

**Federal Authority Advice Record (FAAR)**

**The FAAR must be submitted to the Registry by December 20, 2023.**

Cooper Cove Marine Terminal Expansion Project – Port of Argentia

Registry reference no.: 86128

Department/Agency	Women and Gender Equality Canada (WAGE)
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1. a) Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

If yes, specify the Act of Parliament and that power, duty or function.

b) Please describe any Indigenous or public consultation that will be undertaken in relation to the exercise of that power, duty or function, including when it would take place.

1.a) WAGE does not hold any regulatory power, functions or duties.

1.b) N/A

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2. Is your department or agency in possession of specialist or expert information or knowledge in one of your fields of expertise that may be relevant to the conduct of an impact assessment of the Project?

Specify the specialist or expert information or knowledge.

WAGE holds expertise in the application of GBA Plus (as intersectional analysis) as well as information related to gender equality, including gender-based violence.

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3. Has your department or agency exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action that would allow the Project to proceed in whole or in part?

Please specify if applicable.

No.

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4. Has your department or agency had previous contact or involvement with the proponent or other party in relation to the Project (for example: an enquiry about methodology, guidance, or data; introduction to the Project)?

Please provide an overview of the information or advice exchanged.

No.

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5. Does your department or agency have additional information or knowledge about the project not specified above, including information about its geographic, environmental, economic or social context (for example, location of protected or sensitive areas, history between local communities and proponent or similar projects, local or regional social or economic concerns)?

Additional information on GBA Plus is available at below links and an **Overview of Gender-based Analysis Plus (GBA Plus)** has been added on pages 8-10 for your awareness.

IAAC:

- [Guidance: Gender-based Analysis Plus in Impact Assessment - Canada.ca](https://research-groups.usask.ca/reed/documents/CEAA%20Report.FINAL.%20Walker%20Reed%20Thiessen.%20Gender%20Diversity%20in%20IA.Feb%208%202019.pdf)
- <https://research-groups.usask.ca/reed/documents/CEAA%20Report.FINAL.%20Walker%20Reed%20Thiessen.%20Gender%20Diversity%20in%20IA.Feb%208%202019.pdf>
- [Other research related to GBA Plus – See sections “Knowledge Synthesis Grants – Informing Best Practices in Environmental and Impact Assessments” and “Targeted Research”: Impact Assessment Agency of Canada Research Program - Canada.ca](#)

WAGE:

- [Take the Gender-based Analysis Plus course - Women and Gender Equality Canada](#)
- [What is gender-based violence? - Women and Gender Equality Canada.](#)

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6. From the standpoint of your department's mandate and expertise, what are the main issues concerning the project?

For each key issue, please:

- describe the effect or the nature of the issue, including any relevant context;
- provide the rationale and/or evidence for why it is a key issue;
- briefly provide solutions to the issue, including information or studies that, if applicable, should be requested to the proponent in the Tailored Impact Statement Guidelines, potential mitigation measures, or regulatory requirements relevant to the issues;
- provide a concise, plain-language summary of the issue for inclusion in the Summary of Issues.

The information provided will be taken into consideration by the Agency to formulate an opinion on whether an impact assessment is required and, if applicable, will be taken into account in developing project-specific Tailored Impact Statement Guidelines in the next steps of the impact assessment process.

Please use Table 1 to answer this question.

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7. If applicable, specify any additional information the proponent could provide in the Detailed Project Description or in its response to the Summary of Issues that:
- would make it possible to verify whether certain minor issues could be addressed and managed by clear measures, existing guidelines, other regulatory processes or other existing tools;
  - help the Agency to provide an opinion if an impact assessment is required, or

- would support the tailoring of the Impact Statement Guidelines if the Agency is of the opinion that an impact assessment is required.

These clarifications and additional information will be included as specific questions/issues in the Summary of Issues provided to the proponent.

Please use Table 2 to answer this question.

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Women and Gender Equality Canada

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Name of department or agency involved

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Speaker title

December 20, 2023

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Date

**Table 1: Key issues to inform the impact assessment process**

The Agency asks that federal authorities guide expert advice on the Agency's approach to project specific tailoring, if the Agency is in the opinion that an impact assessment is required. This approach aims to focus the assessment on the Project's key issues, with an emphasis on the prevention of adverse environmental effects in areas of federal jurisdiction. In determining key issues, federal authorities should be mindful of the Project's context (size, scope, location), Indigenous knowledge and perspectives, and public concerns.

