

APPENDIX P1.F

Correspondence with Government Stakeholders

- P1.F.1 – Ontario Ministry of the Environment, Conservation and Parks (MECP)
- P1.F.2 – Ontario Ministry of Natural Resources and Forestry (MNRF)
- P1.F.3 – Ontario Ministry of Transportation (MTO)
- P1.F.4 – Ontario Ministry of Economic Development, Job Creation and Trade (MEDJCT)
- P1.F.5 – Ontario Ministry of Energy, Northern Development and Mines (ENDM)
- P1.F.6 – Ontario Ministry of Tourism, Culture and Sport (formerly Ministry of Heritage, Sport, Tourism and Culture Industries) (MTCS)
- P1.F.7 – Ontario Provincial Police (OPP)
- P1.F.8 – Impact Assessment Agency of Canada (IAAC)
- P1.F.9 – Environment and Climate Change Canada (ECCC)
- P1.F.10 – Transport Canada
- P1.F.11 – Fisheries and Oceans Canada (DFO)
- P1.F.12 – Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)
- P1.F.13 – Indigenous Services Canada (ISC)
- P1.F.14 – City of Thunder Bay
- P1.F.15 – Municipality of Greenstone
- P1.F.16 – Township of Pickle Lake
- P1.F.17 – City of Timmins
- P1.F.18 – Municipality of Sioux Lookout
- P1.F.19 – Comment/Response Tables

APPENDIX P1.F.1

Ontario Ministry of the Environment,
Conservation and Parks (MECP)

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature
et des Parcs**

Environmental Assessment
and Permissions Branch

Direction des évaluations
et des permissions
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télé. : 416 314-8452

October 21, 2019

MEMORANDUM

TO: Michael Fox, Region Consultation Lead, Webequie First Nation
Samson Jacob, Local Consultation Lead, Webequie First Nation
Don Parkinson, Consultation Lead, SNC-Lavalin Inc.

FROM: Agni Papageorgiou and Sasha McLeod
Special Project Officers
Environmental Assessment and Permissions Branch

RE: Notice of Draft Terms of Reference for Review Webequie Supply Road Project
EAIMS No. 18046

Thank you for the opportunity to review Webequie First Nation's (the proponent) draft Terms of Reference (ToR) for the Webequie First Nation Supply Road Project (the Project). The draft ToR was received by the Ministry of the Environment, Conservation and Parks Environmental Assessment Services Section (EASS) on September 16, 2019. EASS reviewed the draft ToR and is providing these pre-submission comments to assist the proponent in preparing a final ToR submission in accordance with the requirements of subsection 6.1(2) of the Ontario *Environmental Assessment Act* and the Code of Practice for Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario. Our comments are attached to this memo. Key comment areas include the alternatives screening, proposed assessment methodology, clarification on data collection methodologies, consultation during the ToR and consultation planning for the EA.

Members of the ministry's technical review team have also reviewed and provided comments which are also attached to this memo. Comments are provided from reviews on the following topics:

- Indigenous consultation
- Climate change mitigation and adaptation
- Surface water
- Groundwater
- Parks
- Air quality
- Waste
- Wastewater
- Pesticides
- Land use planning
- Permitting requirements

The ministry's noise reviewer did not have any comments at this time. Please note comments from the ministry's Species at Risk Branch will be provided separately.

Next Steps

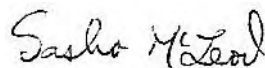
As part of the formal submission of the final ToR, the ministry requests comment-response tables to the comments enclosed. In its responses, the proponent should indicate how each comment has been addressed in the ToR, along with a page reference to the revised document. This information will facilitate the ministry's review of the final ToR submission. Similarly, the ministry expects that all comments received by the proponent on the draft ToR from members of the broader government review team, Indigenous communities, and other interested persons will be documented in the Record of Consultation and addressed in the final ToR submission.

Thank you again for this opportunity to review the draft ToR. Please let us know if you have any questions about the enclosed comments.

Sincerely,



Agni Papageorgiou
Special Project Officer



Sasha McLeod
Special Project Officer

Attachment

Environmental Assessment Services

Proposal: Webequie Supply Road – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Ministry of the Environment, Conservation and Parks – Environmental Assessment Services Section

Commenter Name and Job Title: Sasha McLeod and Agni Papageorgiou, Special Project Officers

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
1.	Throughout	Terminology – Undertaking and Project Throughout the ToR, both “Undertaking” and “Project” are used. It is not clear how the proponent is interpreting the differences between these terms. Undertaking has a specific definition under the EAA.	Please review the ToR to ensure either “undertaking” or “project” is used consistently throughout, including use of capitals.
2.	Section 1 Introduction Page 1 And Section 2.1.1 Ontario’s EAA Page 10	Voluntary Agreement and Class EA Requirements Page 1 indicates that “Based on the scale and complexity of the Project, and the potential for significant environmental effects, an Individual Environmental Assessment must be completed for approval under the EA Act.” Additional context should be provided to clarify that the project was not automatically subject to the EA Act, but that the proponent voluntarily agreed to subject the project to the EA Act. As well, section 2.1.1 notes that the project is following the individual EA process. It is the ministry’s understanding that the project would likely be subject to the MNRF’s Class EA for Resource Development and Stewardship Facilities, however this is not identified in section 2.1.1.	Please add context to sections 1 and/or 2.1.1 about whether the project is subject to the Class EA process, and if so, if it is the proponent’s intent to satisfy the MNRF Class EA process through the Individual EA. Discussion with MNRF is encouraged to respond to this question. If the answer is yes, this should be clarified in the ToR, including reference to the proponent signing a voluntary agreement with MECP.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
3.	Figure 1.1 Page 2	Figure 1.1 Symbology It appears that the airport symbology is missing from the map, despite it being listed in the legend. There are also plus signs (+) on the map but not clear what these refer to.	Please add the airport symbology to the map and clarify what the plus sign symbology means.
4.	Section 1.4.1 Purpose of the Undertaking Page 6	Project Purpose Section 1.4.1 states that the EA will assess corridor alternatives and complete an effects assessment and evaluation of the selected preferred corridor. An effects assessment and evaluation of the alternatives also needs to be completed, in accordance with section 6.1(2)(c) and the Terms of Reference Code of Practice section 5.2.6.	Please revise the purpose to reflect that the environmental effects of the alternatives will also be studied. If the level of detail in assessing the alternatives is expected to be less than the level of detail for assessing the preferred alternatives, this should be stated.
5.	Section 2.1.2 IAA Pages 10-12	Federal EA Requirements This section goes into too much detail as to the steps for the federal EA process. It is unclear what relevance this level of detail has in the provincial ToR.	Please reduce the level of detail in the federal EA steps – two paragraphs is likely appropriate.
6.	Section 2.1.3 Process for Fed-Prov Coordinated EA Page 13	Clarification – One Body of Documentation The statement in the first paragraph of 2.1.3 requires a minor clarification that the proponent will produce one body of documentation. The current wording states that the two governments will produce one body of documentation, which is incorrect.	Please correct the following statement by adding the red underlined wording: For the Webequie Supply Road Project, the two levels of government have indicated a willingness to follow the coordinated EA process to the extent possible and for the proponent to produce one body of EA documentation.
7.	Section 3.1 EA Principles Page 18	EA Principles The list of EA principles in section 3.1 is missing the identification of mitigation measures.	Please revise section 3.1 to include the identification of mitigation measures as a principle.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
		The list includes “Consideration of alternatives to the undertaking,” but in section 3.2 it is proposed that the EA will be focused. The two bullets about alternatives could be combined into ‘consideration of alternatives.’ Throughout the EA process, the proponent must also keep in mind all of the EA and project management principles described in the ToR Code of Practice (sections 4.1 and 4.2) that are important for the ToR and EA process.	Consider combining the two bullets about alternatives.
8.	Section 3.2 Indication of How EA is to be Prepared Page 20	Clarification of Focused EA The language requires clarification because it states on one hand that the EA will be prepared in accordance with sections 6(2)(c) and 6.1(3) – i.e. a focused EA – and on the other hand the EA will be prepared in accordance with 6.1(2)(b) – i.e. the generic requirements of an EA.	Please revise this paragraph as such: ...and these will be carried forward in a focussed evaluation in the EA in accordance with EA Act subsections 6(2)(c) and 6.1(3) and the Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (January 2014)¹.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
9.	Section 3.2 Indication of How EA is to be Prepared Page 20 And Section 8 Assessment Method	List of EA Components Section 3.2 lays out what information will be included in the EA. Here it is noted that the EA will include an evaluation of alternative methods to identify a preferred alternative, followed by the identification of anticipated effects from the project, and commitments to mitigation and environmental protection measures. Minor revisions should be made to this list for clarity and to better align with EA requirements. Section 8 lays out the approach to the assessment and evaluation of effects at the EA stage, including a process figure (Figure 8.1). It is noted that the process provided in this section does not align with that laid out in section 3.2, as it does not include a separate evaluation of advantages and disadvantages to select the preferred alternatives for the EA stage. With the minor modifications detailed in this comment, the steps laid out in section 3.2 are in line with the ministry's expectations, whereas section 8 is missing information.	Please revise certain bullets in section 3.2 as follows: - A description of and a statement of the rationale for the undertaking and alternative methods - An evaluation of the potential environmental effects, advantages and disadvantages of the undertaking and alternative methods to the environment, including measures to mitigate potential adverse effects; net effects; and identification of the preferred alternative methods (the Project) Revise section 8, including Figure 8.1, to align with the information laid out in section 3.2 of the Draft ToR. Section 8 should include the process that will be used to determine the preferred alternatives.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
10.	Section 3.2 Indication of How EA is to be Prepared Page 21	Technical Studies: Climate Change, Visual and Human Health Consideration should be given to assessing impacts related to climate change (mitigation and adaptation), visual/aesthetics and human health.	Please consider adding climate change (mitigation and adaptation), visual/aesthetics and human health to the list of technical studies. If these are already included in other topics, please indicate which ones.
11.	Section 4.2 Components and Activities of the Project Page 25	Clarification of Temporary Infrastructure Section 4.2 lists supportive infrastructure as “storage and laydown yards, temporary access roads/trails and construction camps.” It seems that storage yards and camps may also be temporary but this is not clear. It is important to have a clear understanding of the temporary and permanent components of the project.	In the bullets listing supporting infrastructure, please clarify if storage/laydown yards and construction camps will also be temporary.
12.	Section 4.3 Project Phases Page 26	Decommissioning of Temporary Infrastructure It is not stated during what project phase the decommissioning of temporary infrastructure will occur. This should be added as an activity to the relevant project phase so that potential effects are assessed in the EA and to have a clear understanding of the temporary and permanent components of the project.	Please add decommissioning and removal of temporary infrastructure to the relevant project phase in section 4.3.
13.	Section 5.1.2.1 Alternative Methods Background Pages 37-40	Noront’s Eagle’s Nest Project The ToR relies to an extent on Noront’s ToR, which identified a preliminary road corridor, including a summary of the rationale for the selection of Noront’s preferred road corridor. The draft EIS/EAR prepared by Noront is also referenced as an information source. It should be noted the ministry’s notice of approval for the ToR for the Eagle’s Nest Project included the requirement that Noront re-screen four road corridors. It should also be	The ToR should acknowledge that, even though the approved Noront ToR identified a preliminary corridor, the approval requires Noront to re-screen four road corridors before reaching a conclusion on its road corridor. Further, the proponent should take into consideration that the information presented in the EIS/EAR does not reflect this direction.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
		noted that the draft EIS/EAR for the Noront Eagle's Nest Mine Project was prepared in advance of the approval of the ToR and does not reflect the requirement to re-screen road corridors. The ministry's Environmental Assessment and Permissions Branch did not review the draft EIS/EAR and cannot comment on the quality of information or data presented within.	
14.	Table 5-1 Chronology Pages 45-46	Noront's Eagle's Nest Project The chronological summary identifies that the Eagle's Nest Project is subject to CEAA/Ontario EA Act. This information is now incorrect as the federal EA for the Noront Eagle's Nest Project was terminated in August 2019.	Please revise the chronological summary to reflect that the federal EA for the Noront Eagle's Nest Project has been terminated.
15.	Section 5 Alternatives	Alternatives Assessment Sections 5.1 and 5.2 refer to "alternative concepts". This terminology is not consistent with the Act and MECP guidance material (i.e., the Codes of Practice) and may also be confusing for those reading the ToR.	Please revise terminology in the ToR so that it is consistent with the Act (e.g., alternative methods instead of alternative concepts).
16.	Section 5.2 Initial Screening of Alternative Concepts Page 60	Level of Detail for Screening Factors While the level of detail and data sources are clear for the seven community screening factors in Table 5-2, the level of detail and data sources for the other factors listed on page 60 are not as clear. Table 5-2 provides a helpful level of detail for the reader to understand the importance of each factor and the proponent's decision making process.	Please include additional details and data sources for each of the factors listed on page 60, similar to what was done in Table 5-2 for the seven community factors.
17.	Table 5-3 Comparative	Alternatives Assessment The table states that "local outfitters are active on lands to the west of Webequie First Nation, and therefore all the	Please review and confirm the identified statement.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
	Analysis of Alternatives Page 61	alternatives are considered equal in that no effects to outfitters are anticipated". It seems like a word may be missing. As framed it is not clear why effects are not anticipated.	
18.	Section 5.2 Initial Screening of Alternative Concepts Page 69	Rationale for Road Alternative Being Carried Forward Three alternative concepts shown on figure 5.7 were screened using 20 factors. This screening concluded that Alternative 2B is more favourable over 1 and 2A, but only for 7 of the 20 factors. Alternative 1 scored a close 2nd, being favourable for 5 of 20, and there is no favourable alternative for 8 of the 20 factors. Based on this, it is not clear that 2B stood out as the most favourable corridor and that the other options should be eliminated. Then a new alternative was developed (on figure 5.8) and is proposed to be carried forward into the EA, without any further screening in the ToR. The new alternative is supposedly a refinement of Alternative 2B but looks quite different from 2B. It is not clear whether this new alternative is still favourable over the original concepts. To support Webequie's proposal to bring forward the new alternative corridor on figure 5.8, it should be supported by rationale, for example an additional screening against the original alternative concepts could be undertaken.	Please provide further rationale for the introduction of the alternative on figure 5.8. For example, an additional screening using the same factors could be done. Sufficient rationale to focus the alternative methods is important at the ToR stage in order to provide greater confidence that the revised alternative is the most favourable to bring forward into the EA and that the other alternatives can be eliminated from further analysis.
19.	Section 5 Alternatives	Consultation The ministry notes that the screening documented in the draft ToR includes consultation with Webequie community members. In addition, screening of alternatives should	The Final ToR must document how the proponent consulted government reviewers, Indigenous communities and

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
		include consultation with government reviewers, Indigenous communities and interested persons on the criteria and weighting applied in the screening.	interested persons on the criteria and weighting applied in the screening.
20.	Section 5.5 Supply Road Alternatives for the EA Page 76	Non-Road Corridor Alternatives Section 4.1 discusses elements to be included in the road design to mitigate environmental effects, including alternative sites for certain infrastructure components. These include alternative aggregate sites, waterbody crossing types, alternative sites for temporary laydown and storage areas, alternative sites for construction camps, and alternative access road locations. However section 5.5, which outlines the alternatives to be carried forward in the EA, only indicates that road alignment alternatives will be assessed. This section should list all alternatives that will be assessed in the EA.	In section 5.5 please list and describe all types of infrastructure that will be subject to an alternatives assessment and effects assessment in the EA. Please include the same list in section 8.0 on page 119.
21.	Section 6.1 Study Area Page 78	Study Areas Section 6.1 describes the approach that will be taken to identify study areas (project footprint, local study area, and regional study area) during the EA, including the development of discipline-specific LSAs and RSAs. As stated in the Code of Practice for Preparing and Reviewing Terms of Reference, while the study areas may be further defined during the EA, the ToR should include a map of the study area. If specific study areas are not included in the ToR, the ministry strongly encourages the proponent to consult on the scope of study areas at the beginning of the EA phase.	Please provide maps of preliminary study areas in the ToR. Include the commitment to consult on the scope of the study areas during the EA.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
22.	Section 6.2 Data Collection Methodology Pages 80-87	Field Studies It is not clear whether the field studies identified throughout section 6.2 will be done for all of the alternatives. This needs to be clear in the ToR in order to assess compliance of the EA with the ToR, if approved. Further, page 80 states that field work studies will focus on the identified preliminary preferred corridor, but page 87 appears to contradict this, stating that all information collected as part of the field program and obtained through IK will be used to determine the preferred corridor. There are also statements within the specific discipline sections that some field work will be done for the preferred corridor, some will be done for all alternatives, and for other disciplines it is unclear. Given that the two corridor alternatives in figure 5.11 are relatively similar and have overlapping segments, it seems to make sense for primary field work (as well as secondary data) to be collected for all of the alternatives being carried forward into the EA. Per the ministry's ToR Code of Practice, 2014, transparency in methodology and using best available data are key EA principles.	Please clarify in the introduction to section 6.2 and throughout the discipline-specific sections whether primary field work will be collected for all of the alternatives to be carried forward into the EA.
23.	Sections 6.3 and 6.4 Existing Environment –	Details in Existing Environment Regarding Field Work Sections 6.3 and 6.4 provide preliminary descriptions of the existing natural and socio-economic environments. There are details in these sections about conducting field	Please include these details in the relevant field studies/data collection methodology section of 6.2.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
	Natural, Socio-Economic Pages 94, 96, 99, 105, 107, 108, 110	work and data collection for the EA that should be included in section 6.2 data collection methodology. These details pertain to: - Vegetation field surveys - Rare plant species/communities field surveys - Aquatic investigations including biophysical habitat conditions and sensitivity, spawning habitat, species at risk, surface water quality and fish community - Species at risk field surveys and information sources - Air quality emission sources and IK - Assess commercial, recreational and industrial activities, including indicators and who will be consulted - Profiles of Indigenous communities and effects on population, demographics, education, employment and housing, including information sources - Human health and social issues assessments - Infrastructure, available housing and services - Cultural heritage resources and archaeological assessment work that will be conducted All information about the field studies and data collection methodology to be completed for the EA for the various disciplines should be in one location for ease of reference (i.e. section 6.2).	
24.	Sections 6.2, 6.3, 6.4 Data Collection and	Existing Environment Further to the comment above, it is noted that there are inconsistencies between where information is presented across environmental components. In particular,	Please revise sections 6.2, 6.3, and 6.4, so that the level of information is consistent across environmental components. For example, all details

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
	Existing Environment	information about what and how data will be collected is interspersed across these sections, depending on the environmental component. For example, for the socio-economic environment, section 6.2.3 identified the methods that will be used to characterize the socio-economic environment, but does not include a description of what aspects will be characterized. Socio-economic environment is a very broad term, therefore it is not possible to comment on whether the proposed methods are appropriate without further information. Section 6.4, Socio-economic environment includes the methods that will be used to characterize specific aspects of the socio-economic environment, rather than describing the existing environmental conditions. In some places, potential effects are also discussed in section 6.4. It is important that information in the ToR is organized transparently, clearly and consistently to enable interested persons to understand and comment on the scope of studies that will be undertaken during the EA. During the EA phase, as the EA will be reviewed for concordance with the ToR, clarity of commitments in the appropriate sections is important to ensure that documentation can be reviewed efficiently.	relating the Data Collection Methodology should be presented in section 6.2. Sections 6.3 and 6.4 should be limited to a description of the existing environment, and should not identify which studies will be completed during the EA. Potential effects should be discussed separately in Section 7.
25.	Section 6.3 Natural Environment	Study Areas The description of the preliminary existing environment includes references to the Study Area (e.g., in 6.3.2, “The Study Area has many different types of waterbodies”) and region. This information cannot be put into context or reviewed without the definition of study area.	Please include identification of the study area(s), region that were used to describe the existing environment.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
26.	Section 6.3 Natural Environment	Existing Environment The results of some field studies completed by the proponent are included in this section. MECP views this information as preliminary to understand the existing environment, with more details to be provided in the EA.	Please note that MECP will review the full details of those studies, including methods and results, during the EA phase.
27.	Section 6.4.5 Infrastructure and Services Page 108	Communities Crossed by Proposed Road There is a statement on page 106 that “the proposed all-season road corridor will cross communities that may be able to provide waste management, municipal and community services, emergency services, police and many other ancillary services.” Based on statements and figures in the ToR, the road is proposed to be in a very remote location that only connects the Webequie community to the mineral exploration area, and it is not clear where these other communities and services are located along the proposed corridor. The EA will need to assess any impacts to existing infrastructure and services.	Please clarify in the appropriate ToR section (e.g. project background, existing socio-economic environment conditions) and on the figures which types and where the proposed road corridor crosses these existing types of infrastructure and services.
28.	Section 7 Potential Effects	Potential Environmental Effects Potential effects are described differently for the natural, socio-economic, and cultural components of the environment. Mitigation measures are included for the natural environment, but not the others. While MECP notes this information is preliminary, the format and discussion of the environmental components should be consistent.	Please provide a consistent format and discussion of potential effects across environmental components.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
29.	Section 8 Approach to Assessment of Effects Pages 119-120	Assessment Methodology Pages 119 and 120 require further clarification in the methodology steps and the graphic about how the alternatives will be assessed and when the preferred alternatives will be selected. At the EA stage, will all of the alternative methods that are under consideration be assessed for potential effects to the same level of detail? Or will a more detailed assessment of effects be done once the preferred alternative methods are selected? For instance, the ToR currently indicates that the proponent will conduct cumulative effects assessments for all of the alternatives being considered. The graphic in Figure 8.1 should be tailored to Webequie's EA for the proposed supply road.	In section 8 please clarify the methodologies for the assessment of alternative methods, including when the selection of the preferred alternative methods will occur. Please revise Figure 8.1 accordingly and tailor the graphic to the Webequie project. As noted in comment 9, please also ensure there is alignment between the methodology described in section 8 and the list of items that the EA will include in section 3.2
30.	Section 8 Approach to Assessment of Effects	Assessment Methodology Section 8 describes the approach that will be taken to evaluate alternative methods during the EA, including preliminary criteria and indicators. The information presented is high level and does not provide an opportunity for technical review of the methodologies that will be applied to evaluate those specific criteria and indicators. For example, it is not identified if any modelling will be carried out. While it is appropriate to defer some detailed work planning to the EA phase, the ToR should identify the types of studies that will be undertaken, and include	Please identify studies that will be conducted to support the evaluation of criteria and indicators. It is strongly recommended to include commitments to develop workplans at the outset of the EA phase, including opportunities for technical review. Indicate how consultation on the ToR has informed the preliminary criteria and indicators. Please clarify when additional

