

Table 1: Northern Road Link Draft Tailored Impact Statement Guidelines – Proponent Questions, Comments and Clarification Requests

Item #	Draft TISGs Section	Requirement	Question/Comment/Clarification Request
1	General	-	There are many requirements in the Draft NRL TISGs which are not included in the Marten Falls Community Access Road (MFCAR) and Webequie Supply Road (WSR) Tailored Impact Statement Guidelines (TISGs), which are both proposed all-season roads also undergoing federal impact assessments (IAs) in the region. Please provide clarification on the additional requirements for NRL compared to other road projects with similar design, locations in the same region, and assessments under the same legislation.
2	General	-	<p>In the draft Northern Road Link (NRL, ‘the Project’) Tailored Impact Statement Guidelines (TISGs) there are multiple mentions of the proponent collaborating with Indigenous communities, Indigenous communities reviewing portions of the Impact Statement (IS), and Indigenous communities undertaking their own studies on potential effects to their rights which need to be incorporated into the IS to be completed by the Proponent. However, the timeline for the IS, as per guidance the Impact Assessment Agency of Canada¹ (the Agency) is still anticipated to be three years. While the proponent supports fulsome and meaningful engagement, we are concerned that the level of collaboration with Indigenous communities and the incorporation Indigenous studies required by TISGs will dilate the timeline of the IS phase beyond the anticipated three years. We are also concerned that this could require significant funding and it is not clear whether the current federal funding will cover these potential costs.</p> <p>--</p> <p>¹ Impact Assessment Agency of Canada. 2022. Impact Assessment Process Overview. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/impact-assessment-process-overview.html</p>
3	General	-	There are new requirements around collaboration which are not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. In the draft NRL TISGs there are numerous references to ‘ongoing information sharing and collaboration between the proponent and Indigenous communities’, ‘developed collaboratively by the Indigenous community and the proponents’ and ‘ collaborate with the proponent’. Please provide clarification about definition and expectations with respect to collaboration/collaboratively/collaborate between the proponent and Indigenous communities. The Agency guidance document on <i>Collaboration with Indigenous Peoples in Impact Assessment</i> focuses on collaboration between the Agency and Indigenous communities, not on collaboration between the proponent and Indigenous communities.
4	1.3. Preparing the Impact Statement	The proponent is expected to provide the Agency with a concise workplan for the impact statement phase of the Project, within three months of the Notice of Commencement.	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. Please provide more detail on the information requirements for this workplan, including what is meant by “concise” as other planning documents exist for the Project (i.e., Terms of Reference, [ToR], Detailed Project Description [DPD], and Draft TISGs) and are all in excess of 100 pages.</p> <p>The proponent plans to conduct the EA/IA¹ as per the Project's Terms of Reference (ToR), Detailed Project Description (DPD), and the TISGs. As indicated in the ToR, we are also preparing discipline/VC-specific study plans.</p>
5	1.4. Format and accessibility	<p>The proponent should be prepared to provide:</p> <ul style="list-style-type: none"> all biophysical survey data in a well-documented data file which provides information on the site, site visits and individual observations or measurements (georeferenced where possible); individual results of all 	Biophysical and socioeconomic data, including detailed methods and results, will be presented in baseline reports to be appended to the environmental assessment report/impact statement (EAR/IS), in pdf format. Word files can be supplied as well. Shapefiles will be provided for all spatial data. Laboratory reports will be appended to baseline reports in pdf format. Input and output data for modeling will be provided in the source file format. Please clarify if the Agency expects these data to be provided in other formats.

¹ The Project is subject to both an Environmental Assessment (EA) under the Ontario *Environmental Assessment Act* and an Impact Assessment (IA) under the federal *Impact Assessment Act*. The term “EA/IA” is used to account for this joint provincial/federal process. A single report will be prepared by the proponent to satisfy the requirements of both processes, referred to in Project documents as the “Environmental Assessment Report/Impact Statement” (EAR/IS).

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		laboratory analysis, including methods, standards or references followed, detection limits, controls, and quality assurance and control procedures; <ul style="list-style-type: none"> • socioeconomic data in a well-documented data file; • input and output data from modeling; and • documentation and results of analysis that allow for a clear understanding of analytical methods and for replication of results. 	
6	3.2. Project location	The following information must be included and, where appropriate, located on map(s): (...) <ul style="list-style-type: none"> • project footprint, including the extent of the tenure; • surface areas, location and spacing of project components; (...) • areas for aggregate extraction. 	Some of the requested information may not be available until the detailed design phase, as the alignment is expected to be refined slightly between the preliminary engineering design being conducted for the EAR/IS and the detailed design being conducted for construction. The project footprint that will be assessed in the EA/IA will be large enough to allow for some movement of project components between preliminary design/impact assessment and detailed design. The EAR/IS will clearly indicate where information requested in the TISGs was not available during the development of the EAR/IS. The proponent can commit to providing it to the Agency when it becomes available.
7	3.2 Project location	The following information must be included and, where appropriate, located on map(s): (...) <ul style="list-style-type: none"> • navigable water ways; 	Navigable waters are identified by Transport Canada. Navigable waters have not been identified by Transport Canada in the vicinity of the Project. It is anticipated that through the Indigenous Knowledge (IK) Program, the proponent may be able to identify some watercourses as navigable, many of which are likely unnamed. As such, the Project will treat any watercourse with sufficient catchment to provide flow and size (width/depth) to support a small craft as navigable and design structures accordingly.
8	3.2. Project location	The following information must be included and, where appropriate, located on map(s): (...) <ul style="list-style-type: none"> • mineral development proposals, and areas of early and advanced mineral exploration; 	This information can be provided in the EAR/IS but with limitations. The proponent will use publicly available information and information from stakeholders to identify mineral development proposals, and areas of early and advanced mineral exploration, in the study area. However, it may not be possible to include projects with no publicly available information.
9	3.4. Project components	The Impact Statement must describe all project components including but not limited to: <ul style="list-style-type: none"> • water management infrastructure to divert, control, collect and discharge surface drainage and groundwater discharges, including seepage, to the receiving environment; • waterbody diversions/realignments, dewatering and deposition activities; (...) • construction workspace and laydown areas (footprint, location); • storage for fuels, explosives and hazardous wastes (method, footprint, location, management); (...) • treatment facilities for potable water, sewage, wastewater and effluent (including proposed treatment technologies, footprint, location, discharge locations); (...) • waste rock, overburden, topsoil, gravel and rock storage and stock piles (footprint, locations, volumes, development plans and design criteria); (...) • any other permanent or temporary infrastructure relevant to the Project, including any planned or anticipated co-location, construction or site preparation of additional right-of-way infrastructure such as, but not limited to, 	Some of the information requested may not be available during the EA/IA. The EAR/IS will be prepared based on preliminary engineering. The EAR/IS will clearly indicate where information requested in the TISGs was not available during the development of the EAR/IS. The proponent can commit to providing it to the Agency when it becomes available. The proponent requests that this statement be changed to 'must describe or commit to providing details prior to construction including but not limited to' (...).