Potential effects that are considered minor, or that can be mitigated through clear measures, existing guidance or other regulatory processes, may be subject to simplified information requests or be disregarded. Advice from federal authorities on key issues and solutions - and on the scope and detail of the studies and information requested - will enable the Agency to focus the analysis on those issues that are important for the impact assessment process.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
<p><i>Please present comments by organization and comment number</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>If the comment relates to a specific section of the initial project description, please provide the reference.</i></p>	<p><i>Identify valued component(s) or factor to consider—within the mandate of your department or agency—to which the potential effect or issue applies.</i></p>	<p><i>Please provide a brief description of the issue and rationale for being a key issue.</i></p> <p><i>Include, where relevant:</i></p> <ul style="list-style-type: none"> <li>• <i>the sequence of potential effects;</i></li> <li>• <i>the relevant context that specifies why this is a key issue;</i></li> <li>• <i>key uncertainties that should be addressed in the impact assessment;</i></li> <li>• <i>Indigenous or public concerns or perspective;</i></li> <li>• <i>scientific data or traditional knowledge, including from previous projects, that justifies the inclusion of the key issue in the project assessment.</i></li> </ul>	<p><i>If applicable, please provide brief solutions/advice to address the issue or potential effect, including:</i></p> <ul style="list-style-type: none"> <li>• <i>studies or information relevant to describing and characterizing the potential effect, including any guidance for data collection or analysis or existing data sources to inform the assessment;</i></li> <li>• <i>any powers your department or agency has that may mitigate, manage or set conditions related to the issue;</i></li> <li>• <i>advice or policies to frame and mitigate the potential effect;</i></li> <li>• <i>standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;</i></li> <li>• <i>Commitments the proponent could make to respond to the issue.</i></li> </ul>	<p><i>For issues to be included in the Summary of Issues, provide a concise, plain language synopsis of the key issue and any questions or directions for the proponent, if applicable.</i></p>
<p>WAGE-01</p>	<p><b>Section 2.4 Indigenous Engagement, pg. 16.</b></p>	<p>Indigenous peoples</p>	<p>Although the Port of Argentina (POA) is committed to direct engagement efforts to promote early collaboration with the Miawpukek First Nation and Qalipu First Nation, POA states that they have not received correspondence back from the two Indigenous communities (pg. 16).</p> <p>Similar to feedback left by WAGE on the draft IPD in July, outreach appears limited as <b>Section 2.4 Indigenous</b></p>	<p>Where possible include data of those consulted and engaged.</p> <p>In accordance with <a href="#">IAAC's GBA Plus Guidelines</a>, ensuring broad participation and asking "who is at the table and who is missing?" helps practitioners develop relationships within the community to support the accurate scoping of potential issues of importance to communities within the impact assessment. Asking</p>	<p>To increase engagement and monitoring.</p>

			<p><b>Engagement</b> notes that the Miawpukek band has a population total of 3,100 including 835 members living on-reserve at Conne River. The Qalipu First Nation has over 25,000 members (pg. 14).</p> <p>For example, Appendix B’s <b>Engagement Log: Indigenous Communities</b> shows that several emails and letters have been sent to the Chief and no more than three additional people.</p> <p><b>Section 2.4 Indigenous Engagement</b> does note that this section will be continually updated as engagement and consultation continues.</p>	<p>critical questions and tracking about who is represented can also expose existing power inequities that limit participation by some individuals or groups.</p> <p>Should an Impact Assessment be required, note that as per Section 6.2 Record of Engagement of the <a href="#">TISG</a> template, usually the following is required:</p> <p>“a description of efforts to engage diverse populations of each Indigenous community in culturally appropriate ways, including groups identified by gender, age or other community relevant factors (e.g. hunters, trappers, and other harvesters) to support the collection of information needed to complete the GBA+”; and “a description of how engagement activities by the proponent were intended to ensure Indigenous groups were provided an opportunity to evaluate the designated project’s potential positive and negative effects and impacts on their members, communities, activities, and rights, as identified by the Indigenous group(s).”</p> <p>Where possible, a description of efforts to engage diverse populations of each Indigenous community in culturally appropriate ways, including groups identified by gender, age or other community relevant factors (e.g., hunters, trappers, and other harvesters) to support the collection of information needed to complete the Gender-based Analysis Plus (GBA Plus); and a description of how engagement activities by the proponent were intended to ensure Indigenous groups were provided an opportunity to evaluate the designated project’s potential positive and negative effects and impacts on their members, communities,</p>	
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				activities, and rights, as identified by the Indigenous group(s).	
WAGE-02	<b>6.6.7 Human Health Impacts, pg. 92.</b>	Human Health	<p>WAGE is pleased gender-based violence (GBV) is included in the health and safety plans for all work conducted at the PDA in Table 24: Summary of Potential Residual Effects during Construction and Operations (pg. 115).</p> <p>Table 24 also includes Human Health as a Valued Component (VC). This VC is noted that there is potential impact during all phases of construction and operation. It is noted that “worker safety and occupational health are beyond the scope of this IPD”. However, there is no inclusion or discussion related to GBV as it relates to the community. While the “labour force will be drawn from the local economy” where possible, there is still the estimated potential for 135 persons from outside the local area (for the construction phase only), and potential for ~700 persons employed over a 6-8 year period (pgs. 82-83).</p>	<p>The World Health Organization defines GBV as a <a href="#">public health risk</a>.</p> <p>WAGE recommends that the Proponent consider how different populations within the participating Indigenous Nations (women, children, (dis)abled, etc.) might be affected by the Project-social interactions.</p> <p>WAGE recommends adding social impacts, as transient, male-dominated workforces can have adverse social impacts in communities, particularly for young and Indigenous women.</p> <p>It would be helpful to include some preliminary mitigation measures for GBV. These will likely be evergreen as the project continues through its lifecycle, but important to strategize and prepare early. Monitoring is also essential to assess if the mitigation measures are having an impact on the population.</p> <p>Potential indicators of mitigation measures could include: Number of policies, including strict enforcement of Code of Ethics, Respectful Workplace, and Drug and Alcohol Policies, to establish clear expectations for ethical behaviour, and to maintaining open dialogue and regular communication, including robust workplace education and sensitivity training. Enforcement must include real consequences for harassing or violent behaviour. (Source: IAAC’s GBA Plus Guidance).</p> <ul style="list-style-type: none"> <li>▪ Even if a construction camps will not be required, Gender-based Violence should be included under the</li> </ul>	Inclusion of GBV risks.