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
		commitments for how technical reviewers, and other interested persons, will be consulted during the development of specific evaluation methodologies or technical workplans. It is strongly recommended that those opportunities for review occur prior to the completion of studies (e.g., prior to the submission of a draft or final EA document).	consultation on criteria and indicators will occur in order to finalize the list.
31.	Section 8 Approach to Assessment of Effects	Cumulative Effects Section 8 identifies that a cumulative effects assessment will be conducted on the net effects of the project in combination with other past, present, or reasonably foreseeable developments in the local and regional area. Further details are required for the ministry, other stakeholders and communities, to confirm the scope of the assessment is appropriate.	It is strongly recommended to include the commitment to prepare a technical workplan for the cumulative effects assessment, including identification of which other developments will be assessed, the study areas for the assessment, and the methodology for assessing effects.
32.	Section 10.1.2 Duty to Consult Pages 131-133	MOU This section includes the proponent's responsibilities from the MOU that is currently being negotiated.	In addition, please include a note that Ontario (MECP and Ontario) also have responsibilities related to the duty to consult that are detailed in the MOU. For transparency, suggest including the full MOU, once signed, as an appendix to the Record of Consultation.
33.	Section 10.3.1 Indigenous Consultation To Date	Indigenous Consultation This section summarizes the activities, key comments, and concerns expressed by Indigenous communities. Table 10-3 includes a summary of the comments received and the responses provided to those comments. In addition, the summary should include identification of where comments are addressed in the ToR, including documentation of any modifications that were made to the	Please revise table 10-3 to identify where comments are addressed in the ToR, including documentation of any modifications that were made to the ToR to address the comment, and any commitments for further study and/or consultation.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
		ToR to address the comment, and any commitments for further study and/or consultation.	
34.	Section 10.3, and 10.3.3 Page 148	Public and Stakeholder Consultation Section 10.3 indicates that to date the Webequie Project team has implemented the ToR Consultation Plan. Section 10.3.3 summarizes the consultation completed with members of the public and stakeholders. It notes that other than notices, no formal activities/events have been conducted with members of the public. In its consultation plan for the preparation of the ToR, the proponent committed to holding open houses in Thunder Bay to provide a forum for the public and stakeholders to provide feedback on the identification of alternatives and evaluation criteria. It was noted in the plan that the results of these discussions would be included in the Draft ToR (see page 20 of the plan).	Please clarify if open houses in Thunder Bay were held and revise statement in the ToR accordingly. The proponent must provide opportunities for members of the public and other stakeholders to provide feedback on the identification of alternatives and evaluation criteria (see comment #19).
35.	Record of Consultation	Record of Consultation A record of consultation was not provided with the draft ToR. The ministry relies on the record to provide feedback on the sufficiency of the consultation completed by the proponent, including both statutory consultation responsibilities required in the Act, as well as procedural aspects related to the duty to consult.	Please note that further gaps and actions may be identified related to consultation when the ministry reviews the record of consultation.

Comment #	ToR Section and Page #	Comments & Rationale	Proposed Action/Solution
36.	Section 10.4 Consultation Activities During EA Study and Tables 10-5, 10-6 and 10-7 Pages 148-157	Consultation for EA Milestones Pages 148-157 and Tables 10-5 to 10-7 include a list of milestones that Webequie will meet in order to complete the EA, consultation opportunities and EA milestones. These pages focus on consultation about the alternatives evaluation, incorporating Indigenous Knowledge and review of the completed EA document. There are several key milestones that should be added to the list, including defining study areas, consulting on and finalizing criteria and indicators, consulting on and finalizing assessment methodology, evaluation of effects and identification of mitigation measures (i.e. key steps outlined in the EA process graphic, Figure 8.1). The ToR indicates that study areas, criteria/indicators and evaluation methods are preliminary and will be finalized during EA preparation. There should be opportunities for Indigenous communities, government agencies and the public to provide comments on these critical stages of the EA process.	Please add a fulsome list of key EA milestones so that Indigenous communities, government agencies and the public are aware of key steps in the EA preparation and where they have an opportunity to provide input.

Sasha McLeod

A.P.

Commenter Signature

October 21, 2019

Date

Indigenous Consultation

Proposal: Webequie Supply Road Project – Draft Terms of Reference (ToR)

Proponent: Webequie First Nation

Agency: MECP

Commenter Name and Job Title: Peter Brown, Indigenous Consultation Advisor

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
37.	Section 1, Page 1	It is assumed that the Record of Consultation will be appended to the ToR – please indicate the appendix number containing the Record of Consultation whenever it is referenced in the main body of the ToR. The Record of Consultation may be a stand-alone document, but it should be included as part of the final ToR submission and summarized in Section 10. Please note that MECP expects the Record of Consultation and summary in the final ToR to reflect input on the draft ToR.	Please include the appendix number when referencing the Record of Consultation.
38.	Section 3.2, Page 20	It is stated that where conflicts between Indigenous Knowledge (IK) and western science arise, IK will be given priority and preference. While it is important to recognize the importance of IK, a proponent must consider both sources of information to make sure the approach taken is the most protective of the environment.	Please consider revising how IK and western science will be considered together to make sure the approach taken is the most protective of the environment.
39.	Section 3.2, Page 21	There may be a separate section about Indigenous Knowledge in the EA Report, but please note that MECP expects Indigenous	Please incorporate Indigenous Knowledge into all applicable sections of the ToR and EA Report.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Knowledge to be incorporated into all applicable sections of the ToR and EA Report.	
40.	Section 5.2, Tables 5.2 and 5.3, Pages 61-69	Section 5.2 provides an example of information included in the ToR that was informed by consultation. It is not clear if input was obtained just from Webequie community members or members of other communities as well. Our expectation is that some input be sought from all relevant communities. It is also not clear if community members provided input on just the considerations/factors/criteria, or the results of the analysis as well.	Please make clear in this section how input was obtained, from whom and on which aspects of the analysis. Please provide a summary in Section 5.2 or if this is summarized in Section 10, please provide a reference to it in Section 5.2.
41.	Section 6.2, Page 81	It appears that the second paragraph on page 21 (starting with “Interact with”, right after the bulleted list) should be part of the preceding bulleted list.	Please make the second paragraph on page 21 part of the bulleted list above it.
42.	Section 7.2.1, Page 117	It would be helpful for the reader to understand what effects on traditional/Indigenous land use will be considered in the EA, through a list of land uses/activities or examples. It should also be clarified if this section would encompass all potential impacts on Aboriginal and treaty rights (Table 8.1 on Page 124 lists Traditional Land and Resource Uses under Socio-economics and Aboriginal and Treaty Rights and Interests under Cultural Environment). It is not clear if this is intended to be a sub-section of Socio-economics or a separate environmental factor. It would be helpful for the environmental factors to be consistent throughout the document (the list on	Please clarify what is meant by traditional/ Indigenous land use by way of a list or examples of uses/activities that will be considered in the EA. Please indicate, similar to other components, what the potential effects on these uses/activities are, if applicable. Please make sure throughout the ToR the list of environmental factors is consistent. Please consider making Traditional/Indigenous land use a separate section rather than a subsection of socio-economics.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		page 21, for example). A reminder that Indigenous Knowledge and consultation should inform all applicable aspects of the ToR and EA Report.	
43.	Section 10, Page 128	This section of the ToR should present the plan for engagement and consultation during the EA and summarize the input received during the development of the ToR. Please clarify the first sentence of the section. Please include the appendix number for the Record of Consultation, as applicable.	Please revise the first sentence of this section to reflect that it presents the plan for engagement and consultation during the EA and summarizes the input received during development of the ToR. Please add an appendix number for the Record of Consultation.
44.	Section 10.1, Page 131	As previously identified: - It is not clear which MECP Code of Practice is referenced. - Ministry of the Environment, Conservation and Parks is misspelled. - The Crown delegates procedural aspects of consultation under the Constitution Act not the EA Act.	Please clarify throughout which Code of Practice is referenced. Please also check for spellings of ministry names, etc. Please clarify under which law delegation occurs.
45.	Section 10.3.1, Table 10-2, Pages 137-138	All 22 communities are identified as potentially-affected. It may be clearer for the reader to identify them as potentially affected or interested, as per Section 10.2.1 (or to clarify in Section 10.2.1 that all 22 communities will be referred as potentially-affected throughout).	Clarify potentially-affected and/or interested communities throughout.
46.	Section 10.3.1, Page 143 and Table 10-3	It seems premature to discuss mitigation measures and preferred alternatives before identifying key comments and concerns received. It is also unclear why comments/concerns received in Table 10-3 include measures that will	Please reserve discussion of mitigation measures and preferred alternatives to an appropriate section of the ToR. Please only include input received from communities during development of

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		be used to mitigate the concerns. The comments/concerns raised column should be reserved for input from communities.	the ToR in the comments/concerns received column of Table 10-3.
47.	Section 10.3.1, Table 10-3, Page 143-146	In the Final ToR it would be useful for Table 10-3 to identify specifically how comments received informed the ToR, including the section number of the ToR where the response to the input is reflected. As per the Code of Practice: Consultation in Ontario's Environmental Assessment Process (e.g., section 3.1.3), it is expected that some input on the ToR, including how consultation should be undertaken during the EA, be included in Table 10-3 or section 10.4.	Please make sure that Table 10-3 identifies how input informed the ToR, including section numbers. Please include input on the consultation plan for the EA in Table 10-3 or Section 10.4.
48.	Section 10.4, Pages 148-157	It is unclear how input during development of the ToR informed the plan for consultation during the EA. It is also unclear if one plan will be executed for all communities, or if community-specific plans will be developed.	Please indicate in this section (and/or Table 10-3) how input during development of the ToR informed the plan for consultation during the EA. Please also clarify if one plan will be executed for all communities, or if community-specific plans will be developed.
49.	Section 10.5, Pages 157-158	A reference to the appendix containing the Record of Consultation should be included.	Please add a reference to the appendix containing the Record of Consultation for the Final ToR.

Commenter Signature

October 7, 2019

Date

Climate Change

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Adaptation and Resilience Branch & Climate Change Policy Branch, MECP

Commenter Name and Job Title: James Scott, Manager Adaptation Unit, Patrick Fancott, Manager Climate Change Policy, and Pamela Lamba, Senior Policy/Program Advisor, ARB.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1. (ARB – Pam Lamba and James Scott)	Pg. 60, 168 (Appendix)	The ToR seems to be lacking a comprehensive approach to climate change risk resiliency in considering impacts and risks associated with climate change when making decisions on transportation infrastructure investments for northern Ontario. <u>Rationale:</u> Changes in climate will be greatest in the Far North with temperature and precipitation changes already occurring most dramatically in the northernmost part of Ontario, which could significantly alter the forests, peatlands and wetlands that make this region an important carbon sink: - Warmer and longer summers combined with warmer and shorter winters may lead to the loss of permafrost, which will alter hydrology, vegetation composition and peatland carbon storage (Zhang et al 2008, McLaughlin and Webster 2013), and could lead to the deterioration of infrastructure including building foundations, pipelines, roads, dams, bridges and mining sites.	Using the province's guide - <i>Considering climate change in the environmental assessment process</i> as a resource; the proponent could include climate impacts on the project by assessing the vulnerability of the project to a changing climate and examining the impact of the project on the environment's adaptive capacity. The methodology used to assess the vulnerability/risks can be up to the proponent in consultation with FNs community. Results from the assessment, will help inform project decisions (i.e. design/maintenance).

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		- The thawing of permafrost will release methane and could make peatlands shift from a carbon sink to a carbon source. Pg. 24 - Design considerations are important to consider especially in a changing climate (i.e. how will the road be built to adapt to flooding and/or dealing with freeze-thaw conditions).	
2. (CC Policy Branch – Patrick Fancott)	Pg. 63 and 115	- The ToR provides an initial estimate of GHGs without any explanation for the estimates. - As the project is a road, there are inevitable GHG emissions. However, in several cases (pages 63 and 115) the ToR seems to suggest the project aligns with provincial objectives and goals to reduce emissions, which it does not since it is predicted to increase emissions. - While the project GHG emissions are small in comparison to overall provincial emissions, effort should be made to minimize these emissions.	- The ToR should commit to the EA including a quantitative GHG emission prediction that includes explanation for the calculations – this commitment could be included in section 6.3.8 page 105. - The ToR should include preliminary mitigation measures for GHG emissions on page 115, with complete mitigation measures identified in the EA. The information that is on page 115 is already on page 63, so page 115 should instead include preliminary mitigation measures.

James Scott, Pamela Lamba and Patrick Fancott
 Commenter Signature

October 8, 2019
 Date

Climate Change – MNRF Peatlands Expertise via MECP

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: MNRF

Commenter Name and Job Title: Jim McLaughlin, Forest Soils Research Scientist

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
50.	Sec 4; p23	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	At a minimum and for Webequie's baseline collection for the ToR, I believe a review of the literature on road construction effects on carbon be undertaken for this potential EA. A fair amount of data already exists in the study region that the proponents need to evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. I also encourage the proponent to apply to ToR project, the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. I also believe a project should be undertaken to test the IPCC calculations against data collected along the length of the road network.

ORIGINAL SIGNED

Commenter Signature

October 21, 2019

Date

Surface Water

Proposal: Webequie Supply Road Project – Draft Terms of Reference (September 2019)

Proponent: Webequie First Nation

Agency: Ontario Ministry of the Environment, Conservations and Parks (MECP)

Commenter Name and Job Title: Jacinth Gilliam-Price, Surface Water Specialist – Northern Region

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	<i>Draft Terms of Reference</i> (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	The table identifies that an Environmental Activity Sector Registry (EASR) would be required for water takings between 50,000 to 400,000 L/day; however, this is dependent upon the source and/or purpose of water taking. Further eligibility criteria are provided through the following link: https://www.ontario.ca/page/water-taking-user-guide-environmental-activity-and-sector-registry. Note - many road construction related water takings that qualify for an EASR include water takings for highway maintenance activities. EASRs may also be pursued for water takings related construction site dewatering associated with groundwater and stormwater dewatering from a building excavation. EASRs may apply where the construction dewatering is of groundwater and stormwater (<u>not surface water</u>). An exemption from requirements of a PTTW or EASR may apply under some circumstances where water is removed without the use of a pump. Such activities may include the use of	Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: Dependent upon meeting specific criteria (e.g. water source, purpose, etc.) of the Water Taking EASR Regulation – O. Reg. 63/16, some takings between 50,000 and 400,000 L/day may qualify for registry (EASR), while other takings may require a PTTW. *Retain the portion regarding takings over 400,000 L/day requiring a PTTW. Exemptions from requiring an EASR and/or PTTW may apply so long as the criteria outlined in O. Reg. 64/16 is met.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		cofferdams or existing structures to passively divert water away from work areas. The criteria outlined in O. Reg. 64/16 must be met: https://www.ontario.ca/laws/regulation/R16064. Where criteria for an EASR or exemption does not apply, a Permit to Take Water (PTTW) will be required for water takings greater than 50,000 L/day.	
2.	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	Dependent on the purpose of some water takings and water use, Environmental Compliance Approvals (ECA) will be needed for the treatment and discharge of wastewater generating. Information regarding ECA's can be found on the MECP website: https://www.ontario.ca/page/environmental-compliance-approval The Ministry's Guide to Applying for an Environmental Compliance Approval can also be accessed online: https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0. Generally, if discharge water from construction dewatering activities requires treatment via some type of containment/settling feature such as filter bags, settling basins, ponds, etc., an ECA is required.	Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: An ECA may be required for the discharge and treatment of wastewater generated from some water takings.
3.	Section 3.2 Indication of How the Environmental Assessment	A list of detailed technical investigations and assessments to be undertaken and documented in the EAR/IS is included in this section. This list simply includes "Surface Water", but does not specify further. As with other investigations listed,	Update the list of detailed technical investigations and assessments to include the types of Surface Water investigations to be carried out: "Surface Water (i.e., water quality, water quantity, etc.)".

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	is to be Prepared, p. 21.	examples of the types of Surface Water investigations should be identified.	
4.	Section 6.2.1 Biological Environment, Aquatic Habitat Surveys, P. 83-84	Additional representative baseline surface water quality data is required at water crossings along the road corridor. In addition to the in-situ parameters listed, representative samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, and total metals. These will provide appropriate baseline data from representative watercourses, for comparison with data collected during the project for assessment of impact.	Revise Section 6.2.1, Biological Environment, Aquatic Habitat Surveys to add: Surface water samples must be collected from representative watercourse crossings along the proposed road corridor route to provide adequate baseline surface water quality. In addition to the in-situ water quality parameters to be sampled, samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, total metals. Best available water quality guidelines should be used respecting the assessment of the surface water results. In most cases sample results are to be compared against Provincial Water Quality Objectives; however, the Canadian Council of Ministers of the Environment (CCME) Canadian Water Quality Guideline for the Protection of Aquatic Life may be more appropriate, specifically for suspended sediment and turbidity.
5.	Section 6.2.2 Physical Environment, p. 84.	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list should expand upon "Surface water sampling" to identify water quality sampling and stream/river flow and level monitoring. Baseline surface water quality and	Revise to identify "surface water quality sampling" and "watercourse flow and level monitoring" in the list of primary field methods for collection of data for the physical environment. *See Section 6.2.1 comments regarding surface water quality parameters to be assessed.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		watercourse flow and level data is required at road crossings along the road corridor route.	
6.	Table 6-1: Published Sources of Information for Existing Conditions, p. 85-87.	The following on-line resources may be useful in the assessment of existing conditions and are recommended to be added to Table 6-1, for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network	Include the following source of information in Table 6-1: Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network
7.	Table 7-1: Project Activities and Potential Effects on the Natural Environment, p. 113-116.	Table 7-1, the “Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas” Potential effects: This section should recognize that dewatering of this infrastructure may be necessary during construction, which can exacerbate erosion and sedimentation if wastewater not dealt with accordingly. Mitigation measures are offered in the “Proposed Action/Solution” column.	Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to also include the following Potential Effect: “Degradation of/alteration to surface water quality and flow, and/or fish habitat” Table 7-1 should also be revised to include the following Mitigation Measures: Water takings for dewatering laydown yards, construction camps, aggregate extraction areas