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		transmission lines, telecommunication infrastructure, overpasses and pipelines.	
10	3.4. Project components	<p>The Impact Statement must describe all project components including but not limited to: (...)</p> <ul style="list-style-type: none"> • aggregate extraction and production (crushing/screening) facilities (footprint, technology, location). 	<p>The EAR/IS will describe aggregate extraction and production (crushing/screening) facilities; however, the crushing/screening technology may not be known during the EA/IA. The EAR/IS will clearly indicate where information requested in the TISGs was not available during the development of the EAR/IS. The proponent can commit to providing it to the Agency when it becomes available. The proponent requests that “technology” be removed.</p>
11	3.5.1. Site Preparation and Construction	<p>The Impact Statement must describe the anticipated activities during site preparation and construction of the Project, including: (...)</p> <ul style="list-style-type: none"> • management and stockpiling of topsoil and unsuitable earth material along the right-of-way; (...) • water management, including water diversions, dewatering or deposition activities, storm water • management, site drainage, runoff management, sediment or erosion control, potable water, water • use requirements, and wastewater if applicable, including: <ul style="list-style-type: none"> ○ site plans showing all project components, such as, water management infrastructures, location of all material stockpiles, location of all release points to the receiving environment, location of all major water crossings, location of all relevant waterbodies, and any other components or infrastructures relevant to the Project; (...) • blasting (frequency, duration, time of year, time of day and methods); • explosives transportation, storage and management; (...) • waste management and recycling (...) • operation of light duty, heavy-duty and mobile off-road equipment (type, quantity, power source); (...) • transportation of employees; • equipment and crew mobilization/de-mobilization; (...) • transport of equipment and supplies (type and quantity of equipment, and mode of transportation, including winter roads, air transport, rail, etc. 	<p>Some of the information requested may not be available during the EA/IA. The EAR/IS will be prepared based in preliminary engineering. The EAR/IS will clearly indicate where information requested in the TISGs was not available during the development of the EAR/IS. The proponent can commit to providing it to the Agency when it becomes available. The proponent requests that the wording is changed to ‘must either describe or commit to providing details in future management plans’ (...).</p>
12	3.5.2. Operation and Maintenance	<p>The Impact Statement must describe the anticipated activities during the operation and maintenance of the Project, including:</p> <ul style="list-style-type: none"> • the ownership, transfer and control of project components, if applicable, with a description of any influence retained over operational and maintenance activities; (...) • description of any road access controls, including: <ul style="list-style-type: none"> ○ access to and use of adjacent lands for traditional uses or other activities (e.g., mineral exploration, outfitters, etc.); ○ vehicle and operator licensing requirements; ○ insurance coverage requirements and general liability; and • enforcement/policing responsibility. 	<p>Some of the information requested may not be available during the EA/IA. Marten Falls First Nation (MFFN) and Webequie First Nation (WFN) are collectively the proponent of the Project’s EA/IA and preliminary design. The owner/operator of the NRL is not known at this time. Proponent options for road ownership, operation/maintenance activities and liability are being considered in ongoing discussions with the Province of Ontario. As such, long-term ownership and maintenance responsibilities for the Project will be established when road ownership is determined. Should there be a change in Project proponenty (i.e., a proponent other than MFFN and WFN takes ownership of the Project), all Project conditions, commitments and responsibilities agreed upon during EA/IA, including proposed mitigation, would be transferred to the successor who would be the new proponent.</p>