				<p>Health and Safety considerations of the Project within the IPD. Self-reported incidents of GBV, such as unwanted sexual behaviours in the workplace or in a public place, harassment, intimate partner violence, sexual assault (WAGE’s GBV page: <a href="#">What is gender-based violence?</a>).For example: while there is an existing access road from the highway, portions of the road may be re-routed and additional networks of roads will be established within the site (pg. 21) human trafficking may also be of concern (source: <a href="#">National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019</a>)</p> <p>Information on how these Projects increase risks of gender-based violence and of human trafficking can be found in the following:</p> <ul style="list-style-type: none"> <li>• <a href="#">Human Trafficking Corridors Enable Traffickers to Exploit More Canadian Women and Girls + Corridors Report (PDF report)</a></li> <li>• <a href="#">Airports Across Canada Collaborate with #NotInMyCity to Help Disrupt and End Sexual Exploitation and Human Trafficking</a></li> <li>• <a href="https://www.saltwire.com/atlantic-canada/news/remote-work-man-camps-in-canada-linked-to-violence-against-indigenous-women-report-100812324">https://www.saltwire.com/atlantic-canada/news/remote-work-man-camps-in-canada-linked-to-violence-against-indigenous-women-report-100812324</a></li> <li>• <a href="https://www.cbc.ca/news/indigenous/goldboro-Ing-mi-kmaw-women-safety-1.6067577">https://www.cbc.ca/news/indigenous/goldboro-Ing-mi-kmaw-women-safety-1.6067577</a></li> </ul>	
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Please insert additional lines if necessary.

Table 2. Details or additional information the proponent could include in the Detailed Project Description or in the response to Summary of Issues

Comment ID	Relevant section of the Initial Project Description	Description of the Issue, Concern or Uncertainty	Clarifications or additional information	Plain-language summary for inclusion in Summary of Issues
<p><i>Please identify comments by organization and comment number.</i></p> <p><i>e.g. AEIC-01</i></p>	<p><i>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</i></p> <p><i>You may also choose to copy the relevant text here.</i></p>	<p><i>Provide a description of the issue, concern or uncertainty that the proponent could include in its Detailed Project Description, which could be framed and managed by clear measures, existing guidelines, regulatory processes or other existing tools, and thus be the subject of a simplified information request in the guidelines, or simply be disregarded.</i></p>	<p><i>Specify what additional information the proponent could provide in the Detailed Project Description to address the issue, concern or uncertainty, for example:</i></p> <ul style="list-style-type: none"> <li><i>• Clarifications to elements of Project Description (e.g. components, activities, locations or alternatives);</i></li> <li><i>• Proposals on Project design changes that could avoid effects;</i></li> <li><i>• Evidence that could demonstrate that the effects will be negligible;</i></li> <li><i>• Evidence that standard mitigation measures will reduce or eliminate potential effects;</i></li> <li><i>• Commitments the proponent could make to respond to the question/issue, including the implementation of federal operational policies or guidance documents.</i></li> </ul>	<p><i>For issues to be included in the Summary of Issues, provide a concise, plain-language synopsis of the issue and any questions or instructions for the proponent, if applicable.</i></p>
<p>WAGE-01</p>	<p><b>6.6.6.6 Employment and Procurement</b>, pg. 87.</p>	<p>Regarding employment, POA’s performance will be evaluated based upon accepted key performance indicators and measured against industry best practices. It is not clear what these indicators are.</p> <p>Similar to this, POA has committed to monitor and annually report on success of employment measures. These reports will be both quantitative and qualitative and will contain disaggregated employment and training information relating to underrepresented groups. Will these reports be made public or shared with identified Indigenous communities and stakeholders? (pg. 87).</p>	<p>There is ample information provided on pgs. 86-91 related to workplace/corporate culture, retention and recruitment of women and diverse individuals, and creating/sustaining a culturally sensitive workspace.</p> <p>Inclusion of what these performance indicators are and addressing if successes and/or failures of employment measures will be publicly available will strengthen and clarify mitigation measures that have been proposed surrounding employment.</p>	<p>Increase monitoring, reporting, and transparency.</p>

Please insert additional lines if necessary.