Enclosure 1: Provincial Advice Record – Crawford Nickel Project Impact Statement

Please submit the completed form by **January 24, 2025,** via the Registry.[1]

Ministry or Organization Contact Information

Submission Date	January 24, 2025
Ministry/Organization	Ministry of Environmental Consultation and Parks – Species at Risk Branch
Lead Contact, Title, Work Unit	Linsday McColm, Northern Species at Risk Specialist
Email, Phone	Lindsay.McColm2@ontario.ca
Alternate Contact, Title, Work Unit	Hilary Gignac, Manager
Email, Phone	Hilary.Gignac@ontario.ca

Please see questions and guidance in Tables 1, 2 and 3 attached.

Name of Ministry / Organization Responder

Title of Responder

Date

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

Table 1. Views to Inform the Impact Assessment

Table 1 can be used to provide views for IAAC's consideration in the analysis of the Project's federal effects[2,3,4] and preparation of the Impact Assessment Report, considering your ministry's local knowledge and regulatory expertise. Reviewers should consider project context and are encouraged to provide solution-oriented advice even where potential gaps in information are observed.

Comment ID	Refence to Impact Statement	Views to Inform the Impact Assessment
Please identify comments by ministry and number. *e.g.: MNR-01*	*Identify the specific section of the Impact Statement to which your comment applies.*	*Provide views and information for IAAC's consideration in the analysis of adverse federal effects, such as* • *whether the information is technically appropriate to support the conclusions presented, and the proposed mitigation measures are suitable to manage effects, considering regional context;* • *sources of uncertainty in the proponent's analysis that may substantially weaken conclusions, if any;* • *suggestions for provincial operational guidance or standards, including other mitigation and monitoring measures, that are well understood to be effective in the region;* • *relevant provincial legislative frameworks such as licensing, permitting, policies or programs that may provide another means to address adverse effects (describe the environmental outcomes that are typically achieved by the frameworks, how they are achieved, and whether mitigation and monitoring may be required and enforced); and* • *if your ministry has identified any permit or approval that it may not be able to issue to allow the Project to proceed as currently planned, and next steps for resolution of any issues.*
	General comment	It has been a challenge to review Species at Risk (SAR) related material presented in this Impact Assessment, largely because the subject was not presented as its own Valued Component (VC) and material is therefore located in multiple chapters and appendices.
	Chapter 3 – Project Description Section 3.4 Ancillary Facilities	MECP SARB understands that the highway realignment and rail spur will be constructed by Canada Nickel. Ownership and responsibility of the highway segment will be transferred to the Ministry and Transportation (MTO) and the rail spur to Ontario Northland Railway (ONR) once construction is completed. MECP SARB also understands that the 500kV transmission line will be constructed, owner, and operated by Hydro One but that there are also two additional hydro lines constructed to the site by Canada Nickel. MECP SARB notes that an authorization under Ontario's Endangered Species Act (ESA) may be required prior to construction of any or all of the project components. If an ESA authorization is required for the project components that will be constructed by Canada Nickel but subsequently transferred to other entities for ownership and responsibility (i.e. highway realignment, rail spur, or any other aspect of the project where this situation applies), the ESA authorization would be issued to Canada Nickel initially (to construct) and amended at a later date to transfer ownership and responsibility of permit implementation to the future owner.
	Chapter 18 Figure 18.4.16 Species Groups: Short-eared Owl And Appendix B.7.2 Birds and Bird Habitat Supplemental Baseline Report Figure A.3.16 Species Groups: Short-eared Owl	In Chapter 18 and Appendix B. 7.2, potential short-eared owl habitat on site appears to have been mapped using Ontario's Land Cover Data Base, 2nd Edition (LIO 2002) data according to Chapter 18 section 3.4. Habitat for lesser yellow legs is mapped in the same manner. Ontario has more recent land cover data publicly available on the GeoHub website: https://geohub.lio.gov.on.ca/documents/667367a759214a089917adccdbae7cb2/about This data set is current as of 2023 and likely would have resulted in maps there were more representative of the current PA, LSA, and RSA landscape. Given the dated nature of the Ontario's Land Cover Data Base, 2nd Edition (LIO 2002) data that was used for the existing maps, it is difficult to ascertain whether the maps are representative of the existing landscape. Any habitat calculations (habitat present vs habitat destroyed, etc) made using this data are also subject to the same challenges.
	Chap 18: Section 18.2.2.4 Raptors	It is described in this section that all raptors except the Northern Harrier nest in trees. Please note that short-eared owl are also known for nesting on the ground in open areas.
	Chap 18: Section 18.4.2 Mitigation Measures	MECP SARB staff recommend clearing vegetation outside of April 16 to August 31 to avoid impacts to SAR birds. This is broader than what is suggested as mitigation in section 18.4.2. indicating April 21 to August 20 will be avoided to the extent possible.