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13	3.5.2. Operation and Maintenance	<p>The Impact Statement must describe the anticipated activities during the operation and maintenance of the Project, including: (...)</p> <ul style="list-style-type: none"> anticipated road use by different users (traffic volume, type of vehicles, maximum weight, etc.), including Indigenous communities, the general public, and infrastructure and mining proponents of reasonably foreseeable future projects (e.g., anticipated future highways, Eagle's Nest, Blackbird, Black Thor, Black Label, Big Daddy); 	<p>The definition of 'reasonably foreseeable' in existing guidance² is as follows: The action may proceed, but there is some uncertainty about this conclusion. Developments that do not fall within the definition of 'reasonably foreseeable' cannot be included in the NRL cumulative effects assessment. The proponent is aware that Ring of Fire Metals is investigating the development of Eagle's Nest and potentially Black Thor, however development of other mineral deposits listed here have not been announced to date. The proponent will research proposed developments for the cumulative effects assessment to be included in the EAR/IS and consider all 'reasonably foreseeable' undertakings. If development of other mineral deposits listed here are announced during the development of the EA/IS, they will be included in the cumulative effects assessment.</p> <p>--</p> <p>² Impact Assessment Agency of Canada. 2012. Operational Policy Statement Addressing Cumulative Environmental Effects under the <i>Canadian Environmental Assessment Act</i>. Available: https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/addressing-cumulative-environmental-effects-under-canadian-environmental-assessment-act.html</p>
14	3.5.3. Suspension, decommissioning and abandonment	<p>The Impact Statement must describe the anticipated activities during suspension, decommissioning and abandonment of the Project, including:</p> <ul style="list-style-type: none"> the ownership, transfer and control of the different project components, with a description of any influence retained over activities during suspension and decommissioning; 	<p>The information requested may not be available during the EA/IA. MFFN and WFN are collectively the proponent of the Project's EA/IA and preliminary design. The operator of the NRL is not known at this time. Proponent options for road ownership, operation/maintenance activities and liability are being considered in ongoing discussions with the Province of Ontario. As such, long-term ownership and maintenance, including suspension and decommissioning, responsibilities for the Project will be established when road ownership is determined. Should there be a change in Project proponenty (i.e., a proponent other than MFFN and WFN takes ownership of the Project), all Project conditions, commitments and responsibilities agreed upon during EA/IA, including proposed mitigation, would be transferred to the successor who would be the new proponent.</p>
15	4.4. Alternative means of carrying out the Project	<p>For the selection of the alternative means of carrying out the Project, the Impact Statement must describe: (...)</p> <ul style="list-style-type: none"> each alternative means in sufficient and appropriate detail to distinguish the particularities, potential adverse and positive environmental, health social and economic effects, and their impacts on the rights of Indigenous peoples of Canada as identified by Indigenous peoples potentially impacted by the Project. 	<p>The alternatives assessment and selection of a preferred corridor is being conducted early on in the EA/IA process (mid-2024) such that preliminary engineering design and an impact assessment can be carried out on the project within the 3-year IS phase. While some impacts will be known at the time of the alternatives assessment, a detailed impact assessment on all alternatives is not currently planned (only on the preferred means of carrying out the project).</p> <p>The proposed methods for the alternatives assessment are as follows:</p> <p>The EA/IA will include an assessment of alternative means of carrying out the Project. Each alternative will be described and assessed based on selected criteria and indicators. The proponent has developed preliminary criteria and will consult with federal and provincial agencies, Indigenous communities, stakeholders and the public to develop the final criteria and indicators for the assessment. Baseline characterization will inform the assessment by supplying data on environmental criteria to allow for quantitative comparison between alternatives. The proponent will include consideration of the potential to mitigate identified adverse effects, hence, potential residual effects will be factored into the selection of the preferred alternative means of carrying out the Project. The assessment will include a qualitative discussion of the overall advantages and disadvantages of each alternative.</p> <p>The result of the assessment of alternative means of carrying out the Project will be the selection of preferred methods (i.e., preferred corridor and preferred ancillary infrastructure). The sum of all preferred methods will constitute the Project. Once the Project (i.e., the sum of the preferred methods) is determined, the Project will undergo an effects assessment, which includes:</p> <ul style="list-style-type: none"> Selection and scoping of Valued Components; Baseline characterization; Identification of Project-VC interactions and potential effects; Selection of mitigation measures;

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			<ul style="list-style-type: none"> • Identification and characterization of residual/net effects; • Cumulative effects assessment; and • Follow-up commitments and monitoring programs. <p>Please provide clarification on this requirement, and if our proposed approach above is adequate to address this.</p>
16	6.0. Description of Engagement with Indigenous Communities	The Declaration also emphasizes the need to work together in partnership and respect, as articulated through the principle of free, prior and informed consent. This principle reflects working together in good faith on decisions that impact Indigenous peoples, with the intention to achieve consensus. The engagement should also be consistent with jurisprudence and best practices, in respect of implementing the common law duty to consult.	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. Please provide clarification and expectations on the concept of 'consensus'. How does the Agency define consensus? Given that there are many communities with which the proponent will engage, how will one know when consensus is achieved? What happens if consensus is not achieved?</p> <p>Please provide clarification/direction/expectations should an Indigenous community not participate in engagement/consultation activities related to the intent of the Declaration.</p>
17	6.0. Description of Engagement with Indigenous Communities	<p>For the purposes of the Impact Statement, for the Indigenous communities identified in subsection 4.1 of the Indigenous Engagement and Partnership Plan, the proponent must (...)</p> <ul style="list-style-type: none"> • Support the participation of Indigenous communities in the completion of the Impact Statement, which could include funding studies (e.g., baseline studies; Traditional Knowledge and Land Use Studies; Indigenous-led evaluation of effects on health, socio-economic conditions, Indigenous Knowledge and land uses, cultural and physical heritage, as well as Aboriginal or treaty rights) conducted by potentially affected Indigenous communities who will have demonstrated interest in this regard; and (...) 	<p>This is a new requirement and not included in the Marten Falls Community Access Road (MFCAR) and Webequie Supply Road (WSR) TISGs, which are both proposed all-season roads also undergoing federal impact assessments (IAs) in the region. Please provide clarification and expectations with respect to this requirement, in particular 'support the participation of...'. This could require significant funding and it is not clear whether the current federal funding will cover these potential costs. Does the Agency have other funding allocations to cover this type of expense? The Agency's guidance document <i>Collaboration with Indigenous Peoples in Impact Assessment</i> speaks to capacity and that the Agency would work with Indigenous communities to build capacity. Does this include funding for supporting their participation? Clarification on reasonable time frames for the completion of Indigenous-led studies is also required. The proponent would like to meet with the Agency for guidance on how Indigenous-led studies can be completed and incorporated to the IS within the three year timeline for the IS.</p>
18	6.3. Record of Engagement	<p>The Impact Statement must include at a minimum: (...)</p> <ul style="list-style-type: none"> • A description of how Indigenous communities were provided with a reasonable opportunity to review draft sections of the Impact Statement prior to the sections being filed, where disagreement occurred, and how disagreements were considered. 	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. Please provide clarification around the expectations of this new requirement, including which draft sections of the EAR/IS are to be provided for Indigenous community review. Is this covered by federal funding and what is a reasonable time frame to review draft sections of sections of the EAR/IS?</p>
19	6.3. Record of Engagement	<p>The Impact Statement must include at a minimum:(...)</p> <ul style="list-style-type: none"> • A description of how Indigenous expertise will be sought to assist with the carrying out of the Project should it be approved; 	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification on expectations with respect to this new requirement.</p>
	6.3 Record of Engagement	The record of engagement must demonstrate that the capacity needs of Indigenous communities were taken into account, and that timelines were communicated adequately and were flexible enough to ensure Indigenous communities had the ability to review and gain understanding of information in the Impact Statement, including, where applicable, specific procedures for contributing information for sections in the Impact Statement.	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. There are numerous new requirements proposed in the draft TISG for which it is not clear what capacity is available or for which no capacity is allocated. Clarification is required about additional capacity the Agency may have to support these new requirements. In addition, please provide expectations with respect to reasonable time frames to undertake, complete and provide Indigenous-led studies and assessments. This could have implications for being able to complete the Impact Statement within the three-year timeline.</p>
	6.4. Collaboration with Indigenous Peoples following Submissions of	The proponent must explain in the Impact Statement how it plans to continue to work with affected Indigenous peoples during subsequent phases of the impact assessment process and throughout the lifecycle of the Project if the Project is	<p>This is a new requirement and not included in the MFCAR and WSR TISGs. Please clarify what is meant by 'decision making processes'.</p>

