of Indigenous Peoples : Include support for social assistance recipients to obtain opportunities for employment , on the job and life skills training.	10.1.2 The Impact Statement must describe: <ul style="list-style-type: none"> • Existing opportunities that support employment and contribute to training, both job training and life skills training, for those on social assistance (including wage subsidy programs for First Nations participating under the 1965 Agreement.
ISC-26	10.2.1 Page 94	Add social assistance rates to first bullet Add reasons for migration out of area Add reliance of shelters on 6 th bullet	<ul style="list-style-type: none"> • The project proponent assess social assistance rates on First Nations. <p>3rd bullet:</p> <ul style="list-style-type: none"> • Describe in and out migration effects including changes in population (due to overcrowding , diabetes, mental health violence and addictions), and any differential.... <p>6th hard bullet:</p> <ul style="list-style-type: none"> • Consider potential for stresses on community, family and household cohesion, reliance of women’s shelters, substance use, or illegal or other potentially disruptive activities
ISC -27	11.1. Page 96	With respect to economic conditions, the Impact Statement must describe the education graduation rates and implications to employment within the mining sector.	Add Bullet to: With respect to economic conditions of Indigenous Peoples, the Impact Statement must : <ul style="list-style-type: none"> • must describe the education graduation rates and implications to employment within the mining sector.
	11.2.1	Employment: the Impact Statement provide an overview of employment with other projects of similar size within the regional zone. There is an assumption that a mine will attract workers, but not everyone who needs a job will want to go underground. 2 nd soft bullet: estimate of wages in every sector of the mining process.	Add bullet to 11.2.1 Provide an overview of employment with other projects of similar size within the regional zone, and determine existing Indigenous participation rates An overview of Indigenous peoples who want to work in the mining sector, and at which sector of the mining process. Add to second bullet: <ul style="list-style-type: none"> • an estimate of direct, indirect or induced income...., including comparison to the industry average, and provincial average, and at every sector of the mining process.

		4 th bullet or a new bullet to address education requirements to be on site.	<p>Add to 4th soft bullet</p> <ul style="list-style-type: none"> ...an estimate of the ability of the local and regional market (including Indigenous participants in the labour market, and education attainment and education criteria to work at the project site),
ISC -28	11.3 Page 100	Add a new bullet after 5 th soft bullet should include communities under the 1965 Agreement	<ul style="list-style-type: none"> project proponent should work closely with the affected First Nations to identify employment opportunities and contribute to training, both job training and life skills training, for those on social assistance, including wage subsidy programs under the 1965 Agreement.
ISC -29	12.4.2 Page 112	The proponent should consider the following factors...5 th bullet, Connection to the land includes land continuity as a component of cultural identity	<p>5th bullet</p> <p>Add: land continuity as a component of cultural identity.</p>
ISC -30	12.5	Some impacts can not be measured. The proponent must work respectively with First Nation groups to identify cultural attributes that are significant, but not measurable, and address collaborative solutions, for mitigation.	<p>Add a bullet:</p> <ul style="list-style-type: none"> The proponent must work respectively with First Nation groups should they identify cultural attributes that are significant, but not measurable, and address collaborative solutions, for mitigation.
ISC -31	13.1 Page 116	Emergency Management: An IBA plan should include Communication Plan with First Nations regarding Emergencies and Spills.	<p>Add this bullet:</p> <p>Communication Plans should be included in negotiated IBA agreements with First Nations regarding Emergencies and Spills.</p>
ISC-32	Appendix 2 – Resources and guidance	Additional references	<p>Recommended additional references:</p> <p>Human health:</p> <ul style="list-style-type: none"> The social determinants of health impacts of resource extraction and development in rural and northern communities: A summary of impacts and promising practices for assessment and monitoring. (Prepared for Northern Health and the Provincial Health Services Authority) <p>Gender-based Analysis Plus:</p> <ul style="list-style-type: none"> Indigenous Gender-based Analysis for Informing the Canadian

			<p>Minerals and Metals Plan (Native Women's Association of Canada)</p> <ul style="list-style-type: none"> • A Literature Synthesis Report on the Impacts of Resource Extraction for Indigenous Women (Canadian Research Institute for the Advancement of Women) • Indigenous Women and Impact Assessment Final Report • Native Women's Association of Canada (nwac.ca) <p>Additional references: Aboriginal Lands of Canada Legislative Boundaries Aboriginal Lands of Canada Legislative Boundaries - Open Government Portal</p>
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ISC-FNIHB-01	Pg. 85 Sect. 9.1 Baseline Condition s	Text bullet indicates ...”to use secondary info sources <i>where known”</i>	Add useful links/secondary sources: 1. Community well-being index : https://www.sac-isc.gc.ca/eng/1100100016579/1557319653695 2. First Nations Food, Nutrition & Environment Study/Ontario regional report : FNFNES Ontario Regional Report ENGLISH 2019-10-16.pdf 3. First Nations Profiles: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Index.aspx?lasng=eng
ISC-FNIHB-02	Pg 89. 9. Health Condition s Section 9.2.1 Biosphysi cal determin ants of health	The reference to Health Canada’s Food Guide for First Nations, Inuit & Metis is <u>not a reference</u> for food security but a guide on the suggested servings of the different foods and foods groups.	Replace reference with First Nations Food, Nutrition & Environment Study/Ontario regional report : FNFNES Ontario Regional Report ENGLISH 2019-10-16.pdf
ISC-FNIHB-03	Pg 89. 9. Health Condition s Section 9.2.1 Biosphysi cal determin ants of health	<u>Text in TISG</u> : Describe changes in terms of availability, use, consumption and quality..... As part of the traditional land may not be accessible, it would be important to add “accessibility” as well.	Include – <i>accessibility</i> , availability, use, consumption

ISC-FNIHB -04	Pg 101. Sect 12 Indigenou s Peoples	<p>“The proponent is required to work with each Indigenous community identified..”</p> <p>Even though the text indicates that the list of Indigenous communities may change, the Proponent should indicate/list in the Impact Statement which Indigenous communities will be involved. Current reference to the IEPP seems insufficient.</p>	The Impact Statement must list the names of Indigenous communities that are involved and perceived reasons for the lack of engagement from the other communities identified in the IPD.
ISC-FNIHB-05	Pg 143. Reference Section: Human Health	<i>Eating Well with Canada’s Food Guide</i> is not a relevant reference to food security.	Delete reference – as it is not relevant to food security <u>Replace with:</u> First Nations Food, Nutrition & Environment Study/Ontario regional report : FNFNES Ontario Regional Report ENGLISH 2019-10-16.pdf
ISC- FNIHB-06	Pg 149. Other reference s	Additional references	Suggest to add: 1. Community well-being index : https://www.sac-isc.gc.ca/eng/1100100016579/1557319653695 2. First Nations Profiles: https://fnp-ppn.aadnc-aandc.gc.ca/fnp/Main/Index.aspx?lasng=eng .