[2] "Federal effects" for this purpose means adverse effects within federal jurisdiction and adverse effects that are direct or incidental to the exercise of a federal power, duty or function (as defined in section 2 of the *Impact Assessment Act*).
[3] IAAC also invites views on effects related to public interest factors (defined in section 63 of the *Impact Assessment Act*) that may inform decision-making, such as positive effects on local economic conditions that contribute to sustainability.
[4] IAAC also invites views on potential effects to species at risk, and how they are typically managed in the region, to inform IAAC's obligations under section 79 of the *Species at Risk Act.*

		If Canada Nickel cannot commit to working outside of the sensitive time window described by MECP SARB above, an authorization under the Endangered Species Act may be required prior to commencement of work.
	Chap 18: Section 18.4.2 Mitigation Measures And Chapter 24 Summary of Residual Effects: Table 24.1. Birds and Bird Habitat	If endangered or threatened birds listed on Ontario's SARO list or their habitat may be present, MECP SARB is generally not supportive of the use of nest sweeps in complex environments such as forests, natural shorelines, wetlands, immediately prior to commencement of project activities during the nesting season as a mitigation measure sufficient to avoid an authorization under the Endangered Species Act.
	Chapter 19 Assessment of Potential Effects on Wildlife and Wildlife Habitat Blanding's turtle	The intensity of basking surveys is unlikely to meet MECP SARB's expectations for future ESA assessment needs related to the greater Crawford Nickel Mine Project. For reference, our survey protocol (https://www.ontario.ca/page/survey-protocol-blandings-turtle-ontario) recommends the following: Search Effort Required to Determine Probable Absence: The detectability of Blanding's Turtles varies with the type and quality of the habitat, the abundance of the population and the experience of the surveyor. Although it is not uncommon to detect this species during the first survey, eight or more surveys have been required to detect the presence of some populations in Ontario (J. Urquhart pers. comm. 2011; C. Davy pers. comm. 2011; C. Edge pers. comm. 2011). Casper and Hecnar (2011) recommend a minimum of 10 surveys to avoid false absence when carrying out basking surveys for turtles in the Great Lakes Basin. Based on the above, a minimum of five surveys spread over at least 3 weeks are recommended at sites with no previous documentation of the species. For the purposes of this section, one survey is the amount of effort required to thoroughly search all suitable habitat. If the site is large, several site visits or trips may be required to adequately cover the entire area and complete one survey. In some cases where populations are expected to be small and more difficult to detect (such as at some sites in south-western Ontario) more than five surveys may be necessary to conclude that the species is unlikely to be present. Finally, using eDNA methods for determining BLTU presence/absence is not an accepted method of surveying for BLTU by Ontario. Positive results may be considered supplemental in conjunction with results from Ontario's established BLTU survey protocol, but negative results are unlikely to be considered, particularly as a stand-alone survey method.
	Chapter 19 Assessment of Potential Effects on Wildlife and Wildlife Habitat SAR Bats	MECP SARB staff recommend clearing vegetation outside of May 1 to August 31 to avoid impacts to SAR bats undertaking maternity roosting in the project area. If Canada Nickel cannot commit to working outside of the sensitive time window, an authorization under the Endangered Species Act may be required prior to commencement of work.
	Chapter 19 Assessment of Potential Effects on Wildlife and Wildlife Habitat Blanding's turtle	Detail is lacking about the three Indigenous observations of Blanding's turtle in the vicinity of the project. MECP SARB recommends that more detail be shared about these potential observations including year, season, what was the turtle doing, how many were there.
	Chapter 19 Assessment of Potential Effects on Wildlife and Wildlife Habitat Boreal Caribou	With respect to the caribou analysis overall, considerable detail is lacking in terms of the assessment of project effects on the species. Ontario shared a letter dated December 22, 2022, to Canada Nickel outlining expectations of an assessment of the project on caribou. As such, greater detail is needed to understand how Canada Nickel has arrived the conclusions of impacts to caribou. The most recent cumulative disturbance estimates and amount and arrangement estimates for the Kesagami Range dates to 2017 and can be downloaded and then viewed in the 'Science and Information Package Caribou': https://www.publicdocs.mnr.gov.on.ca/cflpb/landscape-guides/supporting-documents-tools/index.html