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	the Impact Statement	<p>allowed to proceed. For this section, the proponent may refer to information presented in other sections of the Impact Statement.</p> <p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> • describe how Indigenous peoples will be involved in decision making processes related to the Project throughout the lifecycle of the Project; 	
20	7.3. Considerations and methodology in selecting valued components	<p>Indigenous communities may identify valued components holistically, encompassing the effects on a number of individual environmental, health, social, or economic valued components. Where identified, the proponent should structure analysis and presentation of individual valued components into an assessment of the overarching Indigenous valued components. The proponent is encouraged to work with Indigenous communities to identify valued components holistically. In the event that a valued component is suggested by an Indigenous community but is excluded from the Impact Statement, the proponent must provide a justification for its exclusion. The Impact Statement must describe how community knowledge and Indigenous Knowledge and the perspectives were considered in selecting valued components.</p>	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. Please provide clarification and expectations with respect to this requirement, in particular 'the proponent should structure analysis and presentation of individual valued components into an assessment of the overarching Indigenous valued components' and what constitutes 'overarching Indigenous valued components'.</p> <p>To conduct the detailed impact assessment requirements outlined in this draft TISGs, it is necessary to assess individual valued components in a systematic way. The proponent is proposing to organize the valued components into the following disciplines: Aboriginal and Treaty Rights and Interests, Physical Environment, Biological Environment, Socio-economic Environment, Cultural Heritage Resources, and Human Health. Due to the interconnected nature of the environment, there are different ways of grouping valued components, however, in general, categorizing of valued components into these types of disciplines/groupings is common practice in impact assessments.</p> <p>The intent is to conduct the assessment of impacts to ATRI after all other VCs have been individually assessed so those assessments can support the assessment of impacts on ATRI. Please provide clarification on this requirement, and if our proposed approach above is adequate to address this.</p>
21	7.4.2. Temporal Boundaries	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> • define temporal boundaries by taking into account: <ul style="list-style-type: none"> ○ schedule of phases of the Project; ○ past conditions and historical context; ○ community knowledge and Indigenous Knowledge; ○ current or traditional land and resource use by Indigenous communities; ○ rights of Indigenous peoples, including treaty lands, traditional territories, and areas or sites used for cultural and spiritual practices; ○ relevant physical, technical, ecological, social, health, economic, and cultural considerations (e.g., temporal pattern of use of PSA, LSA and RSA for breeding, or for migrants stopping on northward and/or southward migration); ○ the foreseeable period over which temporary impacts are expected (e.g., groundwater changes following decommissioning); ○ timing of past, present, and foreseeable projects and activities, including potential decommissioning or abandonment; ○ the project's contribution to sustainability and long-term effects on well-being of present and future generations; and ○ any ongoing or completed regional assessment in the proposed project area or any relevant strategic assessments. 	<p>As indicated in the Project's Detailed Project Description, the temporal boundaries for the EA/IA are defined around the project's life cycle (i.e., project phases – construction and operations).</p> <p>The factors listed in the draft TISGs for the definition of temporal boundaries are a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs in the region. Please provide clarification on the Agency's expectations on defining temporal boundaries or remove the sub-bullets from this list.</p>

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22	7.6. Mitigation and enhancement measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> where appropriate, describe any adaptive management plans that will be implemented to address uncertainties associated with the effectiveness of mitigation measures included in a follow-up program (see Section 8.11) including: <ul style="list-style-type: none"> identifying the expected outcomes and targets that the Adaptive Management Plan will address; describing the uncertainties that the Adaptive Management Plan will address; developing hypotheses aimed at reducing the uncertainties described above; describing the relevant baseline(s) for the Adaptive Management Plan; describing mitigation measures to be employed and alternatives; 	<p>The requested details on adaptive management plans may not be available during the EA/IA. The EAR/IS will describe measures to reduce uncertainty through monitoring, adaptive management or other follow-up programs. It will also provide high-level information on management plans and include commitments to develop detailed management plans in consultation with stakeholders and Indigenous communities. However, the detailed management plans are expected to be developed after completion of the EA/IA, but prior to construction. Please provide clarification and expectations of this requirement.</p>
23	7.6. Mitigation and enhancement measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> where appropriate, provide details regarding financial liability and compensation in place as required by regulation or company commitment in relation to decommissioning or abandonment; 	<p>A detailed decommissioning and reclamation plan and cost estimate was not planned to be included in the EA/IA. Decommissioning and abandonment of the Project is not anticipated. Please provide clarification and expectations of this requirement.</p>
24	7.6. Mitigation and enhancement measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> identify and describe the use and application of best available technology and best environmental practice, including its effectiveness on the contaminants of concern, to prevent adverse effects on the receiving environment other than for GHG reduction purposes; 	<p>Best available technology may not be practical for all Project activities. The EAR/IS will include rationale when the Project is choosing methods other than the best available technology. Please confirm that the Agency agrees with this approach.</p>
25	7.6 Mitigation and Enhancement Measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> provide information on record keeping, timing and frequency of application of any identified mitigation measures. 	<p>The requested level of detail is not expected to be available during the EA/IA. This information will be included in the relevant management plans which will be committed to in the EAR/IS and developed prior to construction. Please provide clarification and expectations of this requirement, and/or consider adding 'or must commit to'.</p>
26	7.6. Mitigation and Enhancement Measures	<p>The Impact Statement must (...)</p> <ul style="list-style-type: none"> provide offsetting or compensation plans to address all residual effects to species at risk, and their critical habitat, migratory birds, fish and fish habitat and/or wetland functions (if applicable) for review during the impact assessment process; the plans should: (...) identify the parties responsible for implementation, including monitoring and review; describe the functions gained at the compensation site(s); provide evidence that functions can be replaced by the proposed offset activities; describe the process of selecting proposed compensation site(s) and associated baseline condition(s); 	<p>The proponent requests that the items in the left column be removed as these typically get completed during detailed design and permitting. Detailed design information will not be available at the preliminary design stage to address these adequately and in sufficient detail to satisfy the Agency. Offsetting and compensation plans will be regulated through the provincial and federal permitting processes.</p>

