

## Enclosure 2: Federal Authority Advice Record – Summary of Issues, and Potential Tailored Impact Statement Guidelines and Permitting Plan

**Project:** Northern Road Link Project

**Proponent:** Marten Falls First Nation and Webequie First Nation

**CIAR No.:** 84331

**Response due by:** **March 17, 2023**

All comments should be submitted via the **Submit a Comment** feature available on the Project's Canadian Impact Assessment Registry page (Reference 84331)<sup>1</sup>. Letters and forms can be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency at [NorthernRoad-RouteDuNord@iaac-aeic.gc.ca](mailto:NorthernRoad-RouteDuNord@iaac-aeic.gc.ca) for assistance.

<b>Department/Agency:</b> Indigenous Services Canada	
<b>Date of Advice:</b> March 19, 2023	
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### 1. Expertise

Please identify and describe the specialist or expert information or knowledge within your department or agency that is relevant to an assessment of the Project.

Indigenous Services Canada has provided alignment road funding across the north to support water crossings for the winter roads. The proponent will need to identify the selected route and determine if there are any existing water crossings(bridges/culverts), and determine ownership and associated responsibilities of any existing water crossings with ISC Ontario Region.

Indigenous Services Canada, Ontario Region has information pertaining to the costs of developing and maintaining winter roads, which can support the evaluating the cost effectiveness of the project over the long term ( to Webequie and other First Nations).

Indigenous Services Canada, Ontario Region provides social, education, economic development programming, and community infrastructure supports to First Nation communities, with some considerations given to the remoteness factor. The Northern Road Link will be an important connection that will enable First Nations to connect to the provincial network. The proponents should determine how the project will impact the First Nation community(ies) Remoteness Classification level from Level 4 (remote) to Level 3, as the potential for communities to develop spur roads to the Northern Road Link project and ultimately to the provincial highway.

<sup>1</sup> <http://iaac-aeic.gc.ca/050/evaluations/proj/84331?culture=en-CA>

ISC-First Nations and Inuit Health Branch (FNIHB) has specialized knowledge pertaining to First Nations people. Areas of expertise include, but are not limited to: the provision of health services, community health and wellness programs, drinking water quality on First Nations reserves, and social determinants of health, such as mental health and addictions, language, diet, or chemical contamination of traditional foods and perception of contamination.

## 2. Key issues and solutions

Respond to the following **using Table 1 on page 3**

(a) From the perspective of the mandate and area(s) of expertise of your department or agency, 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*,<sup>2</sup> *sustainability*<sup>3</sup> and *public interest*.<sup>4</sup>

(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 consider<sup>5</sup> 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 assessment<sup>6</sup>, or that can help focus the Tailored Impact Statement Guidelines<sup>7</sup>, if an impact assessment is required.
- iii. Identify, at a very high-level, any information or studies that should be required of the Proponent in the Tailored Impact Statement Guidelines, if an impact assessment is required.<sup>8</sup>

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

<sup>2</sup> 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>

<sup>3</sup> 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>

<sup>4</sup> 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>

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

<sup>6</sup> This could mean that mitigation measures that the proponent has committed to implement, in the Detailed Project Description, are referenced in the Tailored Impact Statement Guidelines.

<sup>7</sup> For example, regulatory instruments, operational guidance or well-understood mitigation and monitoring measures of proven effectiveness

<sup>8</sup> Federal authorities are asked what should be included in the Tailored Impact Statement Guidelines with specific rationale that is commensurate to the project context. Please also identify studies that are not necessarily based on the information provided by the proponent and based on project context.

### 3. Operational guidance and powers, duties and functions

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

Band Classification Manual : a remoteness index and environmental index are required for calculating the level of funding for Band Support, Education and Social Development.

1965 Welfare Agreement and Income Assistance National Program Guidelines: proponent should work with First Nation communities utilizing this program to identify employment opportunities and contribute to training, both job training and life skills training, for those on social assistance.

(b) List the potential powers, duties, or functions, including federal funding, that your department or agency may be required to exercise or perform to enable the Project to proceed, in whole or in part. Validate whether the information in the Initial Project Description is accurate.

Indigenous Services Canada does not have any regulatory and financial responsibility for a segment of road development on Crown Land.

The Initial Project Description does not identify the ownership and/or operator of this road segment.

First Nation communities are eligible for Economic Development and Infrastructure funding, but the document does not provide details that would support funding for road construction and operations, or for secondary activities.

(c) For each power, duty or function:

- 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 department or agency.
- iii. Describe any public participation opportunities that would occur, and potential timelines for public participation.