		While the 2010 Kesagami Integrated Range Assessment Report (IRAR) (2014) indicated that the Kesagami Range was 43.7% disturbed and was therefore well above the 35% threshold deemed acceptable, the 2017 data indicates the cumulative range disturbance was up at 45.2%. Canada Nickel should provide an estimate on how much (%) the project footprint will contribute to the cumulative disturbance within the Kesagami Range. Amount and arrangement described in the 2010 Kesagami IRAR indicates that there is less habitat and is more fragmented than expected in natural conditions. The 2017 amount estimates from the 'Science and Information Package Caribou' indicate an improvement towards conditions expected naturally but was still not within the range of what is considered natural. Canada Nickel should provide maps and area statistics of existing caribou habitat within the PA and LSA, how it will change with the addition of the mine and its infrastructure, and how much and where it will be present once mine closure is complete. Provide maps on what the intended end state, following closure, will look like and quantify expected habitat for caribou. Provide an estimated timeframe on when restored habitat on site will be considered 'useable' by caribou. Provide mapping of the Dynamic Caribou Habitat Schedule as per the current Forest Management Plan(s) is relation to the project site. The schedule should be explained in terms of harvest schedules (i.e. Z-block can be harvested during what time frame, etc). Provide a map of caribou observations within the southern half of the Kesagami Range from all available information sources with observations distinguished by decade. Provide a map to MECP SARB of the project site relative to the existing Caribou General Habitat Description (GHD) mapping product and Canada Nickel's recently proposed updated GHD. It is understood that it was redacted from Appendix C in Appendix B.7.3 Terrestrial Wildlife and Wildlife Habitat Supplemental Baseline Report because MECP SARB considers the data to be sensitive and it cannot be displayed publicly. Consider what impacts the project and its location and timelines have on the current and future recovery potential of the southern portion of the Kesagami Range as per Ontario's Caribou Conservation Plan (CCP) and the Range Management Policy (RMP). Consider how sensory disturbances within 10km of the project may impact current and future habitat use of areas around the project until which time there is no longer sensory disturbance from the project.
	Appendix B.7.2 Birds and Bird Habitat Supplementary Baseline Report Table 4.2 Species at Risk Assessed within the LSA And Section 4.2.1.4 Chimney Swift	The 2022 Baseline report indicated that Chimney Swift had been picked up on eight Audio Recording Devices (ARUs) deployed throughout the PA and LSA in 2021 and 2022. However, it appears that these observations have been removed in the most recent baseline reports. It is explained in Section 4.2.1.4 that calls originally identified by artificial intelligence software as Chimney Swift from the ARUs deployed in 2021 and 2022 where not detected using more recent software and that a subset of the potential CHSW calls were listened to by a biologist and determined not to be CHSW. No further details or data are provided to support this adjustment. Further detail is needed to understand how a species was mis-identified at 8 different ARU survey stations to provide greater confidence that CHSW should be considered unlikely to be present within the PA and LSA. Please provide raw data sound files of all potential CHSW calls.
	Appendix B.7.2. And Appendix B.7.4 Terrestrial Ecology Baseline Study	It appears there are no field notes in Appendix A within Appendix B.7.4 for the Short-eared owl surveys. What are the environmental conditions, time of day, habitat types along the survey routes? Please provide the field data sheet similar to what is provided for the other survey results.
	Appendix B.7.3 Terrestrial Wildlife and Wildlife Habitat Supplemental Baseline Report Section 5.1	The list of SAR described in the supplemental baseline report as confirmed present or has a moderate-to-high likelihood of being present appears to be inconsistent with what is described in Chapter 18 and 19.

	Appendix B.7.3 Terrestrial Wildlife and Wildlife Habitat Supplemental Baseline Report	Please provide the following figures to MECP SARB for review: Figure A.12. Boreal Caribou Habitat Summary within the Kesagami Caribou Range Appendix C: Figure 2: Updated Category 2 and 3 Mapping for Kesagami Range Relative to the Crawford Nickel Project Area Without these maps, MECP SARB cannot assess the validity of the proposed updates/changes to Ontario's General Habitat Description mapping for the Kesagami Range.
	Conceptual Closure Plan Section 5 Progressive Rehabilitation	Insufficient detail on the progressive rehabilitation of the site to form an opinion on the mitigative effectiveness of the proposed approach with respect to SAR.
	Conceptual Closure Plan Section 5 Progressive Rehabilitation and Section 6.2.7. Revegetation and Section 8.5 Vegetation Communities, Wildlife, and Wildlife Habitat	Insufficient detail is provided on the revegetation plan and how it will support the restoration of SAR habitat lost as a result of the project. The minimum requirements of "revegetation" as per the Mining Act are NOT considered sufficient for on-site habitat restoration for boreal caribou. Canada Nickel is encouraged to review the *Best management practices for mineral exploration and development activities and Woodland Caribou in Ontario* document/website found at the link below in an effort to better plan on-site rehabilitation and restoration. Note: habitat restoration as part of closure is considered a mitigative action. Section 5.3 indicates the impoundment facility will be restored to caribou habitat. Section 6.2.7 indicates aggregate pits will also be restored to caribou habitat. Section 8.5 vaguely indicates that Ontario's BMP will "guide" the revegetation process. On their own, this piecemeal/fragmented approach to restoring caribou habitat may do little to provide as future caribou habitat. Best management practices for mineral exploration and development activities and Woodland Caribou in Ontario: https://www.cclmportal.ca/resource/best-management-practices-mineral-exploration-and-development-activities-and-woodland?page=1
	Conceptual Closure Plan Section 8.5 Vegetation Communities, Wildlife, and Wildlife Habitat	The section describes the removal of wetlands on site and that these areas will be rehabilitated to upland communities (not restored back to wetlands) which suggests there will be a loss of wetland habitat SAR such as Blanding's turtle and Lesser yellowlegs at the project site scale. However, this appears inconsistent with wetland habitat calculations presented in Chapter 19 Table 19.9 which indicates that overall only 22% of wetlands will be lost as a result of the project. Clarity is needed on how much wetland will be present upon completion of closure as compared to existing conditions.