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		<ul style="list-style-type: none"> describe information on any offset credits that have been or will be obtained, including the offset regime that issued the credits, project type, project start date and vintage year. Proponents may also provide information on their intent to acquire or generate international offset credits; describe information on habitat banks or any habitat credits that have been or will be obtained, including the regime that issued them, project type, project start date and vintage year. Proponents may also provide information on their intent to acquire or generate international habitat credits. 	
27	7.6. Mitigation and Enhancement Measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> assess impacts of each potential route option for effects to valued components and provide a quantitative comparison; 	<p>The alternatives assessment and selection of a preferred corridor is being conducted early on in the EA/IA process (mid-2024) such that preliminary engineering design and an impact assessment can be carried out on the project within the 3-year IS phase. While some impacts and mitigation measures will be known at the time of the alternatives assessment, a detailed impact assessment on all alternatives is not currently planned (only on the preferred means of carrying out the project). The proponent requests that this requirement be removed as it is not reasonable to conduct an impact assessment on all route options.</p> <p>The EA/IA will include an assessment of alternative means of carrying out the Project. Each alternative will be described and assessed based on selected criteria and indicators. The proponent has developed preliminary criteria and will consult with federal and provincial agencies, Indigenous communities, stakeholders and the public to develop the final criteria and indicators for the assessment. Baseline characterization will inform the assessment by supplying data on environmental criteria to allow for a quantitative comparison between alternatives.</p>
28	7.7. Cumulative Effects Assessment	<p>At a minimum, the following projects or activities should be included in the cumulative effects assessment:</p> <ul style="list-style-type: none"> historical and existing mineral developments (including, but not limited to, Goldcorp's Musselwhite Mine, DeBeers' Victor Mine, Greenstone Gold's Hardrock Mine); other historical infrastructure projects; the Webequie Supply Road Project, the Marten Falls Community Access Road Project and other all-season road projects; power transmission projects; construction of upgrades to the Anaconda and Painter Lake forestry access roads; railway transload facility; forest management units; mining activities, including those associated with the following deposits: Eagle's Nest, Black Thor, BlackBird, Big Daddy, Black Label; road use past Nakina, including transportation of ore to the proposed future Ferrochrome Production Facility in Sault Ste. Marie, or to the smelter in Sudbury; mineral exploration activity in the area; and past projects, including the Ogoki and Long Lac diversions. 	<p>The proponent requests that the following projects and activities be removed from this list:</p> <ul style="list-style-type: none"> Musselwhite Mine – this project is located approximately 300 km away from the NRL and is therefore too far to be included in the cumulative effects study area for the cumulative effects assessment. railway transload facility – to the proponent's knowledge no railway transload facility is planned, therefore this is not a reasonably foreseeable development. mining activities associated with the following deposits: BlackBird, Big Daddy, Black Label – no plan has been announced to develop these ore bodies therefore these are not reasonably foreseeable developments. road use past Nakina, including transportation of ore to the proposed future Ferrochrome Production Facility in Sault Ste. Marie, or to the smelter in Sudbury, from the potential impacts of overall traffic from the Trans-Canada Highway.
29	8.2.1 Baseline Conditions	<p>The Impact Statement must: (...)</p>	<p>The proponent is requesting the requirement for collection of ambient air quality data within the local study area be removed. In other areas of the Draft TISG, the Agency encourages use of baseline data collected for the assessments of the proposed Marten Falls Community Access Road and the proposed Webequie Supply Road. With respect to ambient air quality, the data from other projects is outside the NRL local study area but in close proximity. Data from the nearby</p>

