

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

Northern Road Link Project

Deadline: July 21, 2023

All comments should be submitted via the Submit a Comment feature available on the Project’s Canadian Impact Assessment Registry website (<https://iaac-aeic.gc.ca/050/evaluations/proj/84331>). 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 form may be posted on the Canadian Impact Assessment Registry website for the Project.

Please note that this is your opportunity to provide input to the Tailored Impact Statement Guidelines. The Agency is required to issue the final Guidelines and plans no later than day 180 of the planning phase (August 20, 2023).

Ministry:	Ministry of Citizenship and Multiculturalism (MCM)		
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Section 1 – Draft Tailored Impact Statement Guidelines:

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 corrections, additions or deletions that should be made to the text. Please provide a clear context and rationale for your recommendations.
 - With a view to maximizing efficiency of assessment processes, 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., MNR-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 where the text would be added/deleted.
MCM-01	10.1 (Indigenous peoples – Physical and cultural heritage, and structures, sites or things of significance)	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	MCM recommends that this subsection be removed from Section 10 and either placed instead within Section 9 (Local and regional socio-economic conditions) or made a stand-alone section; in either case, it would address cultural heritage resources with both Indigenous and non-Indigenous associations. The comments and recommended revisions below on

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		<p>under several of these authorities. Although the effects within 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>subsections within 10.1 would apply to the section in its new position.</p>
MCM-02	10.1.1 (Indigenous peoples – Physical and cultural heritage, and structures, sites or things of significance – Baseline conditions)	See comment MCM-01 above.	<p>MCM recommends adding the following bullets (under “The Impact Statement must:”) to clarify what technical studies/documentation will be completed and ensure alignment with the Technical Guidance:</p> <ul style="list-style-type: none"> • identify VCs which will include an inventory of potential lands 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 <i>Cultural Heritage</i>

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			<p><i>Report: Existing Conditions and Preliminary Impact Assessment.</i></p> <ul style="list-style-type: none"> ○ An archaeological assessment(s) should be undertaken by an archaeologist licenced under the <i>Ontario Heritage Act (OHA)</i> ○ <i>A Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment</i> 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 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.

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			<p>iii. Recommended 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	10.1.2 (Indigenous peoples - Physical and cultural heritage, and structures, sites or things of significance – Effects to Indigenous physical and cultural heritage	<p>See comment MCM-01 above.</p> <p>Additionally, If the project involves lands that are owned or controlled by an Ontario Ministry or Prescribed Public Body (PPB, under Ontario Regulation 157/10), the 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 mandate compliance with the <i>Ontario Heritage Act</i> for provincial heritage properties and for archaeological matters.</p>	<p>MCM recommends the following Additional and revised bullets:</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 cultural heritage of any structure, site or thing that is of historical, archaeological, paleontological or architectural significance</u> ○ describe both adverse and positive effects to physical and cultural heritage, and structures, sites or things of historical, archaeological, paleontological or architectural significance to Indigenous <u>and non-indigenous</u> communities, including, but not limited to: (...) ○ <u>for all project activities that disturb the soil, on the surface or underground, include an archaeological assessment in accordance with provincial legislation in consultation with Indigenous communities, as appropriate, so as to integrate information about methods;</u>

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			<p>...</p> <ul style="list-style-type: none"> • <u>on lands under provincial ownership or control, ensure compliance with the Standards and Guidelines for Conservation of Provincial Heritage Properties issued under Section 25.2 of the Ontario Heritage Act;</u>
MCM-04	10.5 Indigenous peoples – Mitigation and enhancement measures	As we are recommending that Section 10.1 be incorporated into Section 9 or made a stand-alone top-level section on physical and cultural heritage, there should be a subsection on mitigation and enhancement measures in the section that ultimately covers this subject matter.	<p>MCM recommends that the following bullets from the current Section 10.5, with the additions and revisions indicated, be included in the Mitigation and Enhancement Measures subsection of whichever section ultimately addresses physical and cultural heritage:</p> <p>The Impact Statement must:</p> <ul style="list-style-type: none"> • describe mitigation measures considered for heritage and structures, sites, and things of <u>historical, archaeological, paleontological or architectural</u> significance, as well as contingency plans and communications plans in the event of such discoveries during construction; • provide copies of correspondence from the provincial ministry (MCM) responsible for the conservation of cultural heritage containing comments on heritage resource assessment and proposed mitigation measures <u>due diligence under applicable legislative and regulatory frameworks, including comments on technical cultural heritage studies;</u> • describe accommodation, mitigation and complementary measures for impacts to previously known heritage and structures, sites, and things of significance, or those identified in the course of impact assessment and other field studies;

Insert as many rows as applicable

Section 2 – Draft Cooperation Plan:

3. Please review the draft Cooperation Plan sections that are relevant to your ministry or organization, including Appendix 1. Please indicate any recommended corrections to the text and confirm whether the preliminary list of relevant provincial regulatory mechanisms in Appendix 1 is accurate.

No concerns with the Draft Cooperation Plan.