Indigenous Services Canada has no power, duty or function to the project, as presented. The proponent is responsible for Indigenous consultation.

Indigenous Services Canada Ontario Region is available to work with First Nations to determine funding eligibility for economic projects. The Infrastructure Unit is also available to discuss priorities in community's capital plans. It is important to note that once a community is road accessible, construction costs for community infrastructure projects will decrease . Material shipped over winter roads are subject to spoilage an/or improperly stored until summer construction.

(d) Has your department or agency already 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 that would allow the Project to proceed in whole or in part? Specify as appropriate.

Indigenous Services Canada has no power, duty or function with respect to road development on Crown Land

4. Is your department or agency aware of any additional information related to the geographic context of the Project (e.g. potential effects to Indigenous protected and conserved areas, migratory bird sanctuaries, federal species at risk, sensitive/vulnerable health, social or economic conditions)?

Indigenous Services Canada has information on First Nation housing stock and shortfall. The Northern Road Link is intended to link road access to Webequie (and other First Nation) that would provide more reliable and regular transportation of materials to community to alleviate these pressure points, which in turn has demonstrated that this type of alleviation improves conditions and decreases some social issues.

Table 1: Key Issues and Solutions Material and Relevant to Decision-making

Comment ID	Document Reference	Valued Component	Description of Key Issue (Context and Rationale)	Solutions for the Proponent	Summary of Issues
<p>Please identify comments by organization and comment number.</p> <p>e.g.: IAAC-01</p>	<p>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</p> <p>You may also choose to copy the relevant text here.</p>	<p>Identify the valued component(s)—within the mandate of your department or agency—to which the effect or issue applies. This may include components of the environment, health, social or economic conditions.</p>	<p>Provide context for the effect or issue. Describe, to the extent possible:</p> <ul style="list-style-type: none"> <li>The positive or negative pathway of effect or nature of the issue</li> <li>Any <b>powers, duties or functions</b> that your department or agency has that may <b>mitigate, manage, or set conditions</b> related to the effect</li> <li><b>Operational guidance</b> or standard and well-understood <b>mitigation or monitoring measures</b> that would address the effect</li> <li>Any <b>established or emerging policies or directives</b> that are relevant</li> <li>The potential for <b>residual effects</b> after mitigation has been applied</li> </ul>	<p>Where applicable and necessary,</p> <ul style="list-style-type: none"> <li>provide instructions for how the Proponent would build confidence about the management of the potential effect, in the Detailed Project Description and Response to the Summary of Issues, and/or</li> <li>identify, at a high-level, required information or studies to assess the effects, should an impact assessment be required (or templated requirements that are relevant to the Project).</li> </ul>	<p>For issues and effects to be included in the Summary of Issues, provide a concise, plain language synopsis.</p>
ISC -ON-1	Part 22, Page 134 4 <sup>th</sup> arrow includes Physical and cultural heritage	Cultural heritage	UNESCO definition: Cultural heritage is comprised of living expressions inherited from our ancestors, such as oral traditions, performing arts, social manners, rituals, festive events, knowledge and practices related to nature and the universe.	When consulting Indigenous communities, encourage the identification of living expressions or other values. Utilizing a road that will diminish the remoteness of a community could impact the community in ways not measured by science.	Include a definition of cultural heritage on page 134
ISC-ON-2	22.1.2 Preliminary Proposed Mitigation and 22.2.1 Page 135 and page 138	Cultural heritage	The Cultural Heritage Baseline Study and Preliminary Impact Assessment should expand culture to include the UNESCO definition of culture, as it is not limited to archeology and physical landscapes. There are aspects of culture that are not openly discussed due to historical interference and the loss of language. The Initial Project Description should identify how it will gather this data/information and weigh the impacts, while maintaining privacy of this information.	The proponent may want to work with communities to develop community own-ed cultural impact studies to support trust of data collection and identify mitigation appropriate to the community's concerns. Each remote community in the area of the project should have access to their Traditional Knowledge mapping which was completed via the Lake Superior First Nation Development Trust (no longer operating). At that time (year unknown), all of the data was stored at Confederation College on the Virtual Database Warehouse (status unknown).	Data collection and community-owned data and/or cultural impact studies will raise awareness within the community to develop strategies to protect and promote community culture, and support mitigation measures.
ISC-ON-3	23.2 Socio-Economic Environment 23.2.1 Potential Effects - Operations	Socio-Economic	Once a community is linked to the provincial highway system that results from the road link, a community's band support funding and social assistance rates could be impacted if the community is no longer considered remote. The proponent should investigate how the classification from Zone 4 to Zone 3 will impact Band operations and social assistance rates	As a community is linked to the provincial highway, social assistance recipients who are unable to work could be negatively affected.  Band support funding may decrease thus negatively impacting community operations.	The proponent needs to review social assistance rates associated with the change in classification that will result from communities connecting to this Project, and how they rates will affect recipients living in their communities. The proponent should work with First Nation Administrators regarding Band support funding impacts, related to the remoteness factor, that will be lowered as a result of connecting to the Project and the provincial highway system. .
ISC-ON-4	23.2.1.	Potential Effects – Community Services and Infrastructure	As First Nations are connected to the provincial highway system, new home construction costs should be reduced.	The proponent should work with First Nation to identify trends in infrastructure and housing costs.	The proponent should complete a cost-benefit analysis of First Nation community project costs associated with the transportation and spoilage associated with winter road transportation and

