

Federal Authority Advice Record (FAAR)

FAAR Response must be submitted by August 14, 2024

Black Bear Power Plant Project – Kiwetinohk Energy Corp.

Registry File: 88747

Department/Agency	Employment and Social Development Canada (ESDC)
Lead Contact	Eva Lazar – Executive Director of Horizontal Policy and Special Projects Division (HPSPD) of the Skills and Employment Branch (SEB)
Full Address	Phase IV 140 Promenade du Portage, Gatineau, Québec K1A 0J9 Canada
Email	eva.lazar@hrsdc-rhdcc.gc.ca
Telephone	1-613-618-3484
Alternate Contact	Kathy Kingsbury– Manager (HPSPD-SEB) kathy.kingsbury@hrsdc-rhdcc.gc.ca

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 .

ESDC does not exercise powers, nor perform specific duties or functions related to the Project to enable it to proceed.

The ESDC Minister’s powers, duties and functions extend to and include all matters relating to human resources and skills development in Canada or the social development of Canada over which Parliament has jurisdiction, and which are not by law assigned to any other Minister, department, board or agency of the Government of Canada.

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.

While ESDC is not engaging directly with Indigenous groups regarding specific projects, it can provide the IAAC with information about relevant programming to assist in responses to Indigenous peoples and members of the public.

ESDC also offers a suite of programming to promote an efficient and inclusive labour market that includes the following:

Indigenous Skills and Employment Training (ISET) Program

- The ISET Program provides funding to Indigenous service delivery organizations across Canada that design and deliver job training services to First Nations, Inuit, Métis and urban/non-affiliated Indigenous people in their communities.
- The ISET service delivery organizations work closely with employers to identify Labour Market needs. Organizations link training needs to the job market by providing skills and training required to find a job such as: a suite of skills development and job training, from essential skills such as literacy and numeracy to more advanced training for in-demand jobs.

- They also offer a range of wrap-around services (such as help with childcare supports and transportation) during training in order for individuals to achieve long-term career goals. Service delivery organizations are responsible for retaining client information such as: number of skilled workers, training history, and education (Certificates/Diplomas) and Apprenticeships.

Other ESDC programs and services can be found [here](#).

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

Specify the specialist or expert information or knowledge.

As a federal authority, ESDC provides advice on social development; learning, skills development, employment, unemployment, underrepresented groups, and; working conditions and workplace relations, including relevant programming with respect to Indigenous Peoples.

3. Has your department or agency considered the project; 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?

Specify.

No.

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)

Provide an overview of the information or advice exchanged.

No.

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

Specify as appropriate.

No.

6. Based on the mandate and area(s) of expertise of your department or agency, what are the key issues related to the project?

For each key issue:

- Describe the potential effect or the nature of the issue, including any relevant context;
- Provide the rationale and/or evidence for why it is a key issue;
- Provide advice on how to address the issue, including any information or studies that should be required in the Tailored Impact Statement Guidelines, potential mitigation measures, and/or regulatory requirements relevant to the issue;
- Provide a concise, plain-language summary of the issue for inclusion in the Summary of Issues.

The information provided will be considered by the Impact Assessment Agency of Canada (IAAC) and may be used to inform its decision on whether an impact assessment is required and, where

appropriate, for next steps in the impact assessment process including to develop project-specific draft Tailored Impact Statement Guidelines.

Below are some examples of subject areas that ESDC would focus on in its review of the Project (to be developed at subsequent stages of the Project documentation):

- **Community profiles with the following socio-economic information relevant to ESDC's mandate:**
 - The current socio-demographic characteristics of the economic sector workforce of the project;
 - The labour force characteristics by age group and sex (if possible) of all impacted communities including the availability of skilled and unskilled workers, existing working conditions, wages and/or average salary range, full-time and part-time employment and training; inclusion of a hiring strategy and any efforts made towards promoting an inclusive labour market;
 - The anticipated number of jobs created, how they will be added over the project's lifespan, jobs created in Canada vs. other countries, the type of skills and knowledge that could be in relation to the exercise of that power, duty or function, including when it would take place.