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW) as applicable. Treatment and discharge of wastewater may be guided by an ECA. Excavated materials will not be stored or stockpiled in areas near the surface water feature to minimize the potential for sediment laden runoff. Similarly, the stockpiling of required aggregates (sand, gravel, rock, crushed rock) for the construction of the road bed, temporary access roads and ancillary work areas, and construction and the installation of water body crossings must not be near surface water features for the same reason.
8.	Table 7-1: Project Activities and Potential Effects on the Natural Environment, p. 113-116.	Table 7-1, the “Construction of the road, including earthworks (cut/fill) and permanent and temporary waterbody crossings” Mitigation Measures: Mitigation measures need to be based on proven and recognized best management practices, standard protocols for stream crossings, land clearing and/or working near water with machinery that are well understood and have been applied to road construction projects throughout northern Ontario. Proposed Best Management Practices (BMPs), standard	Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include the following Mitigation Measures: Implement BMPs during the construction phase of the Project, ensuring the maintenance of appropriate riparian vegetation buffer strips along streams that intersect the road to attenuate runoff from the road, reduce sedimentation and erosion and provide shade cover thereby reducing stream temperature.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		protocols and good practices are listed in the “Proposed Action/Solution” column.	Adhere to BMPs for road construction and operation and constructed in accordance with the Ministry of Natural Resources and Forestry’s (MNR’s) Environmental Guidelines for Access Roads and Water Crossings (1995), Crown Land Bridge Management Guidelines (MNR 2008), Northern Land Use Guidelines – Access: Roads and Trails (INAC 2010) and Fish-Stream Crossing Guidebook (B.C. Ministry of Forests, Lands and Natural Resource Operations, B.C. Ministry of Environment and Fisheries and Oceans Canada 2012). Construction dewatering and other water takings will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW) as applicable. Treatment and discharge of wastewater may be guided by an ECA. Adhere to the following Ontario Provincial Standard Specifications be included to the requirements related to road, bridge and ancillary area construction: • Ontario Provincial Standard Specification (OPSS 805) – Construction Specifications for Temporary Erosion and Sediment Control Measures.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			- Ontario Provincial Standard Specification (OPSS 182) – General specifications for Environmental Protection for Construction in Waterbodies and on Waterbody Banks. - Ontario Provincial Standard Specification (OPSS 518) – Construction Specifications for Control of Water from Dewatering Operations. Adhere to Fisheries and Oceans Canada's (DFO's) Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (1998).
9.	Table 7-1: Project Activities and Potential Effects on the Natural Environment, p. 113-116.	Table 7-1, the "Operations and maintenance, such as road repairs, vegetation clearing" Potential Effects: Ongoing operations and maintenance, including deicing operations (e.g. application of sand and salt) during winter months can lead to further erosion and sedimentation and the addition of salts and other chemical constituents to area watercourses during the life of the road.	Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include: Project Component or Activity: "bridge and culvert repairs and replacements" "deicing operations (e.g. application of sand and salt) during winter months" Potential Effects: "Increased rates of erosion and sedimentation from exposed land surface" and "Degradation of/alteration to surface water quality and flow and/or fish habitat"
10.	Appendix B: List of Preliminary Evaluation	In Appendix B, Surface Water Criterion, "surface water quantity" and "surface water levels" should be added to the list of indicators as these may be a more appropriate indicator in some situations	Revise Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Surface Water; Indicators, add:

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Surface Water, p. 4	(e.g. potential impacts to area lake or other slow moving system as a result of water diversion or taking).	“Changes to surface water flow and levels” “Changes to surface water quantity”

ORIGINAL SIGNED _____
 Commenter Signature

October 7, 2019 _____
 Date

Groundwater

Proposal: Webequie Supply Road Project – Draft Terms of Reference (September 2019)

Proponent: Webequie First Nation

Agency: Ontario Ministry of the Environment, Conservations and Parks (MECP)

Commenter Name and Job Title: Shannon Heggie, Hydrogeologist – Northern Region

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	<i>Draft Terms of Reference</i> (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	Water well installation will be required for construction camp water supply and groundwater monitoring activities in accordance with Ontario Regulation 903 under the <i>Ontario Water Resources Act</i> (1990).	Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 <i>Draft Terms of Reference</i>) to include: Well drilling for water supply and groundwater monitoring in accordance with Ontario Regulation 903 under <i>Ontario Water Resources Act</i> (1990).
2.	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW) and discharge associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.	Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 <i>Draft Terms of Reference</i>) to include: Environmental Compliance Approval under <i>Environmental Protection Act</i> (1990) and <i>Ontario Water Resources Act</i> (1990) – Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW), and discharge

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.
3.	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	Aggregate source locations and types are not defined for the Project. It is noted that pits and quarries are not eligible for Environmental Activity and Sector Registration (EASR), and Permits To Take Water (PTTW) are required. The EASR for Water Taking for Construction Site Dewatering, states: “construction site” does not include a site at which any work or undertaking occurs that is associated with mine development, pits or quarries (O. Reg. 63/16: REGISTRATIONS UNDER PART II.2 OF THE ACT - WATER TAKING under Environmental Protection Act, R.S.O. 1990, c. E.19, https://www.ontario.ca/laws/regulation/160063)	Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 <i>Draft Terms of Reference</i>) to state: Further consultation is required with the Ministry of the Environment, Conservation and Parks (MECP) regarding Permit To Take Water (PTTW) and the applicability of Environmental Activity and Sector Registration (EASR) for aggregate extraction operations associated with the Project.
4.	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP, p. 17.	Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 L/day. Aggregate wash water systems contain “sewage”, as it is waste from an industrial process, and as such is “industrial waste” as defined in the <i>Environmental Protection Act</i> and <i>Ontario Water Resources Act</i>.	Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 <i>Draft Terms of Reference</i>) to include: Environmental Compliance Approval under <i>Environmental Protection Act</i> (1990) and <i>Ontario Water Resources Act</i> (1990) - Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 litres per day.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Aggregate wash water systems are classified as “sewage works”, as defined in the <i>Ontario Water Resources Act</i>. Aggregate wash water systems are not exempted by any provision of the <i>Ontario Water Resources Act</i> or the approval exemption regulation (O. Reg. 525/98).	
5.	Section 3.2 Indication of How the Environmental Assessment is to be Prepared, p. 21.	Section 3.2 included a list of detailed technical investigations and assessments that will be undertaken and documented in the EA. “Geochemistry” was not included in this list. Considering that aggregate sources and locations are not yet defined for the Project and it is unknown where aggregate quarries/pits may be located, there is potential for Acid Rock Drainage and Metal Leaching (ARD/ML) from potential aggregate rock source materials. In the July 2019 <i>Project Description</i> for the Webequie Supply Road, the proponent committed to testing of aggregate and quarry materials for ARD/ML prior to use in construction: “Aggregate or quarry materials to be for tested [sic] acid rock drainage/metal leaching potential prior to use in construction.” (p. 15, Section 2.4 Emissions, Discharges and Waste, <i>Webequie</i>	Include “Geochemistry” in the detailed technical investigations and assessments list under Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Sept. 2019 <i>Draft Terms of Reference</i>). Baseline geochemistry investigations must include the results and interpretation of Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials. The sample selection, collection, analytical testing and interpretation of results should be undertaken according to the following international guidelines: • Prediction Manual for Drainage Chemistry from Sulphidic Geologic Materials, MEND (Mine Environment Neutral Drainage Program) Report 1.20.1, December 2009 [http://mend-nedem.org/wp-

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		<i>Supply Road Project Description</i>, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/p80183/131056E.pdf]. Therefore, this commitment must be included and outlined in the Sept. 2019 <i>Draft Terms of Reference</i>.	content/uploads/1.20.1_PredictionManual.pdf]; - Global Acid Rock Drainage Guide, 2009. The International Network for Acid Prevention [http://www.gardguide.com/images/5/5f/TheGlobalAcidRockDrainageGuide.pdf]; - Price, W.A. and Errington, J.C., 1998. Guidelines for Metal Leaching and Acid Rock Drainage at Minesites in British Columbia, British Columbia Ministry of Energy and Mines, August 1998 [https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral-exploration-mining/documents/permitting/ml-ard_guidelines.pdf].
6.	Section 4 Description of the Undertaking; Section 5.1.2 Alternative Methods of Carrying Out the Undertaking, p. 36-55;	The proponent has not adequately addressed the sourcing and extent of aggregate extraction operations, pits and quarries that will be required for construction of the road; and has not included the aggregate source locations within the assessment of alternatives. The proponent identified the locations of potential aggregate sources within ~20 km of the proposed road corridor (see Figure 6.1 Webequie Supply Road, Alternative Routes	Section 4 Description of the Undertaking (Sept. 2019 <i>Draft Terms of Reference</i>) must contain a clear description of all proposed aggregate source locations and types (i.e. pits, quarries). Section 5.1.2 Alternative Methods of Carrying Out the Undertaking and Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment (Sept. 2019 <i>Draft Terms of Reference</i>) must include the preferred aggregate source locations and extent of

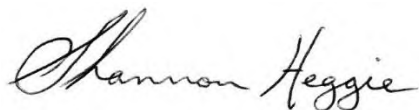
Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment; Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities.	and Project Area, Features/Sensitivities, Sept. 2019 <i>Draft Terms of Reference</i>). Based on the aggregate sources identified in Figure 6.1, it is apparent that source materials are limited along much of the road corridor, with available supply concentrated along the Muketei River near the Noront Resources Exploration Camp and north and southwest of the Winiskesis Channel area. The July 2019 <i>Project Description</i> for the Webequie Supply Road states: “The Webequie Project Team has not yet assessed either the capacity of potential aggregate sources..., or the annual aggregate resources requirements for construction and maintenance.” (p. 13, Table 2.1: Webequie Supply Road Project Components, Webequie Supply Road Project Description, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/p80183/131056E.pdf]; and “...given the absence of any high relief and shallow groundwater in the region, several borrow areas and quarries will require further evaluation in the EA to determine their potential for use.” (p. 20, Section 3.2.2 Aggregate Source Locations and Access Roads, <i>Webequie Supply Road Project Description</i>, Webequie First Nation, July 2019).	aggregate extraction operations within the assessment of alternatives. A reasonable range of locally accessible aggregate source locations must be considered. Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities (Sept. 2019 <i>Draft Terms of Reference</i>) must differentiate the Potential Aggregate Sources based on extraction type (i.e. pit, quarry).

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
7.	Table 5-2: Webequie Community Based Considerations for Screening Alternative Concepts: Source Water, p. 59; Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features / Sensitivities.	In Table 5-2, Webequie First Nation identified a communal source of artesian groundwater (spring water) located ~10-15 km southeast of the community. The community requests that the road corridor be located a significant distance from the spring source. The spring source was not included in Figure 6.1, and it was unclear if the proposed road corridors are proximal to this area.	It is recommended that the artesian groundwater source (spring) located ~10-15 km southeast of Webequie First Nation is identified in Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/Sensitivities (Sept. 2019 <i>Draft Terms of Reference</i>), and in the Environmental Assessment (EA). If the location of the spring water source is confidential to the community, the Ministry requests discussion with Webequie First Nation on how to respect the confidentiality of this information while protecting this resource from road construction or aggregate extraction activities associated with the Project.
8.	Section 6.2.2 Physical Environment, p. 84.	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list does not include groundwater sampling, groundwater elevation or flow monitoring. Representative baseline groundwater quality and groundwater elevation data is required along the road corridor route and at proposed aggregate source locations (with the addition of groundwater flow data).	Include “Groundwater sampling”, “Groundwater elevation monitoring”, and “Groundwater flow measurements” in the list of primary field methods for collection of data for the physical environment, as outlined in Section 6.2.2 Physical Environment (Sept. 2019 <i>Draft Terms of Reference</i>). Groundwater samples and groundwater elevation measurements must be collected in representative areas along the proposed road

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			corridor route, at proposed aggregate source locations and construction camps to provide baseline groundwater quality and elevation data. Baseline groundwater flow measurements will also be required for proposed aggregate source locations. The identification of representative areas must consider: local hydrogeology and bedrock/overburden geology/geochemistry. Level loggers in monitoring wells are recommended to record seasonal groundwater elevation fluctuations.
9.	Table 6-1: Published Sources of Information for Existing Conditions, p. 85-87.	In Table 6-1, it is recommended that the following Ontario government resource is used for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D] Accessed on Sept. 25, 2019.	Include the following source of information in Table 6-1: Published Sources of Information for Existing Conditions (Sept. 2019 <i>Draft Terms of Reference</i>): Ministry of the Environment, Conservation and Parks - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]
10.	Table 7-1: Project Activities and Potential Effects on the	In Table 7-1, the “Aggregate source extraction and production” <i>Mitigation Measures</i> should include:	Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Aggregate source extraction and production; Mitigation Measures (Sept. 2019 <i>Draft Terms of Reference</i>), to include the following:

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Natural Environment, p. 113-116.	Monitoring of groundwater elevation, quality and flow conditions for adverse effects and with respect to applicable standards; and ARD/ML testing of potential aggregate rock source materials. See my Comment #5, above.	• Monitor groundwater elevation, quality, and flow conditions for adverse effects and with respect to applicable standards. • Complete Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials prior to any use in construction. • Develop an Aggregate Material Geochemical Management Plan, for storage and handling of materials that are likely to result in acid rock drainage and/or metal leaching.
11.	Table 7-1: Project Activities and Potential Effects on the Natural Environment, p. 113-116.	In Table 7-1, the “Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites” <i>Potential Effects</i> should include: impacts to groundwater quality; and <i>Mitigation Measures</i> should include: monitoring of groundwater quality for adverse effects and with respect to applicable standards. Construction camp sewage disposal using Large Subsurface Sewage Disposal Systems (LSSDS) will likely require groundwater quality	Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites; Potential Effects and Mitigation Measures (Sept. 2019 <i>Draft Terms of Reference</i>), to include : • Impacts to groundwater quality.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		monitoring. See Chapter 22 of the Ontario <i>Design Guidelines for Sewage Works</i> [https://www.ontario.ca/document/design-guidelines-sewage-works/large-subsurface-sewage-disposal-systems].	○ Monitor groundwater quality for adverse effects and with respect to applicable standards.
12.	Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater, p. 5	In Appendix B, under the Groundwater <i>Criterion</i>, “groundwater quality” should be incorporated into the <i>Rationale for Selection of Indicators</i>, since it is included in the list of indicators. In Appendix B, under the Groundwater <i>Criterion</i>, the following resource should be included under <i>Data Source</i>: MECP - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]	Revise Appendix B: List of Preliminary Evaluation Criteria and Indicators; <i>Environment Factor</i>: Natural Environment; <i>Criterion</i>: Groundwater; <i>Rational for Selection of Indicators</i> (Sept. 2019 <i>Draft Terms of Reference</i>), as follows in bold: “Potential for short- and long-term effects on groundwater regime (flow/recharge interference, quality)” Include the following <i>Data Source</i> in Appendix B: List of Preliminary Evaluation Criteria and Indicators; <i>Environment Factor</i>: Natural Environment; <i>Criterion</i>: Groundwater (Sept. 2019 <i>Draft Terms of Reference</i>): • MECP - Data Catalogue



Commenter Signature

October 8, 2019

Date

Parks

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Ontario Parks – Northwest Zone

Commenter Name and Job Title: Katherine Onyshkewych, A/Senior Park Planner

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	Figure 4.1	Winisk Provincial Park boundary is not marked on this map. Defining the boundary (as done in figure 5.7) provides context of the development in relation to other landscape features/land uses (e.g. protected area), which is also used as justification of the preferred route selection within this document, on page 37, bullet 3 “no traversing of provincial parks”.	Please make spatial reference to provincial parks (e.g. Winisk Provincial Park), on this map as well as all maps (where relevant) for all future phases throughout the EA process.

Original signed by Katherine Onyshkewych
Commenter Signature

September 30, 2019
Date

Air Quality

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: MECP

Commenter Name and Job Title: Guowang Qiu, Air Quality Analyst

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.		Air quality was listed as one of the evaluation criteria, and potential effects of the Project on air quality will be assessed as indicated in the draft ToR. It is hard to provide detailed technical review on the draft ToR as no detailed information was provided. In addition, the air quality assessment should be conducted for construction and operation phases.	To identify any issues with the scope of air quality assessment for the proposed Project, it is recommended that an air quality work plan with technical details be developed in consultation with government agencies as early as possible.



Commenter Signature

October 8, 2019

Date

Waste

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: MECP

Commenter Name and Job Title: Craig Fowler – Senior Waste Engineer

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	Table 7-1, page 114	ToR identifies that storage, handling, and disposal of solid waste will be required, however, the details of such activities and the mitigation measures are vague. Also, it isn't clear if a Waste Approval will be sought from MECP based on how the project component/activity has been described. Table 2-2 (Page 15) does not identify that a Waste Disposal Site Approval would be required, it only speaks to the haulage of waste, which is not evaluated by the Waste Unit.	A discussion of the waste types, generation rates, processing prior to off-site disposal, siting and storage requirements, and available capacity at MECP approved waste facilities that will be receiving the waste will need to form part of the permitting phase. It is expected that additional detail will be provided at this time should an approval from the Waste Unit be required. Action item: The ToR should clarify whether an Approval for a waste disposal site (transfer/processing/landfill) will be one of the approval applications made to the Province.



Commenter Signature

September 30, 2019

Date

Wastewater

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: EAPD

Commenter Name and Job Title: Hitesh Vaja, P.Eng., Senior Wastewater Engineer

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	Management and/or disposal of wastewater and sewage, including hazardous and nonhazardous waste, generated at camp sites – Page114	On-site sewage works at the workers camp sites, even if temporary in use during the construction period, will require approval under s53 of the OWRA if the rated capacity of the works is over 10,000 L/d.	Relevant approvals under s53 Ontario Water Resources Act be sought for the sewage works proposed prior to the establishment or construction.

Hitesh Vaja

Commenter Signature

October 10, 2019

Date

Pesticides

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Northern Region

Commenter Name and Job Title: Madhi Ramadoss, Ph.D. | Regional Pesticides Specialist

Pesticides Section: Webequie Supply Road Project – Draft Terms of Reference

I reviewed the draft terms of reference for the proposed Webequie Supply Road Project as requested. My review was in the context of Pesticide use in vegetation clearing. In Chapter 7; Section 7.1, Page 113-Table 7-1 Project activities and potential effects on the natural environment outlines the vegetation clearing and grubbing, this includes removal of vegetation which is coniferous and deciduous trees. I understand from the mitigation section that, clearing of vegetation using manual and mechanical means and following BMP's. Hence this proposal does not have any use of pesticide use for clearing vegetation and does not require further comment from Pesticide section.

In General, after establishing all season road, which becomes public works (right-of way). Under Section 23 of Ontario Regulation 63/09 of Pesticides Act, pesticides are allowed for use to maintain safe condition of road, for example clear sight lines including signs and intersections and allow motorist to see animals at the roadside.

Land Use Planning

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: [MECP Northern Region]

Commenter Name and Job Title: Carrie Hutchison, Environmental Assessment Coordinator

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	NA	NA	This proposal is for development of a 107 km long, all-season roadway between Webequie First Nation and the proposed McFaulds Lake area. The proposal occurs in the unorganized/unincorporated portion of Ontario's far north. There are no municipal Official Plans which cover this area, or immediately neighbor it. The Far North Act and related Community-based Land Use plans should be considered, and these are mentioned in the TOR. As such I have no specific recommendations for changes to the ToR at this time.

Original Signed By
Carrie Hutchison

Commenter Signature

October 8, 2019

Date

Permitting Requirements

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: [MECP THUNDER BAY DISTRICT]

Commenter Name and Job Title: [MIKE LANDERS Senior Environmental Officer, Bilingual]

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1.	7.1 Project Activities and Potential Effects on the Natural Environment Field surveys, staking and layout Pg 113	Human controlled sediment into waterway may cause impairment to the natural environment. Erosion or sediment in waterway is classified as a spill to the natural environment. Instances of sediment to waterway is to be reported to the Spills Action Center (18002686060), forthwith. Clean up maybe required.	Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.
2.	Aggregate source extraction and production pg 114	Particulate (dust) and noise issues may have an adverse affect from this activity. An Environmental Compliance Approval (ECA) may be required for this activity depending on the process of extraction and refining of the aggregate. Ex. Crusher activity will require ECA for Air/Noise. Front End Loader may not require an ECA. If aggregate extraction is below the water table and water is to be removed (pumped) a Permit To Take Water (PTTW) may be required if takings are greater than 50,000L per day. If water is contaminated	Table 7-1 should include particular (dust) and noise as potential effects of aggregate extraction. Table 2-2 provincial permits list should include these potential ECA and PTTW permitting requirements for aggregate extraction and refining. Comments are also for

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		(sediment), an Industrial sewage ECA may also be required for discharge of a contaminant other than water.	awareness during permitting phase.
3.	Emissions, discharges and waste o Transport, handling and storage of fuel for equipment and vehicles pg 114	Release of contaminants may cause adverse effect to the natural environment. Instances of spills of contaminant is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility.	Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.
4.	Handling and disposal of waste oil, lubricants and other fluid products from the maintenance of equipment and vehicles pg 114	Waste is regulated in the EPA and Regulation 347. Registration with HWIN may be required for subject waste if field exemptions are not met. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect to the natural environment ex. Closed leak proof containers. Secondary containment... If storage of waste is greater than 90 days, a notice of Storage will be required to be submitted to the Director, if waste is stored for longer than 24 months approval for a Waste site maybe required. A Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste,	Please ensure the waste management plan will include details such as but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination. Comments are also for awareness during permitting phase.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		waste storing capabilities on site, expected location(s) of waste final destination.	
5.	Storage, handing and disposal of solid waste pg 114	Solid non hazardous waste is regulated by the EPA. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect to the natural environment ex. Closed leak proof containers. Waste being hauled may required an approved Waste Management System (WMS) approved to haul waste derived at the site(s). All waste sent off site must be sent to an approved waste disposal site that can accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination, can the receiver manage the waste.	Please ensure that the waste management plan will include details such as but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination. Comments are also awareness during permitting phase.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
6.	Management and/or disposal of wastewater and sewage, including hazardous and nonhazardous, generated at camp sites pg114	If the waste generated at the camp site is less than 10,000L per day, the District health Unit will be issuing the permits required. If the site generates more than 10,000L per day, an approval will be required under the OWRA for discharge of waste water, sewage generated at camps. More description required on the Hazardous Material that will be discharged from the site. Hazardous material unless exempt will require approvals under the EPA. Treated waste water and sewage under 10, 000 l will not be regulated by the MECP unless creating an off site impact to the natural environment. If the above stated is greater than 10, 000L an ECA approval will be required by the MECP of Industrial/Private Sewage works. Any transported wastewater and sewage will require a WMS to haul such waste. All waste must be sent to an approved facility to accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination can the receiver manage the waste.	Please ensure the EA includes a description of any Hazardous Material that will be discharged from the site as well as mitigation measures. Comments are also for awareness during permitting phase.
7.	Air emissions from movement and exhaust of	Fugitive dust created from the construction/maintenance of supply road may be regulated by the MECP.	Comment for awareness during permitting phase.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	equipment and vehicles pg 115	Off site impacts may be regulated/abated/investigated by MECP, if people and the natural environment are adversely affected.	
8.	Noise emissions from equipment and vehicles pg 115	Noise emissions are regulated by the MECP. Ensure NPC guidelines are adhered for remote sites (class 3 rural). Noise Screening will be required. If screening for noise ECA cannot be met, an ECA for Noise (Air) will be required. Blasting (vibration) may also be required to be approved depending on Screening criteria results.	Comment for awareness during permitting phase.
9.	Operations and maintenance, such as road repairs, vegetation clearing pg116	Spills to the environment (fuels, liquids, sediment to waterway etc.) is regulated by the EPA. Fugitive dust control plan to minimize or eliminate adverse affects to the human health and the environment. Culvert installation/replacement, may required an approval if water takings exceed 50,000 L per day Spills of contaminant(s) is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility.	Comment for awareness during permitting phase.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Fugitive dust control plan identifying controls to mitigate dust issues surrounding sensitive receptors along the road way. Environmental Activity and Sector Registry (EASR) or a PTTW will be required if more than 50, 000 L is taken for the installation. If Chemical Spraying for vegetation control is required, pesticide application approval, by MECP, will be required.	