			<p>The proponent should analyze the benefit of reducing loss to goods experienced over winter road for construction and housing projects.</p> <p>The proponent needs to consider how this project links to the spur roads into the First Nation communities and how this project will interact with those spur road projects.</p>	Alternatively, the proponents may request project costs data from Indigenous Services Canada through Access to Information Act.	<p>potential savings in over a certain period to demonstrate future cost savings.</p> <p>A strong financial benefit over a long term will highlight costs to support funding in the near term, and support buy in from funding sources.</p>
ISC-ON-5	23.2.2 Preliminary Proposed Mitigation Page 143	Socio-Economic	The communities that are under the 1965 Agreement are eligible to apply for Indigenous Services Canada's wage subsidy programs to support employment for members. The project proponent should work closely with the affected First Nations to identify employment opportunities and training (job training and life skills training), for those on social assistance.	Proponent should work with potentially impacted communities to address opportunities for Social Assistance recipients, and training and wage subsidy options.	Recipients with long-term Social Assistance dependency may take additional efforts to find the right fit into employment programs. Each community can provide insight to the unique training and employment preferences, based on education, and talents.
ISC-LED-01	Part E: Potential Effects of the Project; 23 Indigenous Health, Social and Economic Conditions	Human Health; Community Services and Infrastructure; Community Safety; Cultural Continuity and Well-being;	The increased availability and use of illicit drugs following construction of new access roads to previously remote communities has been well documented. Baseline info in the IPD illustrates an already high incidence of drug and alcohol use, with critical service gaps. This should be considered in the assessment in areas of Human Health; Community Services and Infrastructure; Community Safety; Cultural Continuity and Well-being.	Include considerations of potential increase in illicit drug presence in communities in effects on: Human Health; Community Services and Infrastructure; Community Safety; Cultural Continuity and Well-being.	Include considerations of potential increase in illicit drug presence in communities in effects on: Human Health; Community Services and Infrastructure; Community Safety; Cultural Continuity and Well-being.
ISC-LED-02	16.2.2 Proposed Baseline Studies	Community Safety	The increased availability and use of illicit drugs following construction of new access roads to previously remote communities has been well documented. Baseline info in the IPD illustrates an already high incidence of drug and alcohol use, with critical service gaps. This should be considered in the assessment in areas of Human Health; Community Services and Infrastructure; Community Safety; Cultural Continuity and Well-being.	Studies on community safety should include as clear a portrait as possible of the availability and use of illicit drugs in the most impacted communities, and identification of any plans for future community resources that could mitigate the potential increased availability of substances and subsequent effects.	Include community-specific portraits of issues related to drug and alcohol use in baseline assessment of Community Safety.
ISC-FNIHB-01	4.3 Plans for Future Consultation and Engagement. Pg 19/D.2 Key Issues raised	Relationships - Social/cultural/historic importance	While the proponents have consulted, and continue to consult Indigenous communities, there are some communities that do not feel like they were adequately consulted, while others have concerns that they have not consented to the project (as per the UNDRIP Article 32(2), which stipulates the free, prior and informed consent as a pre-requisite for any activities that may affect their lands, territories and resources).	Updated information on communities that have concerns should be properly captured, in the document, highlighting the issues of concern and how these will be addressed.	The Proponents must continue in the consultation efforts to properly engage all potentially affected Indigenous communities to ensure community readiness.
ISC-FNIHB-02	14.5.1 Land use for traditional purposes by Indigenous People		There are important considerations to changes with regard to Indigenous Peoples' access to their land for traditional/cultural practices. Changes/alteration of land area	Additional detail is needed on the potential impacts on Indigenous people from the project activities. Consider how changes may	