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		<ul style="list-style-type: none"> provide baseline ambient air concentrations for contaminants in the local study area, in particular near key receptors (e.g., communities, traditional land users, wildlife), describe and quantify emission sources for the following: (...) <ul style="list-style-type: none"> Any other relevant air pollutants from mobile, stationary or fugitive sources, including contaminants produced by the combustion of diesel fuel. 	<p>projects can be used to infer baseline conditions for the NRL study area. Also, due to the remote location of the project there is very little existing anthropogenic emission sources. Please confirm that ambient air quality data from the adjacent project assessments can be used for the baseline ambient air quality concentrations.</p> <p>In addition, please provide clarification and expectations with respect to 'any other relevant air pollutants from mobile, stationary or fugitive sources, including contaminants produced by the combustion of diesel fuel.'</p>
30	8.2.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> provide current ambient noise levels at key receptor points (e.g., sites used for traditional activities, human receptor locations, wildlife calving and foraging sites, nesting sites) including the results of a baseline ambient noise survey and permissible sound levels for each receptor location. Information on typical sound sources (both natural and anthropogenic), geographic extent and temporal variations must be included. At the time of collecting baseline data to study ambient noise where there are human receptors, it is recommended that the following aspects be considered: <ul style="list-style-type: none"> natural (non-anthropogenic) sounds Soundscapes (see ISO 12913-1:2014. Acoustics — Soundscape — Part 1: Definition and conceptual framework⁶⁰); expectations regarding quiet conditions in specific places or at specific times; usual sleeping hours (the default assumption is 10 p.m. to 7 a.m.); and degree of baseline annoyance attributable to existing noise sources (e.g., vehicle traffic, aircraft); 	<p>The proponent requests that the requirement to conduct a baseline ambient noise survey be removed. In other areas of the draft TISGs, the Agency encourages use of baseline data collected for the assessments of the proposed Marten Falls Community Access Road and the proposed Webequie Supply Road. With respect to ambient noise, these data may not exist within the NRL local study area but in close proximity. These data from the nearby projects can be used to infer ambient noise baseline conditions for the NRL study area. Also, due to the remote location of the project there is very little existing anthropogenic noise. Please confirm that data from the adjacent project assessments can be used to characterize the ambient noise baseline.</p>
31	8.2.2. Effects to the atmospheric, acoustic, and visual environment	<p>The Impact Statement must describe the effects of the project on the atmospheric, acoustic and visual environment, including: (...)</p> <ul style="list-style-type: none"> Provide an assessment of the Project's emissions potentially contributing or adding to existing ground ozone levels, with rationale to explain the approach used. 	<p>The proponent requests that this requirement be removed. The potential for the Project to contribute to ground-level ozone will be qualitatively assessed for both the construction and operation phases. This qualitative analysis will focus on the predicted increase in NOx and Volatile Organic Compounds around the air study area which will provide an indication of the potential for ground-level ozone formation. The potential for ground level ozone formation is low, so a qualitative assessment of ozone formation is considered adequate.</p>
32	8.2.2. Effects to the atmospheric, acoustic, and visual environment	<p>The Impact Statement must describe the effects of the project on the atmospheric, acoustic and visual environment, including: (...)</p> <ul style="list-style-type: none"> provide emission rates for all project and regional sources within the study area, including emission factors (with methodology, uncertainty assessment and references) and all assumptions and related parameters that would enable calculations to be reproduced. 	<p>The proponent requests that this portion of the requirement be removed: 'and regional sources within the study area'. The proponent will quantify all Project emissions and will use baseline data collected for the assessments of the proposed Marten Falls Community Access Road and the proposed Webequie Supply Road to infer air quality and GHG baseline conditions for the NRL study area.</p>
33	8.3.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> describe the representativeness of samples collected for acid rock drainage and metal(loid) leaching assessment. Present cross-sections or block model images at an appropriate scale that include geology, mineralized zones, the approximate location of all aggregate pits, and borehole traces and identification numbers, and a scale and legend. 	<p>These are new requirements not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. The proponent requests that these requirements be removed. These requirements are typically associated with mining projects, not road projects. We request that the following text be removed: 'Present cross-sections or block model images at an appropriate scale that include geology, mineralized zones, the approximate location of all aggregate pits, and borehole traces and identification numbers, and a scale and legend.'</p>

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		<ul style="list-style-type: none"> describe the approach and methods for the prediction of acid rock drainage and metal(loid) leaching, including identification of potential parameters of concern. Provide initial leaching potential results based on short term leach tests and an analysis of the representativeness of laboratory and field kinetic tests based on static tests results; 	
34	8.4.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> Describe the interactions between permafrost, surface water and groundwater, and topography, as well as rock fractures and talik zones between different surface-groundwaters 	This is a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. The proponent requests that this requirement be removed. Describing the interactions between permafrost, surface water and groundwater, and topography, as well as rock fractures and talik zones between different surface-groundwaters would require extensive testing.
35	8.7.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> describe the surface water, ground water and sediment quality baseline characterization program, including sampling site selection, monitoring duration and frequency, sampling methodology, and analytical protocol, including quality assurance and quality control measures: (...) <ul style="list-style-type: none"> ensure the characterization program includes sampling locations within the project area, the local and regional study areas, and reference locations that are unlikely to be impacted by the Project. 	<p>This is a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs.</p> <p>Including reference locations that are unlikely to be impacted by the Project will likely require more wells to be installed and sampled outside the LSA and RSA, which is outside the scope of the EA/IA. The proponent requests that 'reference locations that are unlikely to be impacted by the Project' be removed.</p>
36	8.7.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> delineate and characterize, using traditional field and mapping techniques, groundwater–surface water interactions, including identified groundwater-dependent ecosystems, wetlands, discharge and recharge areas. 	The use of traditional field and mapping techniques may not be feasible for this Project due to its remote location. The proponent will mainly use desktop mapping techniques for delineation and characterization of groundwater dependent ecosystems, wetlands, discharge, and recharge areas. We request that the requirement for 'traditional field and mapping techniques' be removed.
37	8.7.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> provide flow hydrographs and corresponding water levels for nearby streams and rivers potentially affected by the Project showing the full range of seasonal and inter-annual variations; as well as seasonal baseflow. 	<p>This is a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs.</p> <p>Including this information in the EAR/IS may be challenging due to the limited number of nearby stream gauging that corresponds to the typical watercourses that are affected by the Project. Data is available only for the larger watercourses, not for mid-size watercourses. The proponent plans to conduct bathymetric surveys on some water bodies at proposed crossing locations, however, it will not be survey all nearby waterbodies. The proponent requests that this requirement be removed.</p>
38	8.7.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> provide stage hydrographs for lakes potentially affected by the Project showing the full range of seasonal and inter-annual water level variations; 	This is a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. The proponent plans to conduct bathymetric surveys on some water bodies at proposed crossing locations, however, it will not be survey all waterbodies. The proponent requests that this requirement be removed.
39	8.7.1. Baseline Conditions	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> present a conceptual model for the hydrological environment, as appropriate to describe baseline conditions for surface waters. The model should be developed to support the assessment of potential changes to water and 	This is a new requirement not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. The level of effort required to develop an accurate flux model, including all impacted surface water networks in the study area, would be disproportionate to its utility. The proponent intends to conduct hydrological and hydraulic modelling focused on watercourse crossings, where most impacts are expected to occur and where most mitigation measures will be required. Assessment of watercourse crossings will include determination of upstream and

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		sediment quantity and quality in rivers, streams, lakes, springs and wetlands, with input from regulators and Indigenous communities; and	downstream changes to water and sediment quantity and quality. The proponent requests that this requirement be removed.
40	10.0. Indigenous Peoples	Indigenous valued components may be holistic in nature and may encompass the effects on a number of individual environmental, health, social or economic valued components, as well as impacts to the exercise of Aboriginal or treaty rights. Where holistic valued components are identified, the proponent must combine the analysis of individual valued components into an assessment of the holistic valued components identified by Indigenous communities. The proponent also must analyze the Indigenous Knowledge across diverse sub-groups where possible to identify differential effects highlighted by these groups.	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations on how to address this new requirement including how the Agency views the concept of 'holistic', how to identify holistic valued components (VCs) and the nature of the combined analysis.</p> <p>The proponent understands that the various components of the environment are interconnected, and this will be described in the EAR/IS. As described in the Terms of Reference, the EAR/IS will identify 'Linked VCs'. Linked VCs represent VC assessments that can be informed by or inform the assessment of other VCs. For example, Project-related changes to air quality represent a pathway of effects on other VCs such as human health or vegetation. However, to conduct the detailed impact assessment requirements outlined in this TISG, it is necessary to assess individual VCs in a systematic way.</p> <p>We are proposing to organize the VCs into the following disciplines: Aboriginal and Treaty Rights and Interests (ATRI), Physical Environment, Biological Environment, Socio-economic Environment, Cultural Heritage Resources, and Human Health. Due to the interconnected nature of the environment, there are different ways of grouping VCs, however, in general, categorizing valued components into these types of disciplines/groupings is common practice in impact assessments.</p> <p>The intent is to conduct the assessment of impacts to ATRI after all other VCs have been individually assessed so those assessments can support the assessment of impacts on ATRI. Please confirm that this approach is what is intended with this requirement.</p>
41	10.0. Indigenous Peoples	Engagement with Indigenous communities must involve ongoing information sharing and collaboration to the extent possible to help validate the information and assessment findings in the Impact Statement. In cases where a specific study addressing elements relevant to the impact assessment of the Project has been prepared by an Indigenous community, the proponent must incorporate it into the Impact Statement and explain how it was taken into account. In addition, the proponent must append the full studies, as they were presented by each Indigenous community, except in cases where the information could be confidential in nature.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations on how to address this new requirement and funding available for Indigenous communities to complete these activities.
42	10.0. Indigenous Peoples	The proponent is also encouraged to work with Indigenous communities who demonstrate an interest in drafting sections of the Impact Statement that concern them, including sections describing Indigenous Knowledge, on the subject of current uses of lands and resources for traditional purposes, on potential impacts to the rights of Indigenous peoples, and for the identification of mitigation or enhancement measures. Where applicable, sections of the Impact Statement prepared by Indigenous communities must be clearly identified. All perspectives and the rationale for different conclusions should be documented in the Impact Statement.	<p>This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations on how to address this new requirement. Is this activity an eligible expense under the Agency's participant funding program or is additional Agency funding available for these activities? Please provide expectations on reasonable timeframes to complete these activities by these communities.</p> <p>Please also confirm/provide clarification that this requirement is related to the assessment of impacts on Aboriginal or Treaty Rights and Interests. In addition, please provide clarification on what 'that concerns them' pertains to as the phrase is very broad in nature.</p>
43	10.2.2. Effects to Current Use of Lands and Resources for Traditional Purpose	<p>The Impact Statement must:</p> <ul style="list-style-type: none"> assess the potential effects on current use of lands and resources for traditional purposes, within the context of historical and current cumulative effects, including to: 	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. The proponent will conduct an IK Program for the EA/IA. However, it is anticipated that the information obtained will be qualitative. Please provide clarification and expectations about the intent of this new requirement.

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		<ul style="list-style-type: none"> quantity, quality and distribution of resources available for harvesting (e.g., species of cultural importance, including traditional and medicinal plants) 	
44	10.2.2. Effects to Current Use of Lands and Resources for Traditional Purpose	<p>The Impact Statement must (...)</p> <ul style="list-style-type: none"> Describe and assess the interconnection and impact pathways between the current use of lands and resources and health, social and economic components; Indigenous Knowledge; and Indigenous rights for each Indigenous community, including potential intergenerational impacts over the lifetime of the Project 	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the intent of this new requirement, in particular with respect to 'including potential intergenerational impacts over the lifetime of the Projects'.
45	10.3.1.2.1. Biophysical determinants of health	<p>The Impact Statement must (...)</p> <ul style="list-style-type: none"> document and take into account tolerance thresholds for potential adverse effects on health identified by Indigenous communities 	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification on what are 'tolerance thresholds' and expectations about the intent of this new requirement.
46	10.3.1.2.2. Determinants of health	<p>The Impact Statement must (...)</p> <ul style="list-style-type: none"> with regard to potential effects on food security, describe changes in terms of accessibility, availability, use, consumption, and quality of country foods (traditional foods), and the potential effects related to these changes on physical and mental health of Indigenous peoples 	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the intent of this new requirement.
47	10.3.1.2.2. Determinants of health	<p>The Impact Statement must (...)</p> <ul style="list-style-type: none"> identify possibilities of avoidance of certain country food sources or drinking or recreational water sources by the Indigenous peoples due to the perception of contamination; document and take into account tolerance thresholds for potential adverse effects identified by Indigenous peoples; 	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the intent of this new requirement. Please also provide clarification on what are 'tolerance thresholds'.
48	10.3.3.2.1. Changes to business environment and local economy	<p>The Impact Statement must describe the potential positive and negative effects of the Project on Indigenous businesses, during both the construction and operation phases of the Project, including: (...)</p> <ul style="list-style-type: none"> an estimate of the anticipated levels of Indigenous economic participation in the Project in comparison to the total project requirements (e.g., total dollar value of contracts). 	The requested information may not be available during the EA/IA. The EAR/IS will clearly indicate where information requested in the TISGs was not available during the development of the EAR/IS. The proponent can commit to providing it to the Agency when it becomes available. Please confirm that the Agency agrees with this approach.
49	10.4.2. Impacts on Rights of Indigenous Peoples	The proponent is therefore encouraged to share studies with Indigenous communities prior to assessing the impact of the Project on their rights.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about what the proponent is to do once the proponent has shared studies with Indigenous peoples (e.g., which studies are to be shared, timeframe for response, expectations on what the outcomes are for sharing studies, guidance on how incorporate or manage comments received, etc.).
50	10.4.2. Impacts on Rights of	The proponent must document the approach taken to support Indigenous communities in identifying the potential impacts of the Project on their rights, including the hypotheses put forward on the potential effects.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about what the Agency considers 'support'.

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	Indigenous Peoples		
51	10.4.2. Impacts on Rights of Indigenous Peoples	The proponent should discuss with Indigenous communities their views on how best to reflect the assessment of impacts on the exercise of rights in the Impact Statement. Impacts on rights may be assessed using a methodology identified by Indigenous communities, including community-led assessments, and agreed upon between the Indigenous community and the Agency.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about how to best to reflect the views of Indigenous communities in the assessment of impacts on the exercise of rights in the IS. Please also clarify the Agency's expectations on the proponent integrating methodology identified by Indigenous communities, and agreed upon between the Indigenous community and the Agency, in the EA/IA.
52	10.4.2. Impacts on Rights of Indigenous Peoples	The proponent, in collaboration with Indigenous communities, should consider and describe in the Impact Statement: (...) <ul style="list-style-type: none"> the way that the Project is aligned with the values, political direction and/or objectives of Indigenous peoples' actions to mitigate or to adapt to a changing climate; the manner in which the Project and its impacts weaken or strengthen the authority of Indigenous peoples on their territory; 	These are new requirements and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the intent of this new requirement. This is beyond the capacity of the proponent.
53	10.4.2. Impacts on Rights of Indigenous Peoples	Impacts on rights may be assessed using a methodology identified by Indigenous communities, including community-led assessments, and agreed upon between the Indigenous community and the Agency.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the proponent's role in the discussions about the agreement between the Indigenous community and the Agency, including the reasonableness of the methodology proposed by indigenous communities, the funding for community-led assessment and reasonable timeframes for community-led assessments.
54	10.4.2. Impacts on Rights of Indigenous Peoples	This may include supporting Indigenous-led studies and assessments to inform the assessment of effects to Indigenous peoples, including on their ability to practice their rights and the resources necessary to support those rights (e.g., for valued components, spatial and temporal boundaries, community health, social conditions and community well-being) that are to be provided publicly and to the Government of Canada.	This is a new requirement and not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations on what is meant by 'support' and that the support is being provided by the Agency if the Agency makes an arrangement with an Indigenous community. Please also clarify that if Indigenous-led studies and assessments are agreed to by an Indigenous community and the Agency, that the Agency will provide funding for those agreed to studies and assessments. Please also provide clarification on a reasonable time frame for any agreed to studies and assessments to be completed and provided to the proponent for inclusion in the Impact Statement or directly to the Agency. If the information is shared directly with the Agency, does the Agency share the information with the proponent?
55	10.5. Mitigation and Enhancement Measures	The Impact Statement must: <ul style="list-style-type: none"> describe the proposed mitigation and enhancement measures for all potential effects to Indigenous peoples, as well as for potential impacts on the rights of Indigenous peoples, and: <ul style="list-style-type: none"> if these are measures for which the proponent or other parties would be responsible; how these measures may vary for each Indigenous community; and if and how these measures would be integrated into the project design, if applicable; include perspectives of the potentially impacted Indigenous communities, on the effectiveness of particular mitigation measures on such impacts; 	Many of the suggested criteria are new requirements and are not included in the MFCAR and WSR TISGs, which are both proposed all-season roads also undergoing federal IAs. Please provide clarification and expectations about the criteria especially where the focus is on adverse impacts to Indigenous communities and/or their rights.

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		<ul style="list-style-type: none"> • describe collaboration with Indigenous peoples to identify preferred mitigation measures for potential adverse impacts on Indigenous communities or their rights, as well as to optimize the project's benefits for their communities; • describe how Indigenous peoples who participated in the gathering of traditional use information took part in the impact assessment and in the development of proposed mitigation measures, including undertaking their own assessment of effects. Include all Indigenous comments on potential effect to current use of lands and resources for traditional purposes; • demonstrate how the timing of Indigenous activities on the land was considered when establishing the schedule for project activities; • provide any intervention and communication plans, as applicable, pertaining to heritage resources and structures, sites, and things of cultural, historical, archaeological, paleontological, or architectural significance, if there is a possibility of discovery during construction or development activities. This plan must include, at a minimum, the person to be contacted, intervention measures and the conditions that would lead to a shutdown and resumption of work; • provide copies of correspondence from the provincial ministry containing their comments on the heritage resource assessment and proposed mitigation measures; • describe the measures that would be implemented by the proponent for the potential impacts of the Project on the exercise of rights, including how the measures directly address the possible impacts of the Project on the exercise of rights and the scope of the measures; • describe the measures that would enhance or support the exercise or practice of rights in the project area (e.g., employment, procurement and monitoring measures); • describe all reasonable alternatives considered that would avoid impacts on current use of lands and resources for traditional purposes considered during project development; • describe how the proponent has addressed the suggestions and recommendations made by potentially affected Indigenous peoples, including where Indigenous Knowledge was provided and considered in respect of the design of mitigation measures; (...) • (...) describe predicted climate change considerations for valued components and incorporate climate change adaptation into project planning; • 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; and • provide available evidence of the effectiveness for all mitigation measures related to potential effects to Indigenous communities. Where no evidence exists, describe plans to monitor the effectiveness of mitigation measures. The proponent is encouraged to share results with Indigenous communities and to monitor the effectiveness of mitigation measures in cooperation with Indigenous communities. 	

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56	10.5. Mitigation and Enhancement Measures	<p>The Impact Statement must: (...)</p> <ul style="list-style-type: none"> describe plans, programs and policies to encourage contracting and procurement opportunities for local and regional businesses and Indigenous peoples; (...) 	<p>The requested information may not be available during the EA/IA. Detailed plans, programs and policies will be developed beyond the completion of the EA/IA during detailed design and procurement. The proponent can commit to providing this information to the Agency when it becomes available. Please confirm that the Agency agrees with this approach.</p>