

## Enclosure 1: Provincial Advice Record - Summary of Issues and Potential Cooperation Plan

**Project:** Northern Road Link Project

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

**CIAR No.:** 84331

**Response invited by:** **March 23, 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).

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.

|   |                            |
|---|----------------------------|
| <b>Ministry/Agency: Ministry of Citizenship and Multiculturalism</b>                                |                            |
| <b>Date of Advice: March 23, 2023</b>   |                            |
| <b>Primary Contact Name, Title, Work Unit: Dan Minkin, Heritage Planner, Heritage Planning Unit</b> |                            |
| <b>Email: dan.minkin@ontario.ca</b>   | <b>Phone: 416-786-7553</b> |
| <b>Alternate Contact Name, Title, Work Unit: Karla Barboza, Team Lead, Heritage Planning Unit</b>   |                            |
| <b>Email: karla.barboza@ontario.ca</b>  | <b>Phone: 416-660-1027</b> |
| <b>Generic Email (for public):</b>  |                            |

## 2. Expertise

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

MCM administers the *Ontario Heritage Act* and is responsible for provincial policy on the conservation of cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes.

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

### 3. Key issues and solutions

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

(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*,<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 clarification 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.

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

### 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.

- *Ontario Heritage Act (OHA)*: Protects archaeological sites and regulates the licensing and practice of archaeology. Provides for the protection of heritage property. Defines, through regulations, the criteria for establishing cultural heritage value or interest.
- *Standards and Guidelines for Consultant Archaeologists*: Authorized under Part VI of the OHA. Sets out the requirements for archaeological assessments in Ontario.
- *Standards and Guidelines for Conservation of Provincial Heritage Properties*: Authorized under Part III.1 of the OHA. Sets requirements for evaluation and protection of property of cultural heritage value or interest owned by provincial ministries and prescribed public bodies.

---

<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 in the Detailed Project Description are referenced in the potential Tailored Impact Statement Guidelines.

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

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 may 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.

Archaeological assessment permitting and review

- i. Archaeologists in Ontario are licensed by MCM. Under the OHA and the terms and conditions of archaeological licenses, archaeologists must apply to MCM for a Project Information Form number before carrying out a stage of archaeological assessment, must complete the study and associated reporting in accordance with the *Standards and Guidelines for Consultant Archaeologists*, and must submit the reports to MCM for technical review. Reports are reviewed for compliance with the *Standards and Guidelines*. When a report has been reviewed, and revised if necessary, to MCM's satisfaction, MCM enters it into the Ontario Public Register of Archaeological Reports, at which point its recommendations can be followed.
- ii. Where archaeological resources are found in the course of an archaeological assessment that are associated with Indigenous communities, the relevant Indigenous communities must be engaged at Stage 3 at the latest in the determination of appropriate mitigation measures.
- iii. There are no public participation requirements in the archaeological assessment process.

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?

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.<br/>e.g.: IAAC-01</p> | <p>If the comment is related to a specific section of the Initial Project Description, please provide a reference.<br/><br/>You may also choose to copy the relevant text here.</p> | <p>Identify the valued component(s), within your ministry's mandate, 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, 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</p>   | <p>For issues and effects to be included in the Summary of Issues, provide a concise, plain language synopsis.</p>  |
| MCM-01  | 16.3.2  | Archaeological resources  | <p>Archaeological assessment by an archaeologist licensed under the OHA is necessary to avoid potential impacts to archaeological resources through construction. As described in the above Advice Record, MCM regulates and oversees the archaeological licensing and assessment process.</p> <p>This is addressed to some degree in Section 16.3.2. However, the text is vague about the timing of the archaeological assessment, and does not speak to assessment beyond Stage 2, which may be necessary. If archaeological sites are found during Stage 2, they will need to be individually assessed through Stage 3, and possibly excavated or otherwise mitigated through Stage 4.</p> | <p>Stage 1, at minimum, of the archaeological assessment should be completed during the Project Description stage. The Project Description should commit to a timeline for the completion of all further stages as necessary.</p>  | <p>Archaeological assessment should be completed at least to Stage 1 during the Project Description, and Stages 2-4, as necessary, be incorporated into the remaining project schedule.</p> |
| MCM-02  | 16.3.2  | Built heritage resources and cultural heritage landscapes   | <p>As with archaeological resources, Section 16.3.2 notes a baseline study for built heritage resources and cultural heritage landscapes, but is vague as to its scope and timing.</p>  | <p>We recommend that a <i>Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment</i> be carried out during the Project Description stage, which would identify all known or potential built heritage resources and cultural heritage landscapes, including a historical summary of the study area; identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified; and recommend measures to avoid or mitigate potential negative impacts to them. Mitigation measures can include more in-depth resource-specific studies such as Cultural Heritage Evaluation Reports and/or Heritage Impact Assessments to be carried out later in the process, to confirm cultural heritage value or interest and to detail the potential project-related impacts and ultimate mitigation measures.</p> | <p>Preliminary identification of built heritage resources and cultural heritage landscapes and potential impacts to them should be completed at the project description stage.</p>          |

Please insert additional rows as necessary.