			may mean diminished traditional activities on the land causing disruptions in Indigenous ways of life.	also affect the harvesting practices among the various communities which may also affect food security.  The proponent will need to work closely with each community to develop a community specific plan on the proposed mitigation measures to ensure alternatives access to carry out traditional activities.	
ISC-FNIHB-03	15.2.2 Wildlife and wildlife habitat /Plants and vegetation 83-90		There will be changes in the landscape during project implementation that will affect the different wildlife (wildlife moving away from area, etc.), and plants/vegetation (destruction during construction) that will affect traditional food sources of the Indigenous groups	The proponent needs to provide more information on the potential impacts on wildlife due to change in landscape during project implementation activities. What does this mean to communities that rely on the area for their traditional foods (food security implications).	
ISC-FNIHB-04	16.2. Socio-economic Context. Pg 103; 23.2 pg 142-3	Community health and well-being /Infrastructure	The IPD highlights the projects impact on community services and infrastructure (i.e., accommodation, health care services). Some communities are already faced with issues of adequate housing and pressures on social services/healthcare/infrastructure, and project activities may exacerbate these issues.	More detail is required on the extent and anticipated impacts on health and well-being on the communities from the influx of workers, and potential increased cost of housing, reduced access to social services and health care. How will these impacts be addressed and managed	
ISC-FNIHB-05	16.4.1. Table 16.1 Community Profiles/Cultural continuity and well-being. Pg 116	Community health and well-being	The Community profiles provided in the IPD Table is very limited. Community profiles are important as they allow us to understand the baseline/ existing conditions of a community so as to better predict potential impacts of a project.	Expand community profiles to include some information on demographic characteristics of the community (such as: social characteristics, population/gender make-up, baseline health and economic data, available infrastructure – social services )	Possible source of info for some communities: <a href="https://www.aadnc-aandc.gc.ca/">First Nation Profiles (aadnc-aandc.gc.ca)</a> ; <a href="https://www.sac-fnfnes.on.ca/2019-10-16.pdf">FNFNES Ontario Regional Report ENGLISH 2019-10-16.pdf</a> ; <a href="https://www.sac-isc.gc.ca/eng/1100100016579/1557319653695">https://www.sac-isc.gc.ca/eng/1100100016579/1557319653695</a> .
ISC-FNIHB-06	16.4.1 Cultural Continuity and Well-being. Pg 116	Health and well-being	Cultural continuity is the ability of Indigenous people to maintain and carry on their traditional/cultural knowledge to future generations. Considered as an Indigenous determinant of health, the loss of cultural continuity means loss of culture/ability to undertake activities, which can contribute to poor health/well-being (mental health).	There are communities that have expressed concerns that the project will further exacerbate existing cultural continuity issues in the community.  The Proponent must work closely with communities that may be impacted by the project, supporting their capacity to participate in studies and decisions that directly affect them.	

ISC-FNIHB-07	16.1.1 Human health context/Preliminary baseline Pg 102		<p>The IPD makes reference to the dietary patterns of some Indigenous communities in the surrounding area , and references the First Nations Food, Nutrition &amp; Environment Study (FNFNES) as a source of data, and the need to consult with Indigenous communities further as part of the IK collection program.</p>	<p>In combination with a traditional food harvesting study, the proponent will need to develop or support a dietary <u>and</u> food security survey for communities whose access to traditional foods is likely to be affected.</p> <p>The studies will provide clarity on what/and how much of the species are consumed, as well as also help characterize any potential food security situation and health impact to community members.</p>	
ISC-FNIHB-08	23. Indigenous health, Social and Economic Conditions Pg. 141	Human health	<p>The IPD indicates that .."potential effects on Indigenous health may result from project-related changes ...."          "... changes to air, soil, water and contaminant levels in country foods during the implementation of the project (construction and operations) may affect health.." but provides no detail on the extent/type of contamination, or how these changes will affect health.</p> <p>For the contamination of country foods, the proponent does not provide any information on whether/how the changes in air, water and soil impacts the country foods, nor any information on proposed mitigation measures for country food contamination.</p> <p>FNFNES results show that food insecurity in Ontario First Nations communities was an issue, and higher in in households with children, than those without. The project activities will likely exacerbate the food insecurity that already exists among communities; which will impact their health</p>	<p>Additional detail/emphasis is required on the extent of contamination, and their link to human health.</p> <p>Include proposed mitigation measures to reduce contamination level in the country foods.</p> <p>In addition to potential contamination of foods, the perception on the quality of traditional foods due to potential contamination should be considered as it may contribute to avoidance and decreased traditional food consumption among community members.</p> <p>The proponent should support communities to undertake a dietary <u>and</u> food security survey, the proponent will need to address possible community concerns of perceptions to quality/contamination of country foods.</p>	

Please insert additional rows as necessary.