MIKE LANDERS

Commenter Signature

October 4, 2019

Date

November 13, 2019

Craig Wallace
Manager, Environmental Assessment and Permitting
SNC-Lavalin

Re: Review of Draft Terms of Reference for Proposed Webequie Supply Road

In conducting our review, Species at Risk Branch understands that the Draft Terms of Reference (September 2019) is high-level and not intended to provide the level of detail / specific information that would be required at the formal Environmental Assessment (EA) stage or to meet application requirements for permits and authorizations that would be needed to implement the project. That said, we have carried out our review with a view to both the EA and future regulatory authorizations in order to provide you with information that will help enable an efficient approach to project planning and preparation of applications for any necessary *Endangered Species Act* (ESA) authorizations.

Specifically, attention should be paid to the following requirements that form the basis of many of our ESA authorizations:

- **Minimize adverse effects** – you must take reasonable steps to minimize the adverse effects of your activity on the species at risk and their habitat that are likely to be affected by your activity.
 - Ways to minimize the adverse effects of your activity on species at risk and their habitat may include modifying the:
 - location of the activity
 - geographic scale of the potential effects
 - activity design (e.g. engineering and technological)
 - timing of the activity
 - duration and frequency of the effects
 - approaches and timing for any site restoration or rehabilitation (such as doing progressive rehabilitation while other parts of the activity are still happening)

- general operational protocols
- **Consider reasonable alternatives** – you will need to show the Ministry of the Environment, Conservation and Parks that you have considered reasonable alternatives to your activity.
 - Alternative approaches to your activity include:
 - Changing the location of the activity
 - Using alternative methods, equipment or technical designs
 - Changing the timing of the activity to avoid times when the species is there or is most sensitive to disturbance
 - Changing the geographic scale, duration and/or frequency of the potential adverse effects
 - Adding or changing approaches and timing of site restoration or rehabilitation after the activity is done
 - When considering reasonable alternatives to your activity, you must:
 - Consider at least one alternative that would completely avoid any adverse effects on species at risk
 - Identify alternatives that you considered but did not think were reasonable because of biological, technical, social or economic limitations
 - Explain why the approach you have chosen is the best alternative

In addition, should an Overall Benefit Permit be required for the project, as determined through MECP's review and assessment of all the project details, the following requirement would also need to be considered:

- **Achieve overall benefit** – providing an overall benefit to a species means undertaking actions that contribute to improving the circumstances for the species. It must include more than steps to minimize adverse effects on the species or habitats.
 - Achieving an overall benefit to a species may involve providing the species with a range of benefits, such as:
 - increasing the number of individuals of the species living in the wild and capable of reproducing
 - increasing the distribution of the species within its natural range
 - increasing the viability or resilience of existing populations of the species
 - slowing or reversing population declines by addressing key threats to the species' survival
 - increasing the quality or amount of habitat for the species

- Activities such as filling information gaps, education and outreach may contribute to an overall benefit plan for a species at risk. However, alone they are unlikely to meet the overall benefit requirement.
- Recovery strategies and government response statements, where available provide information that can be used to form plans to achieve an overall benefit for species at risk.

Further guidance on the level of information that would be required for assessing the need for an ESA authorization can be found in our “Information Gathering Form for activities that may affect species or habitats protected under the *Endangered Species Act*” as well as the accompanying guide found on our website:

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31>

Should you have any questions please do not hesitate to contact me at Nikki.boucher@ontario.ca or 705-564-7873.

Sincerely,



Nikki Boucher
A/Species at Risk Specialist
Permissions and Compliance, Species at Risk Branch
Ministry of the Environment, Conservation and Parks

Comments Table

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Ministry of the Environment, Conservation and Parks

Commenter Name and Job Title: Species at Risk Branch, Permissions & Compliance

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
Instructions :	Provide specific volume, section and page number	Provide your comment along with explanation for why issue is important for ToR/EA purposes. Identify significance of issue (e.g. must be addressed at ToR phase, should be addressed at EA or permitting phase, or both). If major concerns or “showstoppers” are identified, please highlight below and notify MECP Project Officers as soon as possible.	Describe in detail what action you recommend to address your comments. Actions may include but are not limited to: revisions to the document, information requests, proposed commitments or conditions, future permits and approvals etc.
1.	general	Woodland Caribou has been renamed Caribou (Boreal population) in Ontario.	Update the ToR to replace all references to “Woodland Caribou”, with the exception of referenced document titles, with “Caribou (Boreal population)”.
2.	general	Recommendation to prevent delays should ESA authorization be required.	It is strongly recommended that the project be planned and the environmental assessment prepared with the requirements of the Endangered Species Act, 2007 (ESA) in mind. This can potentially facilitate the authorization process under the ESA, where authorization is required. In order to inform any future ESA authorization requirements, reasonable route/project alternatives should be assessed for

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			impacts to all species at risk and their respective habitats, and at least one avoidance alternative should be included. Please refer to the MECP “Avoidance Alternatives Form” for activities that may require an overall benefit permit under clause 17(2)(c) of the Endangered Species Act” and accompanying guide for reference. (http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/sbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31)
3.	general	Recommendation to prevent delays should ESA authorization be required.	Public/Stakeholder/Indigenous consultation regarding the project and alternatives should include impacts to ALL species at risk and their respective habitats.
4.	1.4.1, pg. 6	ToR is unclear about the type of activities (road, infrastructure elements) or level of use of the road being assessed. This should be clearly stated in ToR and EA. Comments and advice provided by MECP could be different if the level of impact being addressed is not fully understood.	EA alternatives should consider the impacts of the road when functioning as supply road for active mining activities and quantify this accordingly. Other “infrastructure elements” that have been planned for – MECP requests clarification if this will be included in this EA or if this would be addressed in another process.
5.	2.1.5 / pg 17 / Table 2-2	The information provided suggests that an authorization under the ESA will be through a s.17 permit. Authorization under the ESA should be evaluated based on the Project details, and in consultation with MECP.	Update ToR to the following: <i>“Authorization under the Endangered Species Act, 2007”</i>

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
6.	Section 4, pg. 22	“A corridor of 35 metres (m) in width, within the broader 2 km wide proposed preliminary corridor”. Request information on the amount and location of vegetation clearing once route is decided. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This information will allow MECP to provide more scoped advice on SAR and habitat, and better inform decisions to avoid impacts to species and habitat where possible, and where not possible, to potentially develop measures to avoid the requirement for an authorization.	MECP would like to request all areas where vegetation removal is required for any stage of the process (road, access roads, laydown areas and aggregate extraction areas etc.), be communicated when determined and MECP allowed time to provide more specific advice on SAR. Otherwise we are unable to comment on the impact to some species or their habitat.
7.	4.1, pg. 24	SAR sensitive project planning/management, and Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This may allow for some avoidance measures and possibility of not requiring authorization for some species.	If there is potential for the proponent to plan the timing of certain activities to avoid sensitive timing for Species at Risk. MECP would be very keen to provide advice on optimal design and timing considerations for the project team to consider.
8.	4.2, pg. 25-26	All activities should be considered for their potential SAR impacts. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will ensure that when the permitting application phase is reached we will not need to request further studies and risk set-backs to the project and that impacts can be properly assessed.	MECP request that all activities, including prep work, are considered for impacts to SAR and their habitat and outlined in the EA. For example, the high-level list of activities associated with the broader project presented in section 4.2 are often the type of activities that impact SAR and their habitat.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
9.	4.3.1 / pg 26	Proposal identifies that the detailed construction staging and sequencing of the Project will be determined in the detail design phase, however it does not define when this phase will occur.	Update ToR to provide clarification regarding when the 'detail design phase' will occur? Will this be identified in the EA? This has implications for timing of approvals, as an appropriate level of detail of study, consideration of alternatives and mitigation have to be satisfied for authorizations under the ESA. The time required for additional level of study and planning to fulfill ESA requirements should be considered by the proponent.
10.	4.3.1 / pg 27	Earth and aggregate extraction and processing also have potential for negative impacts to SAR	Update ToR to reflect the following: <i>"Earth and aggregate extraction, processing and hauling operations"</i>
11.	4.3.1, pg. 27	Information on "field Surveys". Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will ensure that when the permitting application phase is reached the likelihood of MECP requiring further studies and risk set-backs to the project is reduced.	MECP would like to request information: which "field surveys" are being planned? MECP would like to request input or review to Species at Risk Survey (SAR) methodology.
12.	4.3.2, pg. 27	Potential ongoing disturbance and impacts to SAR of operation and maintenance - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will allow MECP to do a fulsome review of impact to SAR.	Potential disturbance and impacts to SAR of operation and maintenance should be considered. Any solutions or mitigation measures made, should be included in the agreement for the operator of WSR.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
13.	4.3.2, pg. 27-28	Details of road use controls - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. The use of road controls may change the amount of impact on SAR (positively or negatively). For this reason, MECP requires the information to do a fulsome review of the effects to SAR.	The information about road controls will be important to some SAR and we would like to request more information on this. We would also like to request that SAR be taken into consideration when making this decision. For example: increased human activity and increased trapping in the areas now accessible by road will negatively affect Wolverine). Conversely, restrictions on amount or type of use may be reduce the impact to some species.
14.	5.2 / Table 5-2 / pg 57 / Woodland Caribou	Table 5-2 speaks to some, but not all, criterion and indicators by which we assess the current status of a caribou range and impacts of any proposed development alternatives. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for caribou should be considered. As per our Memo dated July 8, 2019, the following caribou-specific indicators should be included in an evaluation of alternatives: • Caribou (Habitat Protection) – Range Condition • Caribou (Species Protection) – Population Size Estimates at the Range Level ○ e.g., minimum animal count based on available information	Update the ToR to reflect how these caribou-specific indicators were considered in the selection of the preliminary preferred corridor. Alternatively, if they were not all considered in the selection of the preliminary preferred corridor, provide explanation in ToR.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		• Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level ○ Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) ○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – <i>Nursery Areas</i> Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project)	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project • Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		(e.g. vehicular collisions, increased hunting pressure) • Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g. brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g. light, sound, vibration, olfactory) within 10 km of the Project	
15.	5.2 / pg 60	This comment applies to the entire section 5.2, including Table 5-2 and Table 5-3: The criteria listed as Webequie Community Based Consideration for Screening Alternative Concepts (Table 5-2) and additional criteria inherent in the broader definition of the environment (page 60 and Table 5-3) do not consider all SAR within the study area, just caribou. The 'Natural environment' criteria (page 60 and Table 5-3) should acknowledge all species at risk and be used to screen alternative concepts.	Update the ToR to reflect how all SAR that may be present in the study area were considered in the selection of the preliminary preferred corridor. Alternatively, if all SAR were not considered in the selection of the preliminary preferred corridor, provide explanation in ToR.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		If impacts to any species at risk are identified, obtaining authorization under the ESA will require the evaluation of alternatives that consider all impacted those species at risk. This should include the following indicators for other SAR: • Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats • Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species	
16.	Table 5-3, pg. 64 (Factor: Caribou Range Condition)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept utilizing currently disturbed habitat was relayed here for each. (e.g. Alternative Concept 1 – 52km will utilize currently disturbed/regenerating lands instead of intact forest; Alternative Concept 2 – 107 km will utilize currently disturbed/regenerating lands...etc.)	Update the ToR to quantify results for each alternative concept.
17.	Table 5-3, pg. 64 (Factor: Caribou Habitat Protection)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept crossing each habitat category type was relayed for each (e.g. Alternative Concept 1 – 0 km crossing Cat. 1 Nursery Habitat, 14 km crossing	Updated ToR to quantify results for each alternative concept.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Cat. 1 Wintering Habitat, 40 km crossing Cat. 2 Habitat, 18 km crossing Cat. 3 habitat...etc.)	
18.	Table 5-3, pg. 64 (Factor: Caribou Habitat Protection)	Clarify what is meant by “core” Caribou habitat and “known” Caribou habitat. As per the General Habitat Description for the species, the entire range is considered to be habitat for the species.	Update ToR to clarify what is meant by “core” Caribou habitat and “known” Caribou habitat.
19.	Table 5-3, pg. 65 (Factor: Caribou Species Protection)	Clarify what is meant by “core” Caribou habitat and “known” Caribou habitat. As per the General Habitat Description for the species, the entire range is considered to be habitat for the species.	Updated ToR to clarify what is meant by “core” Caribou habitat and “known” Caribou habitat.
20.	Table 5-3, pg. 65 (Factor: Caribou Species Protection)	Sensory impacts within 10 km of each alternative should also be included here and assessed.	Update ToR to include an assessment of potential sensory impacts to Caribou within 10 km of each alternative.
21.	5.3 / pg 71	Statement under rationale for the preferred corridor alternative that it “ <i>avoids existing caribou habitat east of Webequie by following a more linear north-south alignment, rather than a southeast alignment that would reduce road length, but does not fully avoid potential affects</i> ” does not reflect categorized habitat as per the <i>General Habitat Description for Woodland Caribou</i> (2013). While this preferred corridor may minimize impacts to known nursery areas (Category 1 habitat), it still bisects seasonal range (Category 2 habitat) with known caribou use.	Update ToR to provide clarification that the preferred corridor alternative minimizes impacts to known nursery areas but does not avoid impacts to caribou habitat.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
22.	6.1 / pg 78 / Paragraph 1	The example provided for species at risk (e.g., caribou ranges) is not sensitive information, and can/should be displayed on maps to provide context for caribou. SAR observations and collar locations are considered sensitive information and precise locations should not be displayed on maps.	Update ToR to remove the example of “caribou ranges” and replace it with “SAR observations”
23.	6.1 / pg 78 / paragraph 6	As described in first part of section 6.1, the Study Area will be broken up in to three components to capture the potential direct and indirect effects of the Project. However, in paragraph 6 it states that each component of the Project will be assess within the context of LSA and RSA. This should also include the project footprint. Impact to SAR are measured at all three extents.	Update ToR to include reference here to all three study area extents (i.e., footprint, LSA, RSA)
24.	6.1 / pg 78 / paragraph 8 / Caribou Study Area	The description provided should include an impact analysis of the footprint, as well as the LSAs and RSAs. This would consider sub-range habitat features (e.g., category 1 habitat such as nursery areas and winter use areas) as per the <i>General Habitat Description for the Forest-dwelling Woodland Caribou (Rangifer tarandus caribou)</i> (2013) (GHD) and the <i>Range Management Policy in Support of Woodland Caribou Conservation and Recovery</i> (2014) (RMP). The reference to the “Ontario Caribou Conservation Policy” should reference <i>Ontario’s</i>	Update ToR to reference the GHD and RMP. Update ToR to correct the reference to the CCP.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		<i>Woodland Caribou Conservation Plan (2009) (CCP). This is Ontario's government response statement legislated under the ESA (2007).</i>	
25.	6.1 / pg 78 / paragraph 8 / Caribou Study Area	Species at Risk mandate has been transitioned the Ministry of the Environment, Conservation and Parks (MECP). As such, input should be provided to MECP regarding caribou (and all other species at risk), including ranges and necessary study areas for consideration in the environment effects analysis.	Update ToR to reflect that input will be provided to MECP
26.	Section 6.1, pg. 80	The study area for terrestrial biological effects for caribou has been outlined. Other species have been omitted. This should be addressed in the ToR.	Wolverine should be considered on the same scale as caribou when assessing impacts as mentioned for Caribou in "CARIBOU STUDY AREA"
27.	6.2.1 / pg 81	In additional to the Winter Aerial Caribou Surveys and Summer Caribou Calving Surveys, deployment of radio satellite collars on caribou within proximity of the alternative corridors under consideration (e.g., LSA), that would enable tracking of caribou before/during/after construction, would provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use. Refuge from predation is the ultimate factor influencing caribou distribution and habitat use in the Boreal forest. One of the key threats to caribou is habitat fragmentation due to development activities, particularly those that	Consider the application of radio satellite collars as an effective monitoring tool that could provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		increase and/or introduce linear features to the landscape. These types of disturbances increase predator efficiency which may have a detrimental effect on caribou populations within the LSA and RSA. Understanding how caribou respond to habitat fragmentation and increased predator access will be an important aspect to assessing the impacts of the Project.	
28.	6.2.1 / pg 81 / Winter Aerial Caribou Survey	More details are required to determine if the winter aerial survey conducted between Feb. 9-14, 2019 was sufficient to describe environmental baseline conditions. For example: - Length of transects - o For the survey to adequately cover the LSA, transects should have been a minimum of 20km long (10 km either side of the alternative corridors under consideration). - Weather conditions during flights - o The weather conditions during winter aerial flights are an important factor for consideration that influence visibility, observer sightability, etc. - General weather conditions through the winter (e.g., generally deep/shallow snow depths, temperatures, etc.), - o Caribou will exhibit behavioural responses to extreme weather conditions (e.g., exceptionally deep snow), which may provide a	Update ToR to include additional detail. This will assist in determining whether additional winter aerial surveys are required.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		false representation of habitat use within the LSA - Time since last snowfall - o Fresh snow assists in determining whether indirection observations (e.g., tracks, etc.) are fresh vs. old - Were indirect observations recorded (e.g., tracks, cratering, slushing, etc.)? - o Important information that can be used to infer extent and degree of use, when direction observations of caribou are not made - Was group structure (i.e., age and sex of observed animals) recorded? Considering the ToR does not indicate that additional winter aerial surveys will be conducted to inform the EA, these additional details are necessary for MECP SARB to conclude that this survey, as described in Section 6.2.1, was sufficient to describe environmental baseline conditions and that no additional surveys will be required, or alternatively to recommend additional surveys if the details support that conclusion.	
29.	6.2.1 / pg 81 / Summer Caribou Calving Survey	The <i>Summer Caribou Calving Survey</i> section does not provide sufficient information on the number of surveys and/or areas that will be identified and surveyed.	Update ToR to include details on the number of areas within the LSA for caribou (more details on LSA for caribou in following comment).

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
30.	6.2.1 / pg 81 / Summer Caribou Calving Survey / paragraph 1	Indicates that suitable landscape features within the project footprint and LSA (i.e., within 1-2 km of the alternative corridors under consideration) will be identified for surveys. MECP would prefer that a representative sample of areas within 10 km of the alternative corridors under consideration be surveyed during the sensitive time period for caribou calving and rearing life functions (i.e., nursery areas). This aligns with direction provided in the <i>General Habitat Description for the Forest-dwelling Woodland Caribou (Rangifer tarandus caribou)</i> (2013) (GHD) and the General Best Management Practices outlined in the <i>Best Management Practices</i> with respect to high use areas (i.e., Category 1 habitat) that may be impacted by activities within 10 km. Understanding that survey effort in the Far North of Ontario has been limited during the sensitive time periods for caribou, it is particularly important that baseline studies focus on identifying additional areas of habitat that have demonstrated use by adult female caribou and/or their calves for the purpose of calving and/or rearing activity.	Update ToR to identify that the LSA for caribou, in the context of this Project, are areas within 10 km of the alternative corridors under consideration; and that a representative sample of suitable areas for caribou within 10 km of the alternative corridors under consideration will be surveyed for nursery activity.
31.	6.2.1 / pg 81 / Summer Caribou Calving	Indicates that an assessment of caribou refuge habitat using the Boreal Landscape Tool to establish candidate areas for the survey.	Update the ToR to remove this aspect of the proposal.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Survey / paragraph 1	Currently, data limitations prevent Ontario's Landscape Tool (OLT) from being used in the Far North of Ontario to assess refuge and/or winter habitat. Consequently, this aspect of identifying suitable candidate areas for the survey is not possible.	
32.	6.2.1 / pg 81 / Summer Caribou Calving Survey / paragraph 1	The identification of candidate areas for the survey will need to be done using aerial photographs (as proposed). However, the methodology provided by MNRF and outlined in Ranta (1998) is directed at habitat components typical on the Boreal Shield, particularly further south where lakes (with islands and peninsulas) are commonly used by caribou for calving/rearing. Understanding that the habitat components used by caribou for calving and rearing in the Hudson Bay/James Bay Lowlands may be different than those used on the Boreal Shield, some additional consideration will need to be given to other habitat components likely to be used by adult female caribou and their calves in the lowlands.	Update the ToR to include habitat components (in addition to islands and peninsulas) that are likely to be used by adult female caribou to calve and rear their young (e.g., treed fen/bog islands)
33.	6.2.1 / pg 81 / Summer Caribou Calving Survey / paragraph 2	Proposal identifies the calving season as June 15 to August 15. Recognizing that the sensitive time period for caribou nursery activity is broadly identified as May 1 to September 15 (as per the GHD), this should be referenced. The GHD further subdivides this broad time period into two	Update ToR to indicate that summer caribou calving surveys will be conducted between July 15 to September 1 to avoid unintended stress on cow/calf pairs.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		separate periods, (1) May 1 to July 15 as the early part of the nursery time period which has very low tolerance to alteration, and (2) July 16 to September 15 as the later part of the nursery time period which has a low tolerance to alteration. As such, MECP would prefer surveys be conducted between July 15 to September 1, to avoid unintended stress on the cow/calf pair during the period where calves are less mobile and they have the least amount of tolerance to disturbance.	
34.	6.2.1 / pg 81 / Summer Caribou Calving Survey / paragraph 2	Proposal identifies low-level surveys will be conducted from a helicopter where the helicopter cannot land safely. MECP would not support low-level helicopter surveys. The likelihood of observing sign (e.g., tracks, pellets, beds, etc.) from a helicopter is low to nil. Furthermore, the risk of harassing the cow/calf pair with this approach is high. Additionally, areas that would accommodate safe landing of helicopters is likely not limiting in the lowlands. MECP would prefer a maximum distance from the candidate areas be identified for landing (e.g., 500 metres) in which personnel would walk into the candidate site to survey for caribou sign.	Remove proposed low-level helicopter surveys (where the helicopter cannot land safely) from the ToR. Update ToR to indicate a reasonable maximum distance from the candidate areas in which a suitable location for safely landing the helicopter will be selected and personnel will walk in to the candidate site.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
35.	6.2.1, pg. 82, Bat Hibernaculum Screening	MECP advises the use of geological mapping to identify areas of potential hibernacula. In the desktop analyses as well as information pertaining to abandoned mines or mapped hibernacula. It would also be beneficial to modify the acoustic survey. This should be done as part of the EA. Without the additional information allowed by the recommended methodology it might be difficult to properly assess the impact and the species affected.	To increase the possibility of properly identifying use of a feature and the species utilizing it, MECP advises the addition of video cameras (infrared or night vision) to the areas being surveyed. Additionally, an exit survey should be performed in the spring to verify the feature was used as a hibernaculum and not only a swarming site. If no swarming observed, an exit survey will also serve as a second check that this feature is not being used and activity was not missed. A second option for exit would be a capture survey to provide even further information about the species present, their numbers, health, gender ratio etc. This may also be useful further into the project in order to assess impacts or lack of impact on these features.
36.	6.2.1, pg. 82, Bat Acoustic Surveys	We would like to request that species of bats are not grouped, if the auto classifier can not identify. Grouping species may hinder us from being able to properly comment on SAR and ESA. This should be done in the EA, in order to know if there will be any requirements under the ESA.	MECP recommends that if the auto-classifier is unable to identify a high frequency call (potential SAR bat), manual ID by a qualified person should be utilized, if this is still not possible a category for unidentifiable calls can be made with the frequency ranges. MECP can provide a template for this data, which will aid in our review.
37.	6.2.1, pg. 83, Breeding Birds	Outline of details of surveys such as number of stations and locations of surveys in the EA would be useful. This will allow us to be confident that the areas covered are sufficient enough to comment on any Species at Risk birds in the project area.	Inclusion of the numbers and locations (including a map) of the survey stations.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
38.	6.2.1 / pg 84 / Vegetation Surveys	Proposal identifies that vegetation surveys will be completed in the “<i>Study Area as a whole</i>”. What is the ‘Study Area’ in the context of Vegetation Surveys? The preamble in section 6.1 identifies the Study Area will be broken into three components (i.e., project footprint, LSA and RSA). As described above, the LSA for caribou should be considered to be the area within 10 km of the alternative corridors under consideration, and the RSA would be the impacted caribou range(s). Developing a detailed vegetation classification for the Study Area will be particularly important for assessing the Projects impact to caribou and other SAR.	Update the ToR to clarify the extent of the Study Area where Vegetation Surveys will be conducted and used to extrapolate to similar un-sampled areas within the Study Area.
39.	6.2.5 / pg 85 / Table 6-1	Additional published sources of information should be included for Boreal caribou: - MNRF - o Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014) - o General Habitat Description for the Forest-dwelling Woodland Caribou (<i>Rangifer tarandus caribou</i>) (2013) - o Integrated Range Assessment for Woodland Caribou and their	Update ToR to include additional sources of information

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Habitat: The Far North of Ontario 2013 (2014) ○ Best Management Practices for Aggregate Activities and Woodland Caribou in Ontario ○ State of the Woodland Caribou Resource Report (2014) ○ Woodland Caribou (<i>Rangifer tarandus caribou</i>) in the Far North of Ontario: Background information in support of land use planning (2014) ○ Wolverine Government Response Statement (2016) ○ Wolverine Recovery Strategy (2013) - MECP ○ General Habitat Description Mapping Product (spatial database) ○ Policy Guidance on Harm and Harass under the Endangered Species Act (2014) ○ Categorizing and Protecting Habitat under the Endangered Species Act (2012) ○ Endangered Species Act Submission Standards for Activity	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Review and 17(2)(c) Overall Benefit Permits (2012) - Other ○ eBird (The Cornell Lab of Ornithology) ○ iNaturalist	
40.	6.3.3, pg. 90	Wolverine records in 2011, 2012 need to be updated and carried out in the area of WSR. Request further information on studies planned for Wolverine. This should be outlined in the ToR.	While carrying out caribou surveys, Wolverine surveys should also be done. In addition, a combination of camera traps and hair traps should be deployed in order to properly characterize the presence of wolverine, the gender ratio, identify by individual, likelihood of dens. Methodology can be found I Magoun <i>et al.</i> The Journal of Wildlife Management 75(3):731–739; 2011. In addition, GPS collaring of wolverine, would allow for proper analyses potential impacts, detailed habitat use, identification of den locations and help to inform mitigation, reduction of impacts and needs of the population. For reference a recent GPS survey was carried out in Red Lake by CWS.
41.	6.3.3 / pg 90	A table summarizing the mammals recorded during the 2011-2012 surveys similar to Table 6-2 would be helpful	Update ToR to include a summary table of the 2011-2012 survey results
42.	6.3.3 / pg 90-91 / Mammals	More detail on the surveys that were conducted in 2011-2012 and 2017 would be helpful (e.g., spatial coverage of surveys, time of year, etc.). This will assist in determining whether additional	Update ToR to include details on surveys that were conducted.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		(SAR) surveys are required (i.e., to identify occupancy, distribution, etc.).	
43.	6.3.3 / pg 91	Proposal cites 5,000 to 7,000 caribou remain in Ontario. No citation provided. This makes it difficult to understand the confidence in that estimate.	Update ToR with proper citation.
44.	6.3.4 / pg 96 / Rare Plant Species and Communities	Proposal identifies that rare plant species and plant communities were not observed during the 2017 survey, but that further field surveys will be completed to support the EA. More information is required on the number of surveys, methodology, etc. to be able to comment on the sufficiency of the survey work to identify the presence of rare plant species and plant communities that may be impacted by the project.	Update ToR to include details on proposed surveys that will be conducted to support the EA.
45.	6.3.6, pg. 99	Replace “MNRF” for “MECP”	Due to the transition of ESA to MECP on April 1 st , 2019, the ToR should be updated to be current.
46.	6.3.6, pg. 99	Mention of targeted SAR surveys in 2019 – more information is requested in order to be able further advise on requirements of ESA. Surveys should be outlined in ToR and Results and any further studies in EA.	Addition of the details of “targeted SAR surveys” which species will be targeted, what type of survey methodology is proposed, quantity of survey effort etc. Communication with MECP to allow advice in order to avoid further work.
47.	6.3.6 / pg 99 / Species at Risk	In addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas	Update ToR to include additional information sources.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		- iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database	
48.	6.3.6 / pg 100-104 / Table 6-4	All potential information sources should be reviewed to provide a complete list of species at risk potentially impacted by the Project. The following species are some, but may not be all, missing from this list in the ToR: - Northern Myotis (<i>Myotis septentrionalis</i>) (Endangered) - Bank Swallow (<i>Riparia riparia</i>) (Threatened) - Caribou (Eastern Migratory population) (<i>Rangifer tarandus</i>) (Special Concern)	Update ToR to include additional species as being potentially present in the Study Area.
49.	6.3.6 / pg 101 / Table 6-4 / Woodland Caribou	The ToR indicates that the boreal population of caribou is listed as a species at risk in Ontario. However, as per O. Reg. 230/08: Species at Risk in Ontario List, Caribou (Eastern Migratory population) is listed as Special Concern in Ontario.	Update ToR to clarify
50.	7.1 / pg 113 / Table 7-1	All Project Component(s) or Activities have the potential to impact species at risk. However, species at risk have only been acknowledged under <i>Vegetation Clearing and Grubbing</i> and <i>Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas.</i>	Update potential effects for each of the project components and activities to indicate that there are potential effects on species at risk.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
51.	7.1, pg. 113, Table 7-1	“Manage waste products generated from camps for disposal at licenced waste facility” - this is an activity which will, for example, negatively affect Wolverine. Refer to Wolverine Recovery strategy “the enhanced potential for conflicts tend to arise when Wolverine are attracted to the human domestic waste sources at these developments. For example, a number of Wolverine mortalities, relocations, and other incidents have been documented at the two operating diamond mines in Northwest Territories.”	Mitigation for proper waste disposal to reduce this potential threat and mitigation such as education to individuals on Wolverine would be important.
52.	8.1.1, pg. 122, Evaluation Criteria and Indicators	In order to evaluate change in the indicators mentioned, a high detail of biological study will be required.	More detail on how the change in indicators will be monitored. How surveys for each species will be carried out in order to quantify this.
53.	8.1.1 / pg 123 / Table 8-1	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in Table 8-1 (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation:	Recommend this be updated in the ToR and addressed/evaluated during the preparation of the EA to facilitate ESA authorizations, where they may be required. Update Table 8-1 in the ToR to include all SAR that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		• Caribou (Habitat Protection) – Range Condition • Caribou (Species Protection) – Population Size Estimates at the Range Level ○ e.g., minimum animal count based on available information • Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level ○ Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) ○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		○ Category 1: High Use Area – <i>Nursery Areas</i> Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project • Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g. vehicular collisions, increased hunting pressure) • Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g. brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g. light, sound, vibration, olfactory) within 10 km of the Project • Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species	
54.	Appendix B / pg 2 / Natural	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in	Recommend this be updated in the ToR and addressed/evaluated during the preparation of the

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Environment (Con't)	Appendix B (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation: • Caribou (Habitat Protection) – Range Condition • Caribou (Species Protection) – Population Size Estimates at the Range Level ○ e.g., minimum animal count based on available information • Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level ○ Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer)	EA to facilitate ESA authorizations, where they may be required. Update Appendix B in the ToR to include all SAR (criterion) that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – <i>Nursery Areas</i> Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project	

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average	

APPENDIX P1.F.2

Ontario Ministry of Natural Resources
and Forestry (MNRF)

Webequie First Nation's Supply Road Project
Environmental Assessment Project

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@sncclavalin.com

- 85) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?
Yes ☒ No ☐

- 86) If yes, please provide a contact person and their information (if different from original notice):

Name: Dave Barker
Title: Resources Management Supervisor
Department: Nipigon District
Organization: Ministry of Natural Resources and Forestry
Mailing Address: 208 Beamish Avenue West, P.O. Box 640
Geraldton ON P0T 1M0
Phone: 807 854 1810
Fax: 807 854 0335
Email: dave.barker@ontario.ca

- 87) In the space below, please provide any initial comments you may have regarding the study.

I am a member (representing Ministry of Natural Resources
and Forestry) of the multi-agency Webequie First Nation
Community Supply Road EA Coordination Group.
I participate regularly in the calls and meetings
of this Group

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:24 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie Supply Road - Contact Information Form
Attachments: 20190205160348128.pdf

-----Original Message-----

From: Barker, Dave (MNRF) [mailto:dave.barker@ontario.ca]
Sent: February 5, 2019 4:07 PM
To: Darson, Christine
Subject: Webequie Supply Road - Contact Information Form

Please see attached

Dave Barker

Tibor-McMahon, Marian

From: Mauro, Melissa (MNRF) <melissa.mauro@ontario.ca>
Sent: February 5, 2019 1:50 PM
To: Darson, Christine
Cc: Barker, Dave (MNRF)
Subject: RE: Webequie First Nation's Supply Road Project

Hi Christine,

Thanks for your note.

We will continue to receive project information via MNRF's current point of contact for the project (Dave Barker, District Resource Management Supervisor, MNRF Nipigon District) whose contact information I believe you already have.

If this changes at some point, I will get back in touch.

Regards,
Melissa

Melissa Mauro | Land Use Planning Supervisor | Northwest Region | Ministry of Natural Resources and Forestry | 435 James St. S., Suite 221A | Thunder Bay, ON P7E 6S7 | Tel: 807 475-1127 | Fax: 807 473-3023 | melissa.mauro@ontario.ca

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: February-05-19 10:40 AM
To: Mauro, Melissa (MNRF) <melissa.mauro@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. Mauro,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Natural Resources and Forestry be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner

Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**

   [snclavalin.com](https://www.snclavalin.com)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:25 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_K.McNaughton.pdf; 20190118_Final OGN.pdf

From: McNaughton, Kimberly (MNRF) [mailto:kimberly.mcnaughton@ontario.ca]
Sent: February 5, 2019 11:19 AM
To: Barker, Dave (MNRF); Darson, Christine
Cc: Couture, Phil (MNRF)
Subject: FW: Webequie First Nation's Supply Road Project

Good morning Christine (and Dave),

Dave Barker, Resource Management Supervisor in our Geraldton Field Office, will be leading this file / project. He has been included in this email.
Please direct future correspondence to him.
Dave's email address is dave.barker@ontario.ca, and phone number 807-854-1810

Thank you
Kimberly

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: Tuesday, February 05, 2019 10:41 AM
To: McNaughton, Kimberly (MNRF) <kimberly.mcnaughton@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. McNaughton,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Natural Resources and Forestry be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



**PROUD TO
BUILD WHAT
MATTERS**

**FIERS
DE BÂTIR
L'AVENIR**



snclavalin.com

Tibor-McMahon, Marian

From: Darson, Christine
Sent: February 5, 2019 10:51 AM
To: 'justin.standeven@ontario.ca'
Subject: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_J.Standeven.pdf; 20190118_Final OGN.pdf

Dear Mr. Standeven,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Natural Resources and Forestry be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**



snclavalin.com

APPENDIX P1.F.3

Ontario Ministry of Transportation (MTO)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: February 5, 2019 11:13 AM
To: 'cindy.brown2@ontario.ca'
Subject: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_C.Brown.pdf; 20190118_Final OGN.pdf

Dear Ms. Brown,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Transportation be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**

   [snclavalin.com](https://www.snclavalin.com)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: February 5, 2019 11:06 AM
To: 'dawn.irish@ontario.ca'
Subject: Webequie First Nation's Supply Road Project
Attachments: 20190118_Final OGN.pdf; 20190125_Stakeholder Letter_D.Irish.pdf

Dear Ms. Irish,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Transportation be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**



snclavalin.com

**WEBEQUIE TERMS OF REFERENCE
COMMENTS FROM THE ONTARIO MINISTRY OF TRANSPORTATION
OCTOBER 16, 2019**

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project which is a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

After a high-level review, the following comments are offered with a focus on transportation-related issues, which are in line with upholding the Ministry of Transportation's mandate to safely, efficiently and sustainably move people and goods.

1. Design Considerations and Criteria (page 24-25, section 4.1.1) -- The design standards are based on a 100 km/h design speed with a posted speed of 80 km/h; Typically the design and posted speed for similar roadways (i.e. secondary highways) is 80 km/hr.

The return storm periods for the roadside ditches and culvert watercourse crossings appear to exceed MTO standards for this type of road. It is unclear how the roadway platform of 11m was established. What lane and shoulder widths are proposed?

2. Construction Phase (page 26, section 4.3.1) – There is often some grey area with regards to some pre-construction activities needing permits/licences/authorizations/ clearances prior to being executed. It is suggested that these activities be clearly laid out and where reasonable, be included in the applications for these permits/licences/authorizations/clearances so as to avoid potential delays.
3. Operation and Maintenance Phases: Winter Maintenance Activities (page 27, section 4.3.2) – Consider land requirements for snowplow turnarounds, storage, salt and sand storage facilities.
4. Operation and Maintenance Phases (page 28, section 4.3.2) – Suggest adding “type of vehicles permitted on road” to the list of “road control elements” as this would likely be of interest to the public and could impact feedback on the acceptability of the undertaking.
5. Natural Environment (page 112, section 7.1) – Predicted impacts on animals from collisions with vehicles have not been identified as part of “project activities and potential effects on the natural environment.”
6. Consider including more information on road design (e.g., route, structures, etc.) when alternatives are being evaluated and how impacts would be predicted without some design information.

**WEBEQUIE TERMS OF REFERENCE
COMMENTS FROM THE ONTARIO MINISTRY OF TRANSPORTATION
OCTOBER 16, 2019**

7. The purpose and scope of the cumulative effects assessment should be a subject for discussion in the development of the Terms of Reference.

APPENDIX P1.F.4

Ontario Ministry of Economic Development,
Job Creation and Trade (MEDJCT)



January 25, 2019

Mr. Michael Falconi
Manager (A), Cabinet Office Liaison Unit, Policy Coordination Branchy
Ministry of Economic Development, Job Creation and Trade
900 Bay Street
7th Floor, Hearst Block
Toronto, ON M7A 2E1

**Re: Notice of Commencement of Terms of Reference
Webequie First Nation's Supply Road
Environmental Assessment**

Dear Mr. Falconi:

Webequie First Nation (WFN) has initiated the Terms of Reference (ToR) phase for an Environmental Assessment (EA) under the Ontario *Environmental Assessment Act* for the proposed Webequie First Nation's Supply Road Project. The purpose of the Project is to establish an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

The ToR will set out WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. Important elements of the project will be to consult with parties that may be interested in and potentially affected by the project; evaluate the advantages and disadvantages of the alternatives; assess potential adverse environmental effects and determine measures to reduce or mitigate these effects.

The anticipated completion date for the ToR is Spring 2019, at which point it will be submitted to the Minister of the Environment, Conservation and Parks (the Minister) for review and a decision. If approved by the Minister, the EA will proceed as outlined in the ToR.

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Commencement of Terms of Reference, published on January 25, 2019, and a *Contact Information Form*. If you or your organization would like to participate in the Project or provide any input at this time, please complete the form and return it by February 25, 2019 to the undersigned.

To obtain information on the Project, or to provide comments, please visit our website at <http://www.supplyroad.ca> or contact one of the following.



January 25, 2019

Page 2

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Project Manager
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

Sincerely,

A handwritten signature in dark ink, appearing to read 'C. Darson', is positioned above the printed name and title.

Christine Darson, B.U.R.PI
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Contact Information Form
Notice of Commencement of Terms of Reference

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:24 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_MEDJCT.PDF

From: Helfinger, Michael (MEDJCT) [mailto:Michael.Helfinger@ontario.ca]
Sent: February 6, 2019 3:16 PM
To: Darson, Christine
Cc: Falconi, Michael (MEDJCT); Wedgwood, Nicholas (MEDJCT)
Subject: FW: Webequie First Nation's Supply Road Project

Dear Ms. Darson:

In response to your e-mail to Michael Falconi, please find updated contact information attached. We look forward to reviewing the draft Terms of Reference.

Best regards,

Michael Helfinger, MA, MBA

| Senior Policy Advisor | Strategic and Corporate Policy Branch |

Ministry of Economic Development, Job Creation and Trade

| 900 Bay Street 7th Floor Hearst Block | Toronto, ON M7A 2E1 |

| Office 416.325.6519 | | Mobile 416.722.6229 |

michael.helfinger@ontario.ca |

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: February 5, 2019 10:17 AM
To: Falconi, Michael (MEDJCT) <Michael.Falconi@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Mr. Falconi,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Economic Development, Job Creation and Trade be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**



[snclavalin.com](https://www.snclavalin.com)



**Webequie First Nation's Supply Road Project
Environmental Assessment Project**

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

**Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@sncclavalin.com**

-
- 7) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?
Yes ☒ No ☐

- 8) If yes, please provide a contact person and their information (if different from original notice):

Name:	Michael Helfinger
Title:	Senior Policy Advisor
Department:	Strategic and Corporate Policy Branch
Organization:	Ministry of Economic Development, Job Creation and Trade, Ontario
Mailing Address:	900 Bay Street, 7th Floor Hearst Block, Toronto, ON M7A 2E1
Phone:	416-325-6519
Fax:	
Email:	michael.helfinger@ontario.ca

- 9) In the space below, please provide any initial comments you may have regarding the study.

We would be interested in reviewing a draft Terms of Reference.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

APPENDIX P1.F.5

Ontario Ministry of Energy, Northern
Development and Mines (ENDM)

From: Paetz, Jennifer (MNDM) [<mailto:Jennifer.Paetz@ontario.ca>]
Sent: February 6, 2019 8:32 AM
To: Darson, Christine
Cc: Heisey, Ariane (MNDM)
Subject: RE: Webequie First Nation's Supply Road Project

Thank you, Ms. Darson. Per my request on Feb 1, are you able to send me shapefiles, kmz files or lat/long coordinates for project location? If not, we will be happy to provide input at a later time.

Sincerely,

Jennifer Paetz, BES., MCC.

Senior Strategic Initiatives Lead (A)
Strategic Support Unit | Strategic Services Branch | Mines and Minerals Division
Northern Development and Mines
Ministry of Energy, Northern Development and Mines
933 Ramsey Lake Rd, 2nd Floor | Sudbury ON P3E 6B5
W: (705) 670-5918 | C: (705) 690-8205

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: Tuesday, February 5, 2019 10:56 AM
To: Paetz, Jennifer (MNDM) <Jennifer.Paetz@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. Paetz,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Energy, Northern Development and Mines be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, BURPI

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:24 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project

From: Paetz, Jennifer (MNDM) [mailto:Jennifer.Paetz@ontario.ca]
Sent: February 6, 2019 11:33 AM
To: Darson, Christine
Subject: RE: Webequie First Nation's Supply Road Project

This is perfect. Thank you!

Jenn

W: (705) 670-5918 / C: (705) 690-8205

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: Wednesday, February 6, 2019 10:38 AM
To: Paetz, Jennifer (MNDM) <Jennifer.Paetz@ontario.ca>
Cc: Heisey, Ariane (MNDM) <Ariane.Heisey@ontario.ca>; Parkinson, Don <Don.Parkinson@snclavalin.com>
Subject: RE: Webequie First Nation's Supply Road Project

Ms. Paetz,

Thank you for your interest in this project. As per your request, please find attached a KMZ file of the proposed centreline route. Please note that we are very early in our project and the actual position of this route may change due to field studies, various technical factors, and discussions and engagement with the various stakeholders who have been identified as being potentially affected by this project.

If you have any questions regarding the Webequie First Nation's Supply Road Project, please do not hesitate to contact myself, or any of the team members listed in the correspondence.

Thank you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 5, 2019 3:40 PM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project

From: Paetz, Jennifer (MNDM) [mailto:Jennifer.Paetz@ontario.ca]
Sent: March 5, 2019 2:03 PM
To: Darson, Christine
Subject: RE: Webequie First Nation's Supply Road Project

Hi Christine,

I wanted to let you know that the Ministry will be providing a response to the Notice of Commencement. I'm sorry it's so late. I anticipate having something to you early next week. I hope that's okay.

Thank you!

Jennifer Paetz, BES., MCC.

Senior Strategic Initiatives Lead (A)
Strategic Support Unit | Strategic Services Branch | Mines and Minerals Division
Northern Development and Mines
Ministry of Energy, Northern Development and Mines
933 Ramsey Lake Rd, 2nd Floor | Sudbury ON P3E 6B5
(705) 690-8205

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: Tuesday, February 5, 2019 10:56 AM
To: Paetz, Jennifer (MNDM) <Jennifer.Paetz@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. Paetz,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Energy, Northern Development and Mines be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, BURPI

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 26, 2019 11:11 AM
To: Tibor-McMahon, Marian
Subject: FW: Notice of Commencement
Attachments: WSR_ContactInfoForm_JF(signed).pdf

From: Frechette, Jason (ENDM) [mailto:Jason.Frechette@ontario.ca]
Sent: March 20, 2019 1:08 PM
To: Darson, Christine
Subject: Notice of Commencement

Good afternoon Christine,

For you records, see attached (almost a month late – sorry).

Jason Frechette

Indigenous Liaison Officer, Ring of Fire Unit

Ministry of Energy, Northern Development and Mines

Mines and Minerals Division, Indigenous Consultation and Partnerships Branch

Tel: (807) 475-1285 Cell: (807) 630-2372 Email: jason.frechette@ontario.ca



Webequie First Nation's Supply Road Project
Environmental Assessment Project

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@snclavalin.com

- 91) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?

Yes ☒ No ☐

- 92) If yes, please provide a contact person and their information (if different from original notice):

Name: Jason Frechette
Title: Liaison Officer
Department: Ring of Fire Unit
Organization: Ministry of Energy, Northern Development & Mines
Mailing Address: 435 James St South, Suite 332
Thunder Bay, Ontario, P7E 6S7
Phone: 807-475-1285
Fax: ~~807~~ 705-670-5626
Email: jason.frechette@ontario.ca

- 93) In the space below, please provide any initial comments you may have regarding the study.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

Darson, Christine

From: Paetz, Jennifer (ENDM) <Jennifer.Paetz@ontario.ca>
Sent: April 1, 2019 1:46 PM
To: Darson, Christine
Cc: Heisey, Ariane (ENDM)
Subject: RE: Webequie First Nation's Supply Road Project
Attachments: OULTR ENDM Response Webequie First Nation Supply Road NoC 2019-04-01.pdf; OULTR Attachment 1 ENDM Response Webequie First Nation Supply Road NoC 2019-03-22.pdf; OULTR Attachment 2 ENDM Response Webequie First Nation Supply Road NoC 2019-03-22.dbf.xlsx; OULTR Attachment 3 ENDM Response Webequie First Nation Supply Road NoC 2019-03-22.pdf

Dear Ms. Darson,

Please find attached the Ministry of Energy, Northern Development and Mines' response to this proposal. Please accept our apologies for the delay. If you have any questions please let me know.

Sincerely,

Jennifer Paetz, BES., MCC.

Senior Strategic Initiatives Lead (A)
Strategic Support Unit | Strategic Services Branch | Mines and Minerals Division
Northern Development and Mines
Ministry of Energy, Northern Development and Mines
933 Ramsey Lake Rd, 2nd Floor | Sudbury ON P3E 6B5
(705) 690-8205

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: Tuesday, February 5, 2019 10:56 AM
To: Paetz, Jennifer (MNDM) <Jennifer.Paetz@ontario.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. Paetz,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Ministry of Energy, Northern Development and Mines be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, BURPI

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

**Ministry of Energy, Northern
Development and Mines**

Strategic Services Branch

933 Ramsey Lake Road, B6
Sudbury ON P3E 6B5
Tel.: (705) 670-3003
Fax: (705) 670-5803
Toll Free: 1-888-415-9845, Ext 3003

**Ministère de l'Énergie, du Développement
du Nord et des Mines**

Direction des services stratégiques

933, chemin du lac Ramsey, étage B6
Sudbury ON P3E 6B5
Tél.: (705) 670-3003
Télec.: (705) 670-5803
Sans frais : 1-888-415-9845, poste 3003



April 1, 2019

Christine Darson
SNC-Lavalin
195 The West Mall
Toronto ON M9C 5K1

Emailed to Christine.Darson@snclavalin.com

Dear Christine Darson,

Re: Notice of Commencement of Terms of Reference
Webequie First Nation's Supply Road
Environmental Assessment

Thank you for the opportunity to provide comment on the proposed Webequie First Nation's Supply Road. The Ministry of Energy, Northern Development and Mines' Strategic, Network and Policy Division has reviewed the information with respect to energy implications. The Ministry's Mines and Minerals Division has reviewed the information provided with respect to mine hazards, mining lands, geology and mineral resource potential. The Ministry's Northern Development Division reviewed the information with respect to potential economic and development impacts and relevant local intelligence.

The Ministry's **Strategic, Network and Policy** and **Northern Development** divisions reviewed from the perspective of energy implications and potential economic and development impacts and have no comments or concerns with this proposal at this time.

The **Mines and Minerals Division** has the following comments to make on the proposal:

Mineral Potential

The project area is located within an area of high mineral potential (see Attachment 1). The Ministry will work with the proponent to share information that will assist them in their evaluation of alternatives.

Mining Lands

There are 56 active, unpatented mining claims, and one mining lease, nearby or overlapping the proposed route. With respect to the unpatented mining claims, this ministry has no objections to the disposition on land if the necessary consent from the claim holders is obtained, pursuant to Section 51 of the *Mining Act*:

Surface rights on unpatented mining claim

51. (1) Except as in this Act is otherwise provided, the holder of an unpatented mining claim has the right prior to any subsequent right to the user of the surface rights, except the right to sand, peat and gravel, for prospecting and the efficient exploration, development and operation of the mines, minerals and mining rights.

Twenty-nine of the mining claims were registered prior to Withdrawal Order W-TB-106-13 coming into effect (see Attachment 2). The proponent must obtain consent to the dispositions of the surface rights from these mining claim holders and provide a copy of the consent to the Ministry (see Attachment 3). The remaining mining claims were registered after the surface rights only withdrawal order came into effect; the proponent does not need to obtain consent from these claim holders.

With respect to the mining lease, the Ministry believes that this would be considered a “travelled road” pursuant to sections 86 and 87 of the *Mining Act*:

Reservations, etc., in leases

86. (1) Provided that nothing whatsoever herein contained shall prevent or interfere with the free user of any public or travelled road or highway crossing the hereinbefore described premises.

Reservation for roads

Reservation of land to read as reservation of surface rights

87.(4) Where a patent or lease has been issued under this Act or any predecessor thereof containing a reservation for road purposes of 5 per cent or of 10 per cent of the lands granted, and the Crown or its officers or agents did not occupy lands under such reservation, prior to the 1st day of May, 1963, for laying out and constructing roads, such reservation shall now read as a reservation of 5 per cent of the surface rights or 10 per cent of the surface rights, as the case may be.

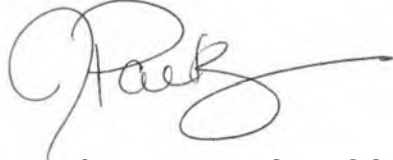
The proponent must seek the appropriate disposition for the road from the Ministry of Natural Resources and Forestry.

Abandoned Mines

There are no known or recorded Abandoned Mine Information System (AMIS) sites near the project area.

If you have any questions about the Ministry's response, please feel free to contact me at (705) 670-5918 or Jennifer.Paetz@Ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paetz', with a long horizontal flourish extending to the right.

Jennifer Paetz, BES., MCC.
Senior Strategic Initiatives Lead (A)
Strategic Support Unit

Cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines

Attachment 1: Geology and Mineral Resource Potential

The Resident Geologist Program of the Ontario Geologist Survey has done the following with regards to the proposed Supply Road Project:

- 1) Used the GIS-based “Metallic Mineral Potential Estimation Tool” (MMPET) to get an estimation of the mineral potential of the proposed project area (see Map 1): medium-low to high metallic mineral potential is estimated for the proposed road route (47.5 - 90). The higher estimates are related to areas underlain by mafic to intermediate metavolcanic rocks, mafic to ultramafic intrusive rocks and migmatized supracrustal rocks which are prospective for volcanic-hosted massive sulphide, mafic-ultramafic intrusion hosted PGE, mafic intrusion hosted Ti-Fe-(V-Cr-P-Al), stratiform magmatic chromite deposits, lode gold, mafic-ultramafic intrusion hosted Cu-Ni. The lower MMPET estimations are related to areas underlain by gneissic and granitic rocks.
 - a. The Western portion of the proposed road route (Eastwood Island Area, Stockman Lake Area, Farrow Lake Area and BMA 526 871), has MMPET values ranging from medium-low to high (47.5 to 90).
 - i. Eastwood Island Area: medium-low to high (47.5 to 85), the area has significant potential for mafic-ultramafic intrusion hosted PGE, mafic intrusion hosted Ti-Fe-(V-Cr-P-Al), and stratiform magmatic chromite deposits.
 - ii. Stockman Lake Area: medium-low to medium-high (47.5 to 77.6), the area has significant potential for volcanic-hosted massive sulphide deposits.
 - iii. Farrow Lake Area: medium-low to high (47.5 to 90), the area has significant potential for volcanic-hosted massive sulphide, mafic-ultramafic intrusion hosted PGE, mafic intrusion hosted Ti-Fe-(V-Cr-P-Al), stratiform magmatic chromite deposits, lode gold, and mafic-ultramafic intrusion hosted Cu-Ni.
 - iv. BMA 526 871: Medium-low to high (47.5 to 90), lode gold, Cu-Ni, PGE, Ti-Fe-(V-Cr-P-Al), chromite, volcanic-hosted massive sulphide deposits.

- b. The Central portion of the proposed road route (BMA 526 864, BMA 527 864, and BMA 527 863), has MMPET values ranging from medium-low to high (47.5 - 90).
 - i. BMA 526 864: medium-low to high (47.5 to 90), the area has significant potential for volcanic-hosted massive sulphide, mafic-ultramafic intrusion hosted PGE, mafic intrusion hosted Ti-Fe-(V-Cr-P-Al), stratiform magmatic chromite deposits, lode gold, and mafic-ultramafic intrusion hosted Cu-Ni deposits.
 - ii. BMA 527 864: Medium-low to medium-high (47.5 to 77.6), the area has significant potential for volcanic-hosted massive sulphide, and lode gold deposits.
 - iii. BMA 527 863: medium-low to high (47.5 to 90), the area has significant potential for lode gold, mafic-ultramafic intrusion hosted Cu-Ni, mafic-ultramafic intrusion hosted PGE, mafic intrusion hosted Ti-Fe-(V-Cr-P-Al), stratiform magmatic chromite deposits, and volcanic-hosted massive sulphide deposits.
 - c. The Eastern portion of the route (BMA 527 862 and BMA 526 862), has MMPET values ranging from medium-low to high (47.5 - 90).
 - i. BMA 527 862: medium-low to high (47.5 to 90), the area has significant potential for lode gold, mafic-ultramafic intrusion hosted Cu-Ni, mafic-ultramafic intrusion hosted PGE, and stratiform magmatic chromite deposits.
 - ii. BMA 526 862: medium-low to high (47.5 to 90), the area has significant potential for lode gold, volcanic-hosted massive sulphide, mafic-ultramafic intrusion hosted Cu-Ni, mafic-ultramafic intrusion hosted PGE, and stratiform magmatic chromite deposits.
- 2) Checked the Ministry's Mineral Deposit Inventory (MDI) for mineral occurrences.
- a. The Western portion of the proposed road route (Eastwood Island Area, Stockman Lake Area, Farrow Lake Area and BMA 526 871) contains no known Mineral Deposit Inventory (MDI) entries.
 - b. The Central portion of the proposed road route (BMA 526 864, BMA 527 864, and BMA 527 863) contains no known known MDI entries within 1 km of the proposed road route, though BMA 526 864 contains two MDI entries

but are beyond the 1 km buffer for MDI data and BMA 527 864 contains five MDI entries but are beyond the 1 km buffer for MDI data.

- c. The Eastern portion of the route (BMA 527 862 and BMA 526 862) contains ten MDI entries, located in BMA 526 862. Nine of which are beyond the 1 km buffer for MDI data. Only one MDI (MDI000000000695) entry is within the 1 km buffer zone, The Eagles Nest Project is a copper, nickel, platinum, palladium, silver and gold developed prospect with reserves.
- 3) The proposed road route is underlain by Precambrian bedrock of the Superior province. The rock units are of Neoarchean to Mesoarchean age (2.5 Ga to 3.2 Ga). Bedrock geology along the route is typical of the Oxford-Stull Domain of the North Caribou Terrane consisting of migmatized supracrustal rocks, mafic to intermediate metavolcanic rocks, mafic and ultramafic intrusive rocks, gneissic and granitic rocks. The Precambrian bedrock is overlain by Quaternary deposits of Pleistocene and Recent age (2.58 Ma to 0 Ma). Bedrock information is from Ontario Geological Survey Miscellaneous Release – Data MRD 126, Revision 1; 1:250 000 Scale Bedrock Geology of Ontario, OGS, 2011. Surficial information is from Ontario Geological Survey – Data Set 14, Quaternary geology, seamless coverage of the province of Ontario, OGS 1997. Maps showing bedrock geology and mineral deposit sites are attached.
- a. Precambrian Bedrock Geology (See Map 2a)
 - i. The Western portion of the proposed road route (Eastwood Island Area, Stockman Lake Area, Farrow Lake Area and BMA 526 871) intersects five Neoarchean to Mesoarchean lithologies. The dominant rock type is the Foliated tonalite suite (Type 12) which consists of biotite tonalite to granodiorite. Followed by the Gneissic tonalite suite (Type 11) consists of foliated to gneissic rocks of tonalite to granodiorite composition with minor supracrustal inclusions. Migmatized supracrustal rocks (Type 8) consist of Metavolcanic rocks, minor metasedimentary rocks, mafic gneisses of uncertain protolith, and granitic gneisses. Mafic and ultramafic rocks (Type 10) consists of gabbro, anorthosite, ultramafic rocks. Mafic to intermediate metavolcanic rocks (Type 5) consist of Basaltic and andesitic flows, tuffs and breccias, chert, iron formation, minor metasedimentary and intrusive rocks, related migmatites.

- ii. The Central portion of the proposed road route (BMA 526 864, BMA 527 864, and BMA 527 863) intersects three Neoarchean to Mesoarchean lithologies. Foliated tonalite suite (Type 12) which consists of biotite tonalite to granodiorite. Migmatized supracrustal rocks (Type 8) consist of Metavolcanic rocks, minor metasedimentary rocks, mafic gneisses of uncertain protolith, and granitic gneisses. Mafic and ultramafic rocks (Type 10) consists of gabbro, anorthosite, ultramafic rocks. Though it is possible to encounter Mafic to intermediate metavolcanic rocks (Type 5) consist of Basaltic and andesitic flows, tuffs and breccias, chert, iron formation, minor metasedimentary and intrusive rocks, related migmatites and Massive granodiorite to granite (Type 15), which consists of massive to foliated granodiorite to granite.
 - iii. The Eastern portion of the route (BMA 527 862 and BMA 526 862) intersects three Neoarchean to Mesoarchean lithologies. Foliated tonalite suite (Type 12) which consists of biotite tonalite to granodiorite. Gneissic tonalite suite (Type 11) consists of foliated to gneissic rocks of tonalite to granodiorite composition with minor supracrustal inclusions. Mafic and ultramafic rocks (Type 10) consists of gabbro, anorthosite, ultramafic rocks. Though it is possible to encounter Mafic to intermediate metavolcanic rocks (Type 5) consist of Basaltic and andesitic flows, tuffs and breccias, chert, iron formation, minor metasedimentary and intrusive rocks, related migmatites. It is possible that the Ordovician (443.7 Ma to 488.3 Ma) sedimentary rocks of the Bad Cache Rapids Group (Type 55f) consisting of shale, limestone, dolostone and siltstone may be encountered.
- b. Quaternary Geology (see Map 2b)
- i. The Western portion of the proposed road route (Eastwood Island Area, Stockman Lake Area, Farrow Lake Area and BMA 526 871) is underlain by Pleistocene glacial till deposits. These can be divided into two units; undifferentiated, predominantly sand to silty sand matrix, high content of clasts, often low in matrix carbonate content (Unit 18) and undifferentiated, fine grained, predominantly silty clay to silt matrix, commonly clast poor, high matrix carbonate content (Unit 21).
 - ii. The Central portion of the proposed road route (BMA 526 864, BMA 527 864, and BMA 527 863) is underlain by both by

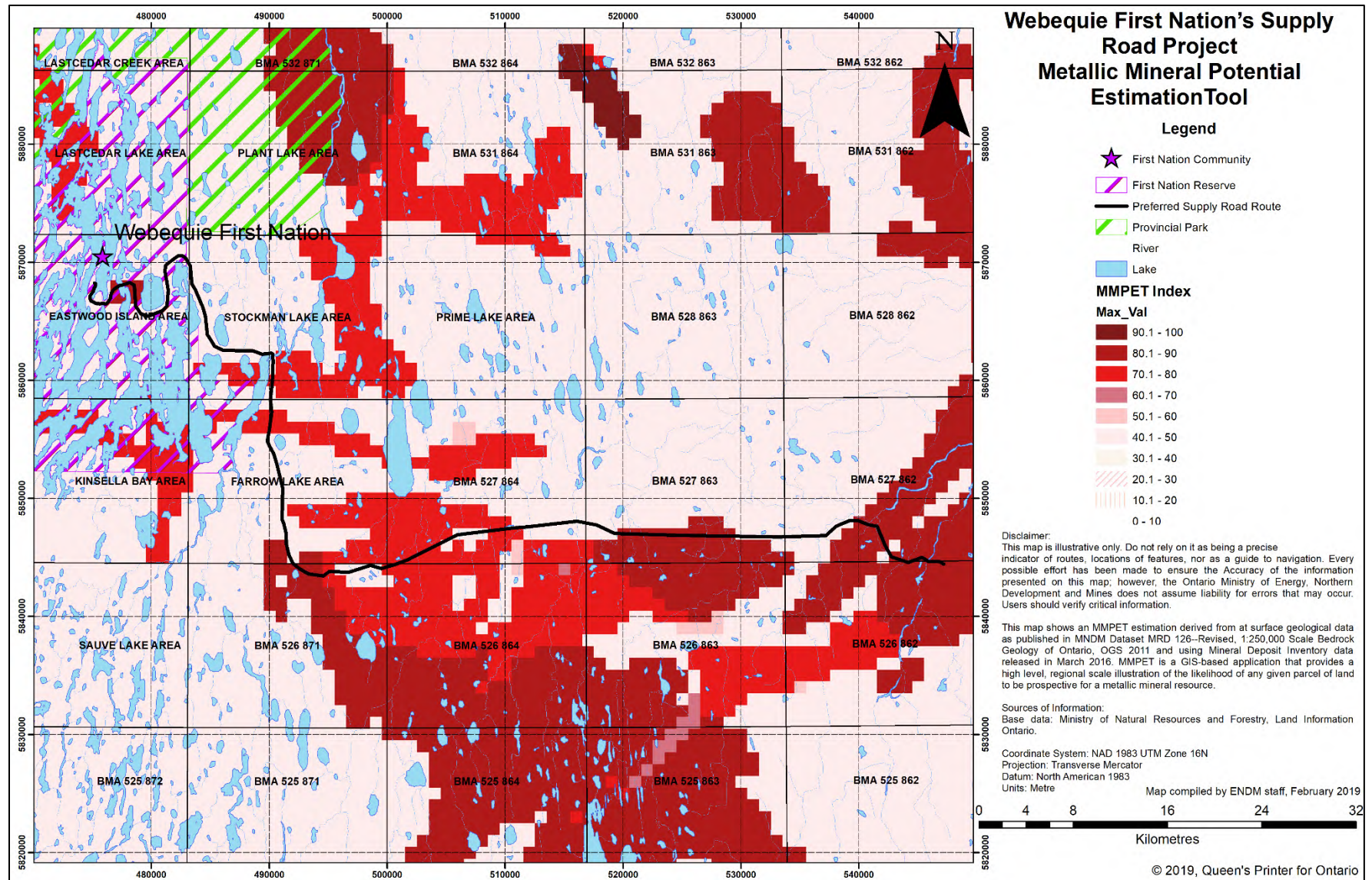
Pleistocene glacial till deposits and Recent organic deposits. The Pleistocene glacial till deposit is undifferentiated, fine grained, predominantly silty clay to silt matrix, commonly clast poor, high matrix carbonate content (Unit 21), while the and Recent organic deposits consist of peat, muck and marl (Unit 32).

- iii. The Eastern portion of the route (BMA 527 862 and BMA 526 862) is underlain by Pleistocene glacial till deposits, Pleistocene Glaciofluvial ice-contact deposits, Pleistocene Glaciomarine and marine deposits and Recent organic deposits. The Pleistocene glacial till deposit is undifferentiated, fine grained, predominantly silty clay to silt matrix, commonly clast poor, high matrix carbonate content (Unit 21), the Pleistocene Glaciofluvial ice-contact deposit consists of gravel and sand, minor till, this type of unit includes esker, kame, end moraine, ice-marginal delta and subaqueous fan deposits, while the and Recent organic deposits (Unit 32) consist of peat, muck and marl. Minor Pleistocene Glaciomarine and marine deposits (Unit 27) consisting of sand, gravelly sand and gravel, nearshore and beach deposits could be encountered.
- 4) Checked the Ministry's Ontario Mineral Exploration Information System (OMEIS) database (see Map 3) for Assessment files to determine whether past mineral exploration activity has been reported along the proposed road route.
- a. There are 23 individual assessment files with work areas intersect with the proposed road route. A breakdown of the type of work performed in these files is below.
 - i. Nine assessment files contain diamond drilling work-related details.
 - ii. Eight assessment files contain geochemical work-related details.
 - iii. Ten assessment files contain airborne geophysical work-related details.
 - iv. Three assessment files contain physical work-related details.
 - v. Seven assessment files contain ground-based geophysical work-related details.

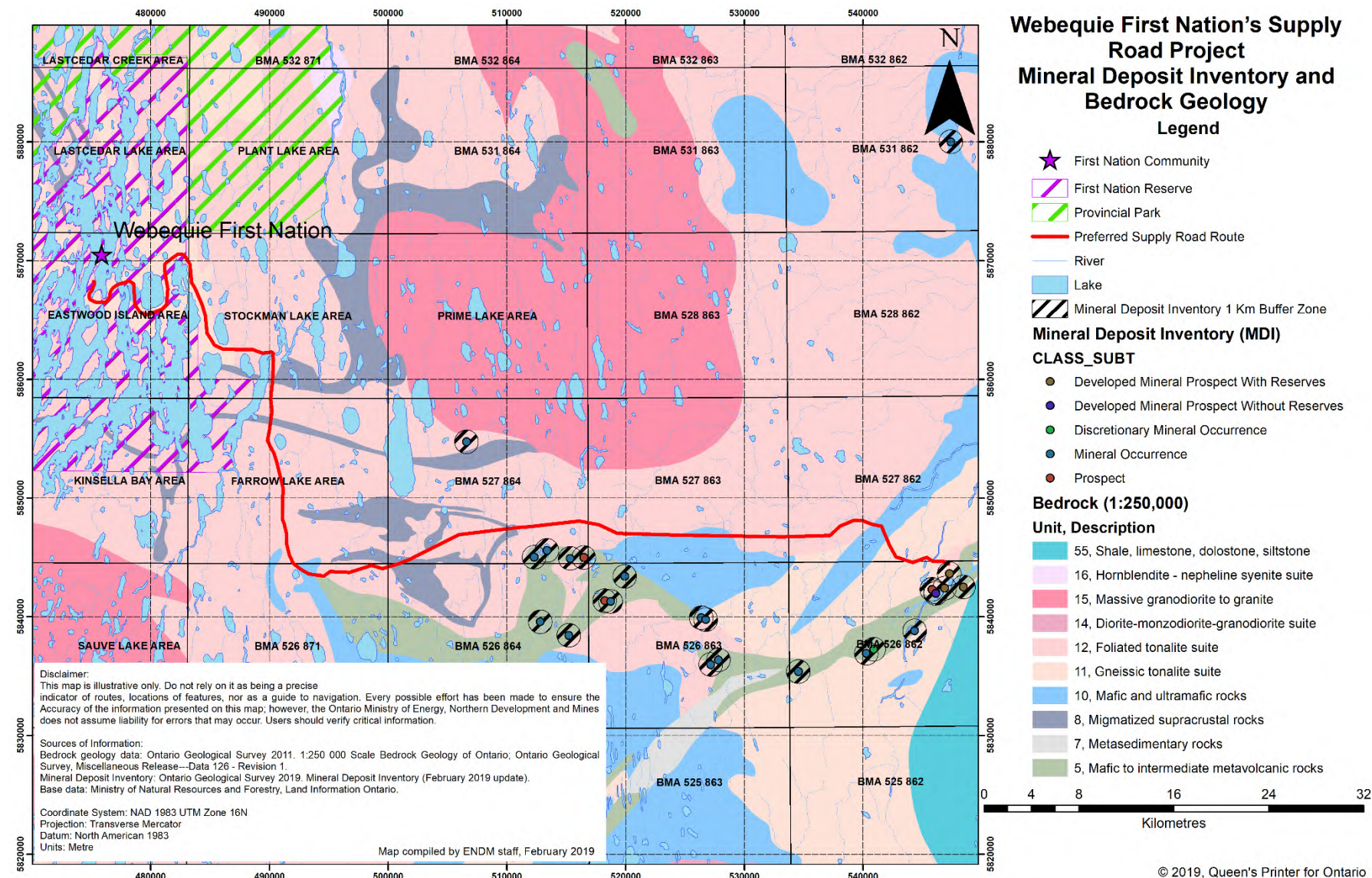
- vi. Additionally, there is abundant past mineral exploration activity in the area surrounding the proposed road route that does not intersect the proposed road route.

Published reports and Mineral Deposit Inventory and assessment work records are available for viewing or free download through the Geology Ontario portal using the following link: <http://www.geologyontario.mndm.gov.on.ca/>

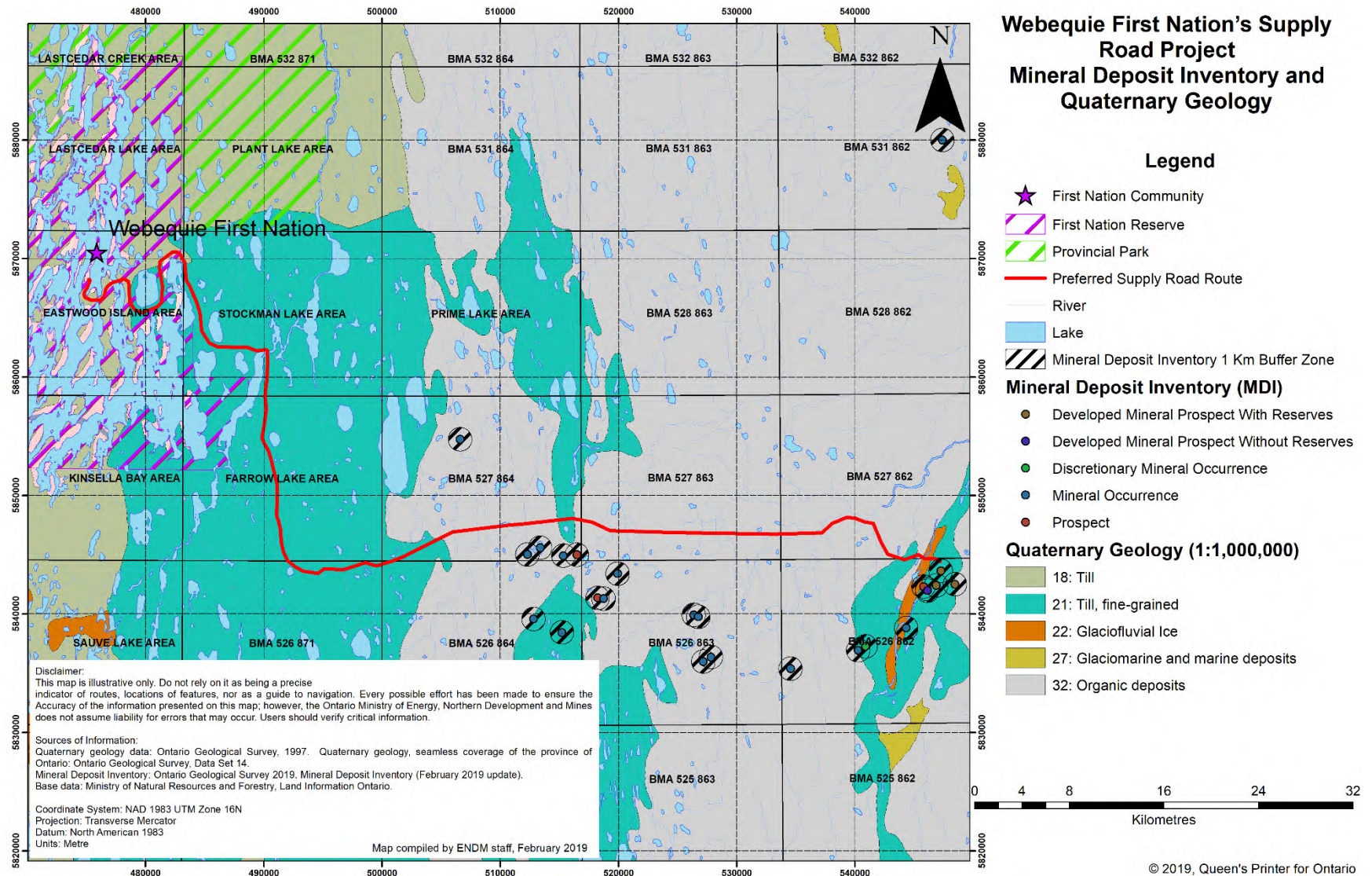
Map 1: Metallic Mineral Potential



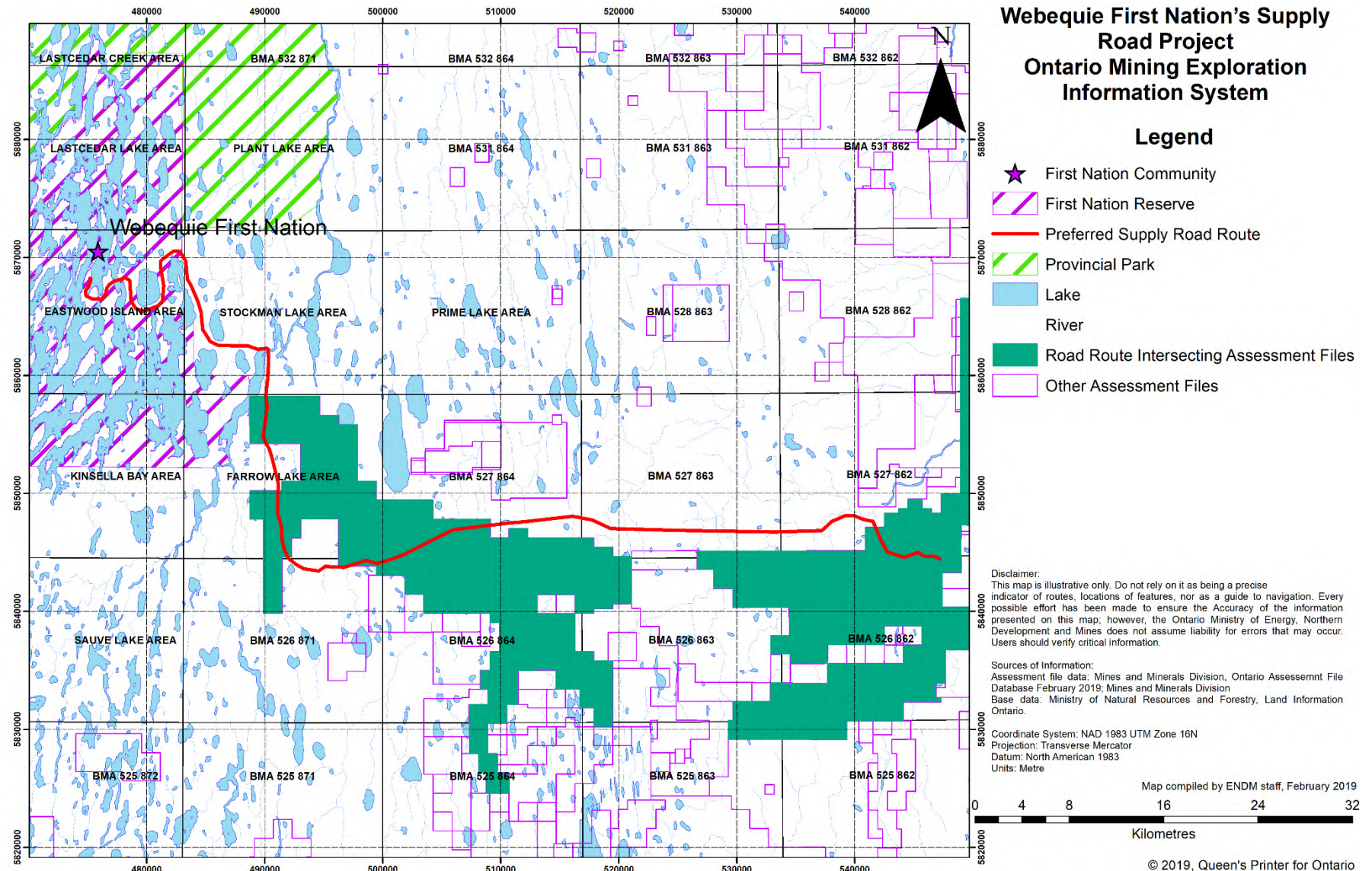
Map 2a: Mineral Deposit Inventory and Bedrock Geology



Map 2b: Mineral Deposit Inventory and Quaternary Geology



Map 3: Ontario Mining Exploration Information System



TENURE_NUM	CLAIMHOLDE	LEGACY2	STAKED_DAT
100682	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
104109	(100) NORONT RESOURCES LTD.	4218888	2007/08/28
112607	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006885	2004/02/09
114838	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
119359	(100) NORONT RESOURCES LTD.	4218888	2007/08/28
119360	(100) NORONT RESOURCES LTD.	4218888	2007/08/28
119361	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
142814	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
142815	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
158785	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006884	2004/02/09
180084	(100) NORONT RESOURCES LTD.	4218889	2007/08/27
182666	(100) NORONT RESOURCES LTD.	4218889	2007/08/27
198502	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
198503	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
204097	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006884	2004/02/09
222768	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006885	2004/02/09
228299	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
240540	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006885	2004/02/09
245289	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
258729	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006885	2004/02/09
258730	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006885	2004/02/09
278206	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006884	2004/02/09
284494	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
301724	(100) NORONT RESOURCES LTD.	4276347	2016/04/09
311435	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006883	2004/02/11
319645	(100) NORONT RESOURCES LTD.	4276347	2016/04/09
326814	(75) NORONT RESOURCES LTD., (25) EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD	3006884	2004/02/09
344146	(100) NORONT RESOURCES LTD.	4218887	2007/08/27
344147	(100) NORONT RESOURCES LTD.	4218887	2007/08/27

Noront Resources

212 King Street West
Suite 501
City/Town/Village:
TORONTO
Province/State:
ONTARIO
Country:
CANADA
Postal/ZIP Code:
M5H 1K5

Contact Information

Primary Phone (Office) :
(416) 367-1444 ext 159
Secondary Phone (Office) :
(416) 710-5640
Fax Number:
(416) 367-5444
Email Address:
matt.downey@norontresources.com

EXPLORATION MINIERE MACDONALD LTEE/MACDONALD MINES EXPLORATION LTD

206 North Shore Drive
Tiny
Province/State:
ONTARIO
Country:
CANADA
Postal/ZIP Code:
L9M 0T8

Contact Information

Primary Phone (Office) :
(705) 533-0394
Secondary Phone :
(705) 427-6040
Fax Number:
(416) 364-2753
Email Address:
ingoodstanding@gmail.com



Ontario

Ministry of
Northern Development
and Mines

Consent to the Disposition of Surface Rights

Under the Mining Act, R.S.O. 1990, Chapter M.14 or
the Public Lands Act, R.S.O. 1990, Chapter P.43

Information collected on this form is used to maintain a public record under section 51(2) of the *Mining Act*. Questions about this form should be directed to a Provincial Mining Recorder, Ministry of Northern Development and Mines, 3rd Floor, 933 Ramsey Lake Road, Sudbury, Ontario, P3E 6B5. Telephone number 1-888-415-9845 or (705) 670-5742.

TO THE PROVINCIAL MINING RECORDER:

RE: MINING CLAIM(S)

I/we _____, being all the recorded holders of the above-noted
(print name)

claims, hereby consent(s) to the disposition of the surface rights under the Public Lands Act with respect to all or part of such claims as shown outlined in red on Sketch attached hereto as Schedule A, subject to my/our maintaining prior rights to the use of the surface rights for prospecting and the efficient exploration, development and operation of the mines, minerals, and mining rights.

Signature of Recorded Holder or Company Officer (state position held)		Date
Signature of Recorded Holder or Company Officer (state position held)		Date
Print name of witness	Signature of witness*	Date

Note: *The witness should know the recorded holder or ask for the person's identification before signing as the witness.

This form can be signed by:

- a) the recorded holder of the claim or by the holder's agent authorized by recorded instrument in writing.
- b) a corporation's authorized person, provided that either
 - (i) the corporation's seal is affixed to the form; or
 - (ii) the form contains a statement by the person that he or she has authority to bind the corporation.

Proposal: Webequie Supply Road Project – Draft Terms of Reference
Client: Webequie First Nation

Agency: Ministry of Natural Resources and Forestry
16 October 2019

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			Provide your comment along with explanation for why issue is important for ToR/EA purposes. Identify significance of issue (e.g. must be addressed at ToR phase, should be addressed at EA or permitting phase, or both). If major concerns or “showstoppers” are identified, please highlight below.	Describe in detail what action is recommend to address your comments. Actions may include but are not limited to: legislation, revisions to the document, information requests, proposed commitments or conditions, future permits and approvals etc.
Purpose & Description of the Undertaking	1.4.1	6	The goals and objectives do not reflect the use of the road (or a portion thereof) for purposes beyond a supply road. To suggest the Webequie supply road will be limited to servicing the mining area is misleading. Several studies and even the Noront Eagle’s Nest Mine proposal had the east-west leg of the Webequie Supply Road coincident as a transportation corridor. Updating the project description by including reasonably foreseeable uses will inform related EA analysis such as identifying potential effects and road design considerations including safety/travel demand concerns. Further rationale is MNRF interests in minimizing the number of linear corridors that are developed in the	The recommended action is to revise the purpose and description of the undertaking to acknowledge other reasonably foreseeable uses, and to accordingly, update related information / sections in the TOR. For example, information requiring updating would be the preliminary design criteria for the Webequie Supply Road that applies a relatively low Annual Average Daily Traffic (AADT) volume of less than 500 vehicles which likely does not account for estimated haul truck traffic from mines – particularly for the east-west segment of the proposed supply road. Gaining this

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			region by acknowledging the multiple purposes beyond a supply road. This in turn may yield benefits such as: minimizing potential negative effects associated with individual linear developments and the cumulative effects that may result from multiple corridors; promoting the efficient use of / maximum benefit from the use of land and resources; supporting the interests of First Nation communities in road and other infrastructure development opportunities in the region, and sustainably using public funds and resources in the development and ongoing maintenance of major infrastructure in the region.	understanding would subsequently inform other aspects of the EA
Rationale for the Undertaking	1.4.2, Fig. 4.1	7, 22, 23	The ToR identifies both a 35m corridor for the road right-of-way (p. 7) and a 2km wide proposed preliminary corridor (p. 22). The Project Team could consider having the ToR more clearly identify that the 35m right of way will be developed within the 2km wide corridor. Clear identification of the 2km wide corridor in the document and maps will ensure clarity, allow for flexibility and help avoid the need for EA amendments due to potential deviations in the 35m right of way that could be encountered in the construction phase. Should be addressed at ToR phase	Suggest revising the document and maps to show a 2km wide corridor in which the 35m right-of-way will be developed.
Other Relevant Provincial Legislation and Permits	2.1.5	15	Any Far North Act authorization cannot be issued until all EA components are met and approved.	Suggest the inclusion of the order of events/authorizations, such as EA, then authorization under Far North Act, then permitting and approvals.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
Other Relevant Provincial Legislation and Permits	2.1.5	16	<i>“Land Use Permits • Necessary for temporary access roads, temporary laydown areas, work camps, and/or spoil areas”</i> Occupational authority is not necessarily needed for an access road. It is very unlikely that this type of tenure authorization would be used for this project as Land Use Permit should suffice.	Revise table by removing Licence of Occupation from the list.
Other Relevant Provincial Legislation and Permits	2.1.5	16	Majority of works would be authorized under a work permit (Public Lands Act). This is not identified.	Revise.
Other Relevant Provincial Legislation and Permits	2.1.5	16	Under Far North Act, a proposal to repeal the act was made. This was only a proposal and it cannot be said that is currently occurring. This impacts the need for the project to acquire authorization under the Act.	Update the statement reading “Note: “There is currently a proposal to repeal the Far North Act, which is under consideration by the Ontario Government”.
Other Relevant Provincial Legislation and Permits	2.1.4	15	As migratory birds are mentioned on page 123 as an evaluation criterion, Migratory Birds Convention Act should be included and listed under the jurisdiction of Environment and Climate Change Canada (ECCC).	Please confirm with ECCC for the additional listing in the table of the Migratory Birds Convention Act.
Indication of How the EA is to be Prepared	3.2	20	Where conflicts between IK information and western science information arise, who will determine what is the best information and/or how to apply it to the EA (ex, impact assessment, mitigation options, impacts on caribou).	Suggest there be a dispute resolution process developed to help. All information should be used and reported on in the EA.
Indication of How the EA is to be Prepared	3.2	21	In consideration of potential authorization options under the Far North Act, the list of investigations and assessments may want to include additional items to facilitate and expediate Far North Act authorization after the completion of the EA. These may be items that aren't	Include reference to SAR, more around biodiversity, candidate ANSI's (natural heritage areas); habitat fragmentation, carbon sequestration; social and economic interest of Ontario.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			specifically required in the EA but would be needed for certain FNA authorizations.	
Description of the Undertaking	4	23 (map)	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	At minimum, the review of literature on road construction effects on carbon be undertaken for this potential EA. Data exist in the study region that the client should review and evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. The client is encouraged to apply the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. It is further recommended the project should test the IPCC calculations against data collected along the length of road network.
Preliminary Design and Criteria	4.1.1	24	<i>“The road will be gravel surfaced, including shoulders, with material from aggregate source areas that have suitable sand and gravel deposits (e.g., eskers).”</i>	Consideration toward Natural Heritage Features such as eskers when determining aggregate sources and preferred route for road location. As guidance, please review: - Provincial Policy Statement - Natural Heritage Reference Manual

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
Components and Activities of the Project	4.2	26	Development of aggregate extraction and production/processing areas as a component of the project.	Options for sourcing aggregates, including the development of new aggregate sites needs to be part of the EA; otherwise, additional EA requirements may apply prior to MNRF issuing permits for new sites. The potential impacts and proposed mitigations of various alternatives for sourcing aggregates should addressed in the EA This is a critical point for this EA for reasons stated elsewhere in the comments. The EA should emphasize that any development of aggregate extraction areas can only begin after sites have approved Aggregate Permits in place. It should be noted that the processing of these permit applications can take 6 months or longer.
Community Based Land Use Plan	5.1.2.3	47	CBLUP is a joint process between Webequie and Ontario. The planning area has not been designated.	Please include reference to the joint community-based land use planning process. Add the word “potential” before “designation of a Webequie Planning Area”. Reword “leading” on last line to “undertaking a joint...”
Community Based Land Use Plan	5.1.2.3	47 - 48	Good to see the Webequie CBLUP identified in the document. However, it is unclear how some of the information regarding the CBLUP is relevant to alternative scoping. The CBLUP exercise is significant because it provided Webequie a way of considering	Consider revising the information provided on the CBLUP to more specifically focus in on how the planning exercise involved review and consideration of known linear infrastructure corridor proposals, concepts and interests which are relevant to the

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			alternatives by way of existing information and interests regarding linear corridors. Should be addressed at ToR phase.	WSR alternative routing exercise.
Community Based Land Use Plan	5.1.2.3	48	This section does not identify that Marten Falls is also planning for this area and is included in their Terms of Reference for the Marten Falls CBLUP area of interest.	Acknowledge the overlapping areas of interest between Webequie and Marten Falls. Ongoing discussions will be needed to finalize both CBLUP direction.
Design Considerations and Criteria		49 - 50	The summary on pg 49-50 highlights the all-season road is technically feasible and uses proven technology that is also economically feasible. MNRF does not possess expertise in (or experience with) current technologies for road construction through peatlands, nor of the nature, severity or extent of potential impacts of all-weather roads to peatlands and peatland function in this part of Ontario. This uncertainty about feasibility, potential effects and how they may be managed may pose a challenge to MNRF in making authorization decisions related to the proposed road.	Providing information on appropriate road-building techniques, and a detailed accounting of potential effects and associated mitigations is suggested. Peatlands/wetlands in the Far North are important on local through to global scales. The proposal notes the length of road corridor that will cross through peatlands for each of the alternatives considered. However, it does not describe the potential impacts of an all-weather road on peatland/wetland functions nor how these may be minimized. This should include, for example, identification of concentrated areas of peat that function as carbon sinks; measures that can be taken to sustain normal hydrological flow and related ecosystem services such as flood protection; impacts to biological functions of wetlands in providing wildlife habitat; working with watershed and sub-

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
				watershed boundaries to inform routing; and consideration of the potential impacts of the road and existing activities in the region to peatlands/wetlands.
Design Considerations and Criteria	5.1.2.3	51	The acronym PAI is taken to mean ‘Planning Area of Interest’. The Webequie PAI is not finalized and includes an area of overlap with the Marten Falls PAI. Further dialogue is required to determine which First Nation will lead planning for this area. PAIs/Planning Areas do not in and of themselves define the kind of role Webequie will have in the management of the road. It should be identified there is overlap with Marten Fall’s PAI, not just with territories, as with Neskantaga. Should be addressed at ToR phase.	Suggest revising to include a more general reference to the fact that Webequie has been engaged in a CBLUP exercise for the area including the road and has considered how roads and other developments in this area can proceed in an environmentally responsible manner, considering a range of community and provincial values brought forward through the planning process.
Supply Road Alternative Concepts	5.1.2.3	52 - 53	All land use designations (e.g., General Use Area, Enhanced Management Area) identified in the Draft CBLUP are ‘Draft’ and subject to further revision Should be addressed at ToR phase.	The document should include this as a qualifying statement where appropriate
Supply Road Alternative Concepts	5.1.2.3	52 - 54	Though the current draft of the CBLUP does state that planning direction for the shared area will not be provided at the draft plan stage, given current timelines for completion of both the Webequie CBLUP and the Marten Falls CBLUP, this issue will need to be determined sooner rather than later.	Suggest rewording to “Determination of how to proceed with zoning in this area will need to occur”. Please reword wherever this is found in the document.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
Supply Road Alternative Concepts		53 - 54	References to Neskantaga and Marten Falls shared and traditional areas as well as the Three Nation process may represent the perspective of Webequie and Ontario in CBLUP but not necessarily that of Neskantaga, Marten Falls or other additional First Nations who are not identified here as having shared/traditional use in the area. The information does not appear to be relevant to alternatives. Shared area and planning understandings are the subject of ongoing dialogue between Webequie and other communities and are potentially sensitive in nature. Should be addressed at ToR phase.	Suggest removing the information after this sentence: <i>“The current Draft Webequie First Nation CBLUP (March 2019) recognizes that there is shared territory with other First Nations within the lands that Webequie has identified as its proposed planning area, including areas shared with Neskantaga and Marten Falls that would be occupied by the Webequie Supply Road corridor.”</i>
Supply Road Alternatives Carried Forward for Environmental Assessment	5.5	56, 76	In consideration of potential authorization options under the Far North Act, the identification of alternatives and the selection of the preferred route will need to clearly identify where adjustments to routing have been made in response to consultation/ecological/cultural values. This may not be specifically required in the EA but would be needed for certain FNA authorizations.	
Alternative Maps		56, 73, 75		Please provide clarity in the text regarding which alternatives will be included for assessment. Varying maps shown on page 56 and 73 - 75.
Initial Screening of Webequie Supply Road Corridor Alternative Concepts	5.2	57	An assessment of the Ozhiski Woodland Caribou Range should be provided as alternative options may impact overlapping areas of the 2 adjacent Ozhiski and Missisa caribou ranges. MNRF worked with the client during development of winter caribou aerial surveys prior to	Please discuss with MECP, as an update to Table 5-2 is warranted to reflect impacts to multiple caribou ranges.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			MECP involvement under the ESA. It is recommended that rational provided by MNRF to the client (prior to April 1, 2019), to include survey efforts west of Webequie in the Ozihiski Range be carried forward and discussed in the ToR for inclusion in the EA.	
Initial Screening of Webequie Supply Road Corridor Alternative Concepts	5.2	57	When describing considerations for screening alternative concepts. There's mention of <i>"assessment of advantages and disadvantages against the following factors"</i> and <i>"developing evaluation criteria against which alternative road corridor concepts were screened during the Terms of Reference phase"</i>. It is uncertain in the Terms of Reference how the factors outlined in Table 5-2 were determined (i.e. guidance and definitions) and the indicators used to evaluate advantages/disadvantages of these criteria to determine screening of alternatives.	Please clarify or further define understanding of criterion and what types of values are considered within <i>"Natural or Built Features"</i>. The ToR needs to clearly identify the criteria and associated indicators that will be used to evaluate effects and alternatives in the EA. MNRF suggests the ToR for the proposed undertaking reflect the <i>Natural Heritage Reference Manual, 2014</i> with consideration toward Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features. These values should be considered/assessed throughout the Environmental Assessment process.
Initial Geotechnical Assessment – Terrain Mapping	5.4.1 & 5.4.1.1 Figure 6.1	71, 72, 79	Map shows "Potential Aggregate Sources" however many of these do not correspond to the MTO "First Right of Refusal" (FRR) sites which were approved for this section on March 25/19. Further to this, many of the approved sites are not shown on this map. Several of the potential sites identified on this map fall in shoreline reserves, over-top waterbodies or in areas with no	Approved MTO FRR aggregate sites must be shown on this map in the EA.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			access to the proposed road routes. These issues need to be corrected at the earliest stage possible.	
Biological Environment	6.2.1	81	The list of items to be assessed in this section does not align with the list on page 21.	Please match the assessment techniques for the items on page 21, include all items in this section. Please include the impacts, both positive and negative, in the assessment, as well as at the various spatial scales.
Published sources of information		85	Additional resources from: • Catalogue of natural resource scientific and technical publications. Search a list of the scientific and technical publications issued since 2004 see Catalogue-natural-resource-scientific-and-technical-publications • To request a publication issued by the Ministry of Natural Resources and Forestry, or if you have a question related to MNRF scientific and technical publications, please contact us by email with the title of the publication. For journal articles, please contact the journal publisher directly. • For MNRF climate change publications see MNRF Climate Change Publications • Information about Ontario's species of conservation concern, plant communities, wildlife concentration areas and natural areas see	Some selected publications that may be of interest: - Wester, M.C. et al. 2018. <i>The Ecosystems of Ontario, Part 2: Ecodistricts</i>. Ontario Ministry of Natural Resources and Forestry, Science and Research Branch, Peterborough, ON. Science and Research Technical Report TR-26. 474 p. + appendices Catalogue-natural-resource-scientific-and-technical-publications - Ontario Ministry of Natural Resources and Forestry. 2019. <i>Far North Information Knowledge Management Plan Progress Report 2008-2018</i>. Ontario Ministry of Natural Resources and Forestry, Far North Branch, Peterborough,

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			https://www.ontario.ca/page/get-natural-heritage-information • Decision support tools are also available: OFAT (Ontario Flow Assessment Tool) is used by water professionals in the public and private sectors and academia to better understand water flow in Ontario. It is also used by the general public for educational or general interest purposes. https://www.ontario.ca/page/watershed-flow-assessment-tool	ON. 80p. contact: farnorthfeedback@ontario.ca - Riley, J. 2011. <i>Wetlands of the Hudson Bay Lowland: An Ontario Overview</i>. Nature Conservancy of Canada, Toronto ON 156 pp. ISBN 978-1-897386-27-9 link - Marshall, T.R. and Jones, N.E. 2011. <i>Aquatic ecosystems of the Far North of Ontario state of knowledge</i>. Ontario Ministry of Natural Resources.43 p.+ appends. ISBN 978-1-4435-6512-7 Catalogue-natural-resource-scientific-and-technical-publications - Metcalfe, R.A. et al., 2013. <i>Aquatic Ecosystem Assessments for Rivers</i>. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp.link
Published sources of information	6.2.5, Table 6-1	86 - 87	Missing source information: <i>MNRF Natural Heritage Reference Manual (NHRM), 2014.</i>	Please add MNRF Natural Heritage Reference Manual (2014) to the list of published sources of information for existing conditions in Table 6-1.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
				The Natural Heritage Reference Manual can be referenced in conjunction with the Significant Wildlife Habitat Technical Guide (SWHTG) 2000, which are not mandatory for the EA, but provide clear guidance. The NHRM outlines evaluation processes of habitat and other natural heritage features. The SWHTG offers guidance to evaluate and identify the significance of wildlife habitat.
Terrestrial Wildlife Habitat	6.3.3	93	A reference is included in the Waterfowl Stopover and Staging section (MNRF 2017b), which is an incorrect reference.	Please update the reference list to include MNRF 2017a and MNRF 2017b with the correct information.
Regional Planning Initiatives	6.4.1	105 -106	Further details around the authorization under the Far North Act is required.	Please add additional description around 12(2) order, including that it involves concurrent planning and development, and the additional conditions that will need to be met prior to the issuance of the Order.
Regional Planning Initiatives	6.4.1	106	The section on authorization under the Far North Act suggests that a 12(4) order is related to a 12(2) order.	Suggest rewording to “Alternately, Section 12(4) of the Act allows an activity to be granted an exception if the Lieutenant Governor....”. Also, after stating that the application for a 12(2) was accepted, please note that additional conditions will need to be met to receive this exception.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
				Remove footnote #3 re: Far North Act proposal. As this is only a proposal and a commitment to proceed has not occurred, this is speculation at this point and may serve to suggest that further authorization is not required. If the Act is not repealed, supporting information may be needed to support an authorization under the Act. It is recommended that this information is collected early in the process, rather than hold up issuance of approvals and permitting after the completion of the EA.
Regional Planning Initiatives	6.4.1	106	Requirements under the Far North Act should be clarified because it could be perceived that simply providing an application under section 12.2 is sufficient. There are other requirements in the subsection that would also have to be met before the Minister could consider making an order.	The proposed solution (shown in bold) is suggested to the Far North Act description on pg 106: "...However, s. 12(2) of the Act includes provisions for exemption from this stipulation through the issuance of an exception order by the Minister of Natural Resources and Forestry.... The application was accepted by the Minister on March 2, 2018. In addition to this application, other requirements under section 12.2 must be met before the Minister could consider making an Order.
Population, Demographics, and Community Profile	6.4.3	108	Will the First Nation communities identified have an opportunity to inform or prepare the community profiles? Could be addressed at EA phase.	Consider offering this opportunity through the EA consultation process

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
Land and Resource Use	6.4.6	109	Section identifies mining tenure but does not identify MNRF values in the area.	Look into existing values.
Land and Resource Use	6.4.6	109		Add the word “joint” before “Community Based Land Use Plan”. Italicize “Far North Act”
Identification and Evaluation of Alternatives	8.1	122	<i>“Therefore, it is proposed that, in addition to the initial alternatives and with the benefit of additional engagement and consultation, the EA will further identify and evaluate routing alignment alternatives within the preferred corridor, including alternatives that optimize constructability and cost, as well as other alternative infrastructure designs (e.g., culverts or bridges at waterbody crossings) and siting with respect to temporary or permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites.”</i>	MNRF supports the completion of alternatives analysis for ancillary infrastructure components and/or activities involved in the Project. This approach will ensure good project planning and that all activities that are part of the Project are evaluated and consulted on through the EA and will not require completion of further EA alternatives processes / requirements at the time of MNRF permitting {Note: Project components that are not evaluated as part of the EA but require dispositions of Crown land / resources may be subject to additional EA requirements}. Providing this information in the EA process will also help to enable flexibility in project implementation (e.g., method, location, style, implementation) if/as required.
Evaluation Criteria and Indicators	Table 8.1	123-125	The importance of water – whether it be for source water protection or hydrological function is highlighted in the draft TOR; however, preliminary criteria and indicators do not address water quality, quantity and related hydrological processes at the watershed or sub-watershed (catchment) levels.	The Study Area has many different types of waterbodies, including streams, rivers, lakes, ponds and wetlands). There is also a vast network of smaller connected headwater streams, ponds and lakes. Explicitly identifying criterion and indicators

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
				to address the importance of hydrological related features and functions is recommended – especially in light of project effects summarized in Table 7.1 pg 113-116. Available references may be of assistance such as: Metcalfe, R.A. et al., 2013. <i>Aquatic Ecosystem Assessments for Rivers</i>. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp.link. In addition, expert knowledge from a hydrogeologist and MNRF researchers (e.g., Jim McLaughlin) advancing hydrology – peatland studies in the Far North is encouraged. While no specifics are provided in this submission, MNRF welcomes a discussion with MECP and ENDM to explore what (if any) role this project could play in advancing baseline information and long-term environmental monitoring for the Ring of Fire in partnership with First Nations communities.
Evaluation Criteria and Indicators	Table 8.1	123-125	The client acknowledges the importance of identifying and securing the aggregate materials that will be required for road construction and maintenance. MNRF shares the view that the availability of suitable and	Detailed information about the type and volume of aggregate needed to implement the project and that exists in the project area (i.e. specific sources) will need to be

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			sufficient amounts of aggregate for the project will be a major consideration in route selection and overall feasibility. Transparency for aggregate sources are required at the TOR stage, because of the wetland dominated landscape with limited sources. The associated potential effects in obtaining sufficient volume to construct and maintain the proposed road should be identified because sources will likely need to be accessed outside the defined local study area resulting in additional roads.	presented, along with an assessment of environmental impacts of new aggregate extraction operations that are proposed and how these will be mitigated. The assessment approach to evaluating potential effects for aggregates is weak (Table 8.1 pgs. 123-125) because it is based solely on number of hectares extracted. Attention should be given to developing criterion and indicators under the Natural Environment (as well as under the heading socio-economic) that reflect the potential ecological and hydrologic effects associated with construction and maintenance of the proposed road. In addition, indicators based on area for other criterion listed in Table 8.1 are considered inadequate in effects monitoring because ecological composition, structure and function are not accounted for, and thus, provide limited insights in mitigating and addressing cumulative effects for range of stressors. The proponent is encouraged to develop indicators that are sensitive to ecological changes at the project, local and regional levels.

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
Requirements of Applicable Legislation, Policies and Guidelines	10.1.1.3	131	Text does not identify what specifically is being consulted on. Including permitting/approvals items could streamline the process and reduce the need for duplication at the completion of the EA