While ESDC is not engaging with Indigenous groups regarding specific projects, it can provide the IAAC with information about relevant programming to assist in responses to Indigenous peoples and members of the public.

ESDC also offers a suite of programming to promote an efficient and inclusive labour market that includes the following:

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- The ISET service delivery organizations work closely with employers to identify Labour Market needs. Organizations link training needs to the job market by providing skills and training required to find a job such as: a suite of skills development and job training, from essential skills such as literacy and numeracy to more advanced training for in-demand jobs.
- They also offer a range of wrap-around services (such as help with childcare supports and transportation) during training for individuals to achieve long-term career goals. Service delivery organizations are responsible for retaining client information such as: number of skilled workers, training history, and education (Certificates/Diplomas) and Apprenticeships.

Other ESDC programs and services can be found [here](#).

7. Where possible, identify any additional information the proponent could include in the response to the Summary of Issues and, if IAAC requires it, in their Detailed Project Description, that would:
- Give confidence that minor issues or effects could be addressed and managed by clear measures, existing guidelines, other regulatory processes or other existing tools;
 - Inform the decision as to whether an impact assessment is required; or
 - Aid in tailoring the Tailored Impact Statement Guidelines, if IAAC decides an impact assessment is required.

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

- **It is recommended that engagement take place with the existing ESDC programming, for example, with the ISET service delivery network, to ensure that the existing federal training network is utilized.**
- **The proponent is encouraged to apply GBA+ throughout their analysis. In situations where it may not be feasible to provide all the necessary information, particularly in the initial stages of the project, we suggest that the proponent clarify their intentions to implement GBA+. This can be achieved by specifying the information they intend to include in the future.**

Eva Lazar

Name of Departmental / Agency
Responder

Director of Policy Integration
and Special Projects (PISP), Skills
and Employment Branch (SEB),
ESDC

Title of Responder

August 8th, 2024

Date

Table 1: Key Issues to inform the impact assessment process

The IAAC asks that federal authorities align expert advice with IAAC’s approach to tailoring by project, which focuses on key project issues, clearly focused on the prevention of adverse effects within federal jurisdiction. In identifying key issues, federal authorities should be mindful of the project’s context (size, scope, location), Indigenous Knowledge and perspectives, and public concerns. Key issues that may be relevant to the decision include:

- adverse effects within federal jurisdiction and direct or incidental adverse effects that may be to some extent significant, based on federal experts’ knowledge and experience with past projects;
- potential impacts on Indigenous Peoples and their rights, based on Indigenous Knowledge and perspectives or experience with past projects;
- effects on key species or habitats (e.g. at risk, important to Indigenous communities, commercial importance, provide important ecosystem function);
- issues or effects that may result from novel project activities, components or technology;
- effects with large uncertainties, including in the effectiveness of mitigation measures;
- adverse effects within federal jurisdiction or direct or incidental adverse effects where mitigation measures are limited;
- positive effects, including where project may support other governmental priorities, including reconciliation with Indigenous Peoples; and
- key concerns raised by Indigenous groups or local communities.

Effects that are anticipated to be minor or which can be managed using well understood mitigation, existing guidance, and/or other regulatory processes may have simplified information requirements or may be removed entirely. Measured advice from federal authorities on key issues and solutions—and on the scope and detail of any required information and studies—will enable IAAC to focus assessments on issues that are important to participants and to decision-makers.

