

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

Great Bear Gold Project

Deadline: June 7, 2024

All comments should be submitted via the Submit a Comment feature available on the Project’s Canadian Impact Assessment Registry page (<https://iaac-aeic.gc.ca/050/evaluations/proj/85832?culture=en-CA>). 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 will 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.

Ministry:	Ministry of Citizenship and Multiculturalism (MCM)		
IA Contact:	Joseph Harvey, Heritage Planner, Heritage Planning Unit	Telephone:	613-242-1027 (Joseph) 416-660-1027 (Karla)
	Karla Barboza, Team Lead, Heritage Planning Unit	Email:	Joseph.harvey@ontario.ca Karla.barboza@ontario.ca

Section 1 – Draft Tailored Impact Statement Guidelines:

- Please review the draft Tailored Impact Statement Guidelines (the Guidelines) sections that are applicable to your ministry’s mandate.
- 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.
 - Please consider that expert advice should be commensurate to the situational context of the Project and informed by risk-based prudence and evidence in the proponent’s Detailed Project Description¹ and Response to the Summary of Issues², with a strong reliance on well-understood mitigation measures, existing guidance, and regulatory instruments that will manage effects.

Ministry – Comment ID (e.g., MNRF-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	3.2 (Project Location)	Please note that the Project may impact cultural heritage of significance for non-Indigenous, as well as Indigenous, peoples.	Please replace the last bullet of section 3.2 (Project Location) with the following. <ul style="list-style-type: none"> physical and cultural heritage or to any structure, site or thing that is of historical, archaeological,

¹ <https://iaac-aeic.gc.ca/050/evaluations/document/155992>

² <https://iaac-aeic.gc.ca/050/evaluations/document/153313>

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		<p>It is not clear what the last bullet ‘culturally important features of the landscape’ means. It should be consistent 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>paleontological or architectural significance to both Indigenous and non-Indigenous peoples.</p>
MCM-02	12.1.1 (Baseline Conditions - Indigenous physical and cultural heritage, and structures, sites or things of significance)	<p>The Project may impact cultural heritage of significance for non-Indigenous peoples.</p> <p>Different types of heritage, structures, sites or things can fall under the authorities of municipal, provincial/territorial or federal governments and sometimes 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>This section appears not to be consistent with the <i>Technical Guidance for Assessing Physical and Cultural Heritage or any Structure, Site or Thing that is of Historical,</i></p>	<p>MCM recommends that a section be included to address Physical and Cultural Heritage affiliated with Indigenous and non-Indigenous peoples, either under Social Conditions (section 10) or in a separate section on Physical and Cultural Heritage.</p> <p>MCM recommends adding the following bullets to Section 12.1.1 (Baseline Conditions) to align with the Technical Guidance and clarify what technical studies/ documentation and will be completed:</p> <ul style="list-style-type: none"> • identify VCs which will include an inventory of potential lands and resources and establish their importance as heritage or as a structure, site or thing. This may be assessed through a combination of consultation, desktop-based research and a site survey or inspection. This will be documented in an

Ministry – Comment ID (e.g., MNRF-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.
		<p><i>Archaeological, Paleontological or Architectural Significance under the Canadian Environmental Assessment Act, 2012</i></p> <p>Technical cultural heritage studies (e.g. cultural heritage reports, archaeological assessments) undertaken for the federal EA process can also be used under the provincial EA process.</p>	<p>archaeological assessment and Cultural Heritage. Report: Existing Conditions and Preliminary Impact Assessment.</p> <ul style="list-style-type: none"> • An archaeological assessment(s) should be undertaken by an archaeologist licenced under the <i>Ontario Heritage Act</i> (OHA) • A <i>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 identify all known or potential built heritage resources and cultural heritage landscapes, identify potential project impacts to these resources and provide recommendations to avoid or mitigate these impacts.

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MCM-03	12.1.2 (Effects Indigenous physical and cultural heritage - Indigenous physical and cultural heritage, and structures, sites or things of significance)	<p>The Project may impact cultural heritage of significance for non-Indigenous peoples.</p> <p>Different types of heritage, structure, site or thing can fall under the authorities of municipal, provincial/territorial or federal governments and sometimes under several of these authorities. Effects of any changes to the environment on heritage or any structure, site or thing (other than those with respect to Indigenous peoples) that are directly linked or necessarily incidental to a federal decision shall be assessed. Therefore, the Impact Statement will assess effects of changes to all cultural heritage resources, associated with Indigenous and non-Indigenous communities.</p> <p>The Tailored Impact Statement Guidelines should be consistent 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>MCM recommends the following edits:</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 heritage of any structure, site or thing;</u> ○ assess potential effects to physical and cultural heritage, and structures, sites or things of historical, archaeological, paleontological or architectural significance to <u>indigenous and non-Indigenous</u> communities, including, but not limited to: (...) ○ <u>consider the potential cumulative effects</u> ○ (...) describe the outcomes of engagement and consultation activities with <u>the public and</u> Indigenous communities with concerns about heritage resources in the project area and indicate the participation of the members of these communities in the related studies (<u>e.g., archaeological studies</u>), if applicable

<p>MCM-04</p>	<p>12.2.2 (Effects to current use of lands and resources for traditional purposes - Current use of lands and resources for traditional purposes)</p>	<p>If the project involves lands that are owned or controlled by an Ontario Ministry or Prescribed Public Body (PPB) on behalf of the Crown (O. Reg. 157/10 includes the list of PPBs), note that a Ministry or PPB has responsibilities under the Standards and Guidelines for Conservation of Provincial Heritage Properties (Ontario Heritage Act, Part III.1, sec. 25.2).</p> <p>This section should be expanded to reference compliance with the <i>Ontario Heritage Act</i>, as it governs and regulates the identification, evaluation and management of provincial heritage properties and the conduct of archaeology.</p>	<p>For consistency MCM recommends including the following additional points:</p> <ul style="list-style-type: none"> ○ evaluate the potential effects of changes to physical and cultural heritage and to structures, sites, or things of historical, archaeological, paleontological or architectural significance to communities. ○ provide copies of correspondence with provincial or territorial authorities responsible for heritage resources containing their comments on the heritage resource assessment and proposed mitigation measures. ○ describe the results of consultation and engagement activities with the public and Indigenous and non-Indigenous communities having heritage resource concerns in the project area and indicate the participation of the members of these communities in the related studies, if applicable. ○ screen for archaeological potential using the MCM Criteria for Evaluating Archaeological Potential and Criteria for Evaluating Marine Archaeological Potential to determine if an archaeological assessment is needed. If the project area exhibits archaeological potential, then an archaeological assessment
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			<p>should be undertaken by an archaeologist licenced under the <i>Ontario Heritage Act</i> (OHA), who is responsible for submitting the report directly to MCM for review.</p> <ul style="list-style-type: none"> ○ on lands under provincial ownership or control, work that includes ground disturbing activities should comply with the <i>Ontario Heritage Act</i>, including the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>.
MCM-05	12.5 (Mitigation and enhancement measures)	<p>Jurisdiction over heritage is shared among levels of government. Heritage sites may be formally designated as protected sites or may be subject to a blanket system of protection, either by legislation or by policy at the federal, provincial, territorial or municipal level.</p> <p>Information under section 12.5 should also be consistent with the Technical Guidance. Mitigation measures for physical and cultural Heritage or any structure, site or thing that is of Historical, archaeological, paleontological or architectural significance can only be identified by qualified persons and documented in technical cultural</p>	<p>MCM recommends the following edits to clarify what mitigation measures should be undertaken for potential or known cultural heritage resources:</p> <ul style="list-style-type: none"> • (...) <ul style="list-style-type: none"> • <u>describe the measures that would mitigate any significant adverse environmental effects on physical and cultural heritage or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance related to Indigenous peoples and non-Indigenous and supported by technical cultural heritage studies; (...)</u> • provide any intervention and communication plans, as applicable, relating 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

		<p>heritage studies (e.g., archaeological assessment, cultural heritage report).</p>	<p>contacted, intervention measures and the conditions that would lead to a shutdown and resumption of work.</p> <ul style="list-style-type: none"> • provide copies of correspondence from the provincial or territorial heritage resource authorities containing their comments on the heritage resource assessment and proposed mitigation measures <u>authorities responsible for the conservation of cultural heritage (i.e., the Ministry of Citizenship and Multiculturalism).</u> <u>Correspondence should include comments from provincial authorities on due diligence under legislative and regulatory framework, including comments on technical cultural heritage studies.</u> • <u>In the event that project activities, include ground disturbing activities, an archaeological assessment(s) by an archaeologist licensed under the <i>Ontario Heritage Act</i> shall be conducted for the affected lands. Archaeological assessment(s) shall be undertaken during the impact assessment process and prior to any ground disturbing activities. Recommendations from the archaeological assessment(s) will be followed by the proponent.</u> • <u>archaeological concerns have not been addressed until reports have been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that; the</u>
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			<p><u>archaeological assessment of the project area is complete and all archaeological sites identified by the assessment are either of no further cultural heritage value or interest (as per Section 48(3) of the OHA) or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.</u></p> <ul style="list-style-type: none">• (...)
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Section 2 – Draft Cooperation Plan:

3. Please review the draft Cooperation Plan sections that are relevant to your ministry, 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.

Section 3 (Approach to cooperation) - Table 1 (Potential opportunities for cooperation on the assessment of effects) should be revised in the following manner:

Responsible entity

- Ontario Ministry of Citizenship and Multiculturalism

Mandate and expertise

- **Conservation of cultural heritage resources, including archaeological resources, built heritage resources and cultural heritage landscapes.**

Regulatory Mechanism

- **Ontario Heritage Act – proponents are required to assess impacts supported by technical cultural heritage studies, including archaeological assessments**

Potential Opportunities for Cooperation

- Information sharing **and review of, and comment on, technical cultural heritage studies**

Section 4 (Gathering and review of proponent information) - Table 2 (Preliminary list of common factors reviewed by the Agency and participating ministries) should be revised to account for project impacts on cultural heritage of significance for non-Indigenous peoples. We recommend including 'cultural heritage' under the column entitled "Common Areas of Federal & Provincial Review" in the Row labelled "Changes to health, social and economic conditions".

Section 5 (timelines and time management) – Please note that technical cultural heritage studies will be required to support the impact assessment under the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects.

Section 11 (Contact Information) – Please remove the email address and phone number of Gavin Downing. As of June 3, responsibility for this exercise falls to the director of a new Heritage Operations Branch, with that position being vacant currently. Our generic Branch email (heritage@ontario.ca) can be included for the time being. We will advise you once a director is named.

Appendix 1 (Provincial Regulatory Mechanisms) should be revised to reference the [Standards and Guidelines for Conservation of Provincial Heritage Properties](#) (S&Gs) as the project may impact lands owned or controlled by the Crown in Right of Ontario. The S&Gs apply to property that is owned or controlled by the Crown in right of Ontario or by a public body prescribed under O. Reg. 157/10.