

Federal Authority Advice Record (FAAR)**The FAAR must be submitted to the Registry by April 4, 2024**Cando Sturgeon Rail Terminal West Expansion Project – Cando Rail and Terminals Ltd.
Agency File: 87381

Department/Agency	Indigenous Services Canada
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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.

Indigenous Services Canada (ISC) will not be required to exercise a power or perform a duty or function related to the Project as it is not responsible for approving or issuing licences, permits or authorizations for the assessments of large, proposed projects.

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.

ISC does not anticipate to exercise a power or perform a duty or function related to the Project.

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

Yes

Specify the specialist or expert information or knowledge.

Indigenous Services Canada has a mandate to support Indigenous people (First Nations, Inuit and Métis) in their efforts to improve social well-being, health and economic prosperity; to develop healthier, more sustainable communities; and to participate more fully in Canada's political, social and economic development.

Indigenous Services Canada also has information and knowledge of Indigenous matters on Federal lands.

The mandate of the First Nations and Inuit Health Branch (FNIHB) of Indigenous Services Canada is to ensure the availability of, or access to, health services for First Nations on-reserve and Inuit communities; to help First Nations and Inuit communities overcome health barriers and disease threats, and achieve levels of health comparable to other Canadians living in similar locations; and to build strong partnerships with First Nations and Inuit to improve health services. FNIHB works with a wide range of programs, services and partnership initiatives to improve health outcomes for First Nations and Inuit.

FNIHB provides specialized information and knowledge pertaining to/tailored to on-reserve First Nations and Inuit in Canada, such as:

- the provision of health services;
- community health and wellness programs;
- Determinants of health (such as drinking water quality, food safety/chemical contamination of traditional foods or the perception of contamination, mental health and addictions, language, diet, and cultural identity).

FNIHB may also hold knowledge/information, which would vary from community to community on:

- Community level demographics
- Health status of First Nations
- The state of housing, public facilities and care facilities on reserves including state of food facilities
- Health promotion and disease prevention activities

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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.

ISC has not 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.

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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.

To the best of its knowledge, ISC has had no previous contact or involvement with the proponent or other parties in relation to the project.

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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)?

ISC does not have any additional knowledge in these aspects.

Please specify if applicable.

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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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Indigenous Services Canada
Name of department or agency involved

Jan Triska
Speaker title

April 2, 2024
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
<i>Please present comments by organization and comment number</i> <i>e.g.: IAAC-01</i>	<i>If the comment relates to a specific section of the initial project description, please provide the reference.</i>	<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>	<i>Please provide a brief description of the issue and rationale for being a key issue.</i> <i>Include, where relevant:</i> <ul style="list-style-type: none"> <i>the sequence of potential effects;</i> <i>the relevant context that specifies why this is a key issue;</i> <i>key uncertainties that should be addressed in the impact assessment;</i> <i>Indigenous or public concerns or perspective;</i> <i>scientific data or traditional knowledge, including from previous projects, that justifies the inclusion of the key issue in the project assessment.</i> 	<i>If applicable, please provide brief solutions/advice to address the issue or potential effect, including:</i> <ul style="list-style-type: none"> <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> <i>any powers your department or agency has that may mitigate, manage or set conditions related to the issue;</i> <i>advice or policies to frame and mitigate the potential effect;</i> <i>standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;</i> <i>commitments the proponent could make to respond to the issue.</i> 	<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>
ISC- 01	Throughout	Impacts to Indigenous peoples from changes to the environment.	Although this project is not on reserve land, reserve land may experience downstream effects from Project activities. Common concerns surrounding impacts to Indigenous communities may potentially be centred around: <ul style="list-style-type: none"> loss of food security (traditional foods); loss of lands with native habitats and associated wildlife; impacts to soils, waters, and fish habitat; loss of habitat for migratory birds; 	It is important to continue engagement with First Nations as well as the affected Métis groups or Métis Settlements identified in the IPD to best understand the potential impacts and incorporate traditional knowledge into the impact assessment.	Although this project is not on reserve land, reserve land may experience downstream effects from Project activities. It is important to continue to engage with potentially impacted First Nations and Métis groups or Settlements

			<ul style="list-style-type: none"> • localized climatic changes due to potential emissions during construction, operation, and decommissioning • social well-being and economic prosperity; • impacts to sacred sites and other cultural and heritage-sensitive areas. 		with respect to potential impacts. Information from this continued engagement should be considered to describe any potential downstream impacts to reserve land or the use of reserve land.
ISC-02	Section 5: Greenhouse Gas Estimate	Cumulative effects and climate change	<p>The Project is anticipated to be a net contributor to GHG and other fugitive emissions. While the IPD states that compared to background in Alberta's Industrial Heartland these contributions are minor. However, due to the concentration of current and future industrial activity within Alberta's Industrial Heartland these emissions will contribute to cumulative impacts.</p> <p>First Nations communities can experience impacts of climate change, localized and otherwise, disproportionately to other communities.</p>	Continued engagement with potentially impacted First Nations and Métis groups or Métis Settlements should continue such that traditional knowledge and experience can be incorporated into assessment of cumulative effects and impacts from climate change.	Traditional knowledge and experiences gained from continued engagement with First Nations and Métis should be incorporated into cumulative effects and climate change assessments and in considering potential cumulative effects and climate change impacts to Indigenous peoples and their communities.
ISC-03 (FNIHB)	1.4 Indigenous Engagement 3.1.4 Project Proximity to Traditional Indigenous Uses	Food Security, Traditional Land Use	<p>The Initial Project Description (IPD) states:</p> <p><i>"Traditional land uses specific to the project location have not been identified. The larger area has been historically used by Indigenous communities through harvesting, fishing, and hunting."</i></p> <p>The proponent acknowledges the historical traditional use of the area. However, there are concerns regarding the extent of Indigenous engagement. While initial contact was made through letters to 17 communities. The IPD is unclear how many communities the proponent has been able to engage with beyond the 6 initial communities that responded. Additional efforts to engage with communities should be considered.</p> <p>Despite the absence of known traditional use, the proponent must consider the potential impacts on</p>	Recommend that the proponent further investigates the potential impact of the project on Indigenous Traditional Uses and food security. To fully understand the project's impacts, additional engagement with Indigenous communities is required.	Recommendation that the proponent examine how the project might affect Indigenous Traditional Uses and food security. This may involve further engagement with Indigenous communities to understand the full impact.

			<p>Indigenous Traditional Uses and the subsequent effects on food security. It is essential to recognize that these project impacts may directly affect the well-being of Indigenous Peoples.</p> <p>It is important for the proponent to recognize that these potential project impacts may affect the food security of Indigenous Peoples. The World Bank defines food security as the state in which all individuals consistently have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and preferences, promoting an active and healthy life (World Bank, 1996). Food insecurity is a continuing public health challenge effecting Indigenous Peoples (Power, 2008).</p> <p>References: Power, E.M. 2008. Conceptualizing Food Security for Aboriginal People in Canada. doi: 10.1007/BF03405452. World Bank. 1996. What is Food Security? Available online: https://www.worldbank.org/en/topic/agriculture/brief/food-security-update/what-is-food-security</p>		
ISC-FNIHB-AB-02	3.3.1 Health Context	Human Health, Healthcare Services, Accidents/Malfunions	<p>The IPD briefly touches on emergency room use, but it fails to identify local and regional healthcare centres or First Nation health centres in the region (e.g., Enoch Health Centre, Maskwacis Health Services, Alexander First Nation Health Centre).</p> <p>While the proponent may not anticipate contributing direct impacts to human health, accidents and malfunctions could unexpectedly escalate the demand for emergency services. Such scenarios could adversely affect First Nations' access to healthcare during both the construction and operation phases of the project.</p>	<p>Recommend that the proponent proactively assess the potential impact of the project on emergency services and healthcare access for First Nations communities. It is crucial to engage with relevant communities and facilities, including First Nation health centres, to understand their needs.</p> <p>Recommend that the proponent consider mitigation measures for accident and malfunction scenarios. This includes developing contingency plans, ensuring timely communication, and addressing any unexpected emergencies that may strain existing healthcare resources. These plans are encouraged to be developed collaboratively with First Nations communities and health centres.</p>	<p>Recommendation that the proponent evaluate how they might affect emergency services and healthcare access for First Nations communities.</p> <p>Recommendation that the proponent should create contingency plans to address accidents and malfunctions.</p>

Please insert additional lines if necessary.

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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> e.g. AEIC-01</p>	<p><i>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</i> <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"> <i>• Clarifications to elements of Project Description (e.g. components, activities, locations or alternatives);</i> <i>• Proposals on Project design changes that could avoid effects;</i> <i>• Evidence that could demonstrate that the effects will be negligible;</i> <i>• Evidence that standard mitigation measures will reduce or eliminate potential effects;</i> <i>• Commitments the proponent could make to respond to the question/issue, including the implementation of federal operational policies or guidance documents.</i> 	<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>

Please insert additional lines if necessary.