Comment ID	Relevant section of the Initial Project Description	Valued Component or Factor to Consider	Description of Key Issue (Context and Rationale)	Advice
<p><i>Please identify comments by organization and comment number.</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>If the comment is related to a specific section of the Initial Project Description, please include that 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>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"> • <i>the pathway of effects;</i> • <i>relevant context on why it 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>potential for differential effects among diverse subgroups;</i> • <i>scientific evidence or Indigenous Knowledge, including from past project experience, which supports inclusion as a key issue.</i> 	<p><i>Where applicable, briefly provide solutions on how to address the potential issue or effects including:</i></p> <ul style="list-style-type: none"> • <i>Information or studies required to describe and characterize the potential effect; including any guidance for data collection and/or analysis or existing data sources to inform the assessment;</i> • <i>Any means, including any powers, duties or functions, that your department or agency has that may mitigate, manage, or set conditions related to the issue or effect;</i> • <i>Guidance or policies for mitigating effects or any standard and well-understood mitigation measures that would address the effect, including follow-up monitoring activities; and/or</i> • <i>Commitments the proponent could make to respond to the issue.</i> <p><i>Where available, please refer to existing text in the Tailored Impact Statement Guidelines template.</i></p>
<p><u>ESDC-1</u></p>	<p>Job Creation and Economic Conditions</p>	<p>Job competitiveness and employability intersect in a region through the balance between job market demand, skills and qualifications, economic factors, industry composition, and access to education and training. These factors collectively shape the level of competition for jobs and the ability of individuals to secure employment opportunities in each region.</p> <p><i>It is recommended that the following information regarding job creation be provided:</i></p> <ul style="list-style-type: none"> • How many jobs be added throughout the lifespan of the project? • To what extent will the local workforce be able to provide the workers needed by the project. <p><i>Regarding labour force characteristics, it is recommended the following points should be addressed:</i></p>	<ul style="list-style-type: none"> • State approximately how many permanent/part-time jobs will be created at each phase of the project and skills required. • Demonstrate the projected employment opportunities using the number of anticipated full-time equivalents. • State approximately the number and proportion of workers that will be hired locally, how local hiring will be incentivised, and mitigation efforts regarding negative local economic impact which lack of local employment might cause (if necessary). • Provide information regarding the occupations necessary for the project, including the corresponding wages, working conditions, and benefits. Compare these factors to those of other workers in the same occupation in the province of study and Canada. 	<p>High-quality employment that refers to jobs that offer favorable working conditions, fair compensation, and opportunities for growth and advancement.</p> <p>By gaining a deeper understanding of the types of jobs created, the necessary skills, and the duration of employment, we can develop a clearer picture of the project's impact on the employment landscape.</p>

		<ul style="list-style-type: none"> Existing working conditions Wages and/or average salary range Proportion of full-time and part-time employment Inclusion of a hiring strategy and efforts made to promote an inclusive labour market 		
ESDC-2	Training and hiring strategies	Training programs are an important part of hiring strategies for creating high-quality jobs, fostering economic competitiveness, addressing unemployment, enhancing employability, and closing skill gaps to meet the demands of the labour market.	<p>It is recommended that information be provided on the following facets regarding training and hiring strategies:</p> <ul style="list-style-type: none"> what types of skills and knowledge may be required to support the completion of the project. the types of jobs at different project stages, and; the availability of training programs to educate the local population and surrounding areas. <p>It is recommended that additional information be provided on proposed employer-sponsored training and/or other resources (private/third party and/or government programs that may support training efforts).</p>	<p>Include the training programs that are to be used and which are available in the region.</p> <p>Indicate the specific skills that are required for jobs created throughout each step of the project.</p>
ESDC-3	Socio-economic conditions	<p>It is recommended that the anticipated positive and negative socio-economic impacts of the project to the community with respect to such categories as the following be provided:</p> <ul style="list-style-type: none"> changes in income, the impact on property values and the cost of living for local residence, social supports and community safety. <p>This will work towards ensuring the proposed project succeeds socially and economically within the community.</p>	It is recommended that studies be undertaken on how to best address the impact the proposed project will have on the socio-economic conditions of its region and what solutions are necessary to deal with them appropriately.	The socio-economic impacts of a project and how it intends to deal with those impacts appropriately.
ESDC-4	Indigenous People	A description of how the proponent intends to incorporate Indigenous communities into employment opportunities provided by its proposed project is recommended to ensure Indigenous groups impacted by the project are accurately represented at all stages of a project's lifespan.	Collaboration with the regional and local communities within which the project is located can be undertaken to ensure that impacted Indigenous groups concerns are adequately addressed while at the same time accessing any relevant government level assistance.	How the concerns and needs of impacted Indigenous groups will be address successfully needs to be clarified.
ESDC-5	Demographic and socioeconomic context of the project	<p>Demographics intersect with employability in a region through factors such as population size and growth, age distribution, educational attainment and skill levels, diversity and inclusion initiatives, social and economic disparities, and migration and immigration patterns.</p> <p>It is recommended that a community profile be included with the following information:</p> <ul style="list-style-type: none"> The current socio-demographic characteristics of the community and the economic sector's workforce related to the project. 	<ul style="list-style-type: none"> The latest census data should be consulted for information regarding labour force characteristics, education, income, etc. Effects to employment and how any adverse effects to employment would be managed, or mitigated; Details on any commitments to maximize positive socio-economic outcomes for local communities, as well as the provision of a detailed hiring strategy. 	<p>A clear image of who lives in the region of study as well as the socio-economic context of the region.</p> <p>This should include reference to any other similar projects in the region as employment strategies and number of workers may be affected by intersecting industries in close proximity.</p>

		<ul style="list-style-type: none"> •Baseline demographic information of the general population. •The labour force characteristics by age group and sex. •Social and economic context of the region of study such as main economic industries, similar projects in the area, etc. 		
ESDC-6	Gender Based Analysis+	<p>It is recommended that a clear and early attempt at applying GBA+ analysis be provided. In situations where it may not be feasible to provide all the necessary information, particularly in the initial stages of the project, we recommended that the proponent clarifies their intentions to implement GBA+. This can be achieved by specifying the information they intend to include in the future, aiming to minimize the volume of comments due to missing details.</p>	<p>It is recommended that the following be taken into consideration:</p> <ul style="list-style-type: none"> •How visible minorities, indigenous person, people from a lower socioeconomic status, persons with disabilities, and GBA+ groups will be taken into the workforce through skills and training programs, wage incentives, and working conditions. •Employment barriers to participation for local underrepresented groups and mitigation efforts to reduce the barriers. •Provide information regarding wages, working conditions, and benefits and how they would compare to industry, provincial, and national averages. •Availability, affordability and appropriateness of childcare as part of the measurement of the change in infrastructure in services. 	<p>Applying GBA Plus to impact assessments improves our understanding of the positive and negative effects that a designated project may have on diverse population groups' employment opportunities and subsequent socioeconomic mobilization.</p> <p>Details concerning efforts to recruit, train, promote, and retain members of underrepresented groups, which experience poorer employment outcomes and specify how competitive worker compensation and working conditions would be.</p>

Please insert additional rows as necessary.

Table 2. Clarifications or additional information the Proponent could include in the response to Summary of Issues

Comment ID	Relevant section of the Initial Project Description	Description of Issue, Concern or Uncertainty	Clarification or additional information
<p>Please identify comments by organization and comment number.</p> <p>e.g.: IAAC-01</p>	<p>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</p> <p>You may also choose to copy the relevant text here.</p>	<p>Provide a description of the issue, concern or uncertainty the proponent could address in their response to Summary of Issues and, if IAAC requires it, in their Detailed Project Description that would give confidence that the issue will be addressed and managed, by clear measures, existing guidelines, regulatory processes or other existing tools, and thus be the subject of simplified information requests in the guidelines, or simply be removed.</p>	<p>Provide recommended clarification or additional information to be included in their response to the Summary of Issues and, if IAAC requires it, in their Detailed Project Description to address the issue, concern or uncertainty, for example:</p> <ul style="list-style-type: none"> • Clarifications to elements of the project description (e.g. components, activities, locations or alternatives); • Proposed project design changes that could avoid effects; • Evidence that could be presented to demonstrate there is no effect, pathway of effect or that effects would be negligible; • Evidence that standard mitigations will address potential effects • Commitments the proponent could make to respond to the issue, including the implementation of federal operational policies or guidance documents.
ESDC - 01	<p>Section 7 Purpose and Need for the Project (p.30) reads “Benefits of the Black Bear Power Plant (BBPP) will include: Significant employment during construction (over 700 employees during peak months) and approximately 30 long-term employees during operations and maintenance.”</p>	<p>More detailed information could be provided regarding the categories of employment (full, part-time) and the levels of income associated with the anticipated employment opportunities generated by the proposed Project that are being referred to in Section 7 of the summary Initial Project Description (IPD).</p>	<p>It is recommended that the Proponent provide detailed information in the Detailed Project Description (DPD) regarding the categories of employment and levels of income associated with the employment opportunities anticipated from the proposed Project.</p>
ESDC - 02	<p>Section 15.2 Project Activities and Socio-Economic Conditions Interactions and Effects (p.70) reads “The BBPP will have positive impacts on the local and regional employment market.”; and “The Project could increase participation in the labour force and provide opportunities for in-migration and population growth of Swan Hills and Whitecourt, but it may be that existing persons would more likely benefit from the Project.”</p>	<p>No empirical evidence of any kind is provided in the summary IPD to support the assertion that the proposed Project will have a positive impact on the local and regional employment market.</p>	<p>It is recommended that the Proponent provide in the DPD the necessary empirical evidence that would support the summary IPD assertion that the proposed Project will have a positive impact on the local and regional employment market.</p>
ESDC - 03	<p>Section 15.2 Project Activities and Socio-Economic Conditions Interactions and Effects (p.70) reads “With local employment opportunities, there may be increases in population, creating pressure on local housing markets, both ownership and rental, to accommodate new workers or immigration to the area. Given the lack of a rental market, this provides opportunity for local builders and developers to meet a market need.”</p>	<p>Since there is the potential for increased pressure on the local housing markets to accommodate new workers, there should be an indication of how the Proponent intends to ensure adequate housing for the proposed Project’s labour force.</p>	<p>It is recommended that the Proponent outline in the DPD how it will ensure adequate accommodations for the proposed Project’s labour force.</p>
ESDC - 04	<p>Section 22.2 Economic Impacts on Indigenous Peoples (p.83) reads “The Project could increase participation in the labour force among Indigenous people and women+ or provide opportunities for in-migration and population growth of Swan Hills and Whitecourt.”; and “The Project is not anticipated to have any negative economic impacts on Indigenous Communities and peoples, including Indigenous youth and women+, during the Project planning, permitting, construction,</p>	<p>The potential affects that Section 22.2 refers to regarding the proposed Project and labour force participation and economic impacts to Indigenous Peoples and women are not supported with and empirical evidence. If studies have been conducted regarding the proposed Project’s economic impact on Indigenous Peoples and women, reference should be made to them.</p>	<p>It is recommended that in the DPD that any existing empirical evidence, via studies or reports, be included in order to support the assertions regarding labour force participation and economic impacts the proposed Project’s will have on Indigenous Peoples and women.</p>

	operation, or decommissioning, reclamation, and abandonment of the BBPP.”		
ESDC - 05	Section 22.2 Economic Impacts on Indigenous Peoples (p.84) reads “Across the Project lifecycle, KIWETINOHK ENERGY CORP.(KEC) will engage with Indigenous Communities to discuss workforce needs, and where feasible, identify opportunities to develop local skills through training, contracting and workplace programs. KEC may utilize existing training institutions, and service providers, as well as mentorship opportunities by KEC staff to support trainee’s skill development.”	If the Proponent intends to address Indigenous People’s workforce needs and skills development regarding the proposed Project, then it should indicate if it will consider federal government level programs that such federal authorities as ESDC has to offer, such as the Indigenous Skills and Employment Training (ISET) Program.	It is recommended that the Proponent indicate in the DPD its intention to access federal programs to fulfill its commitment to address Indigenous People’s workforce needs and skills development.

Please insert additional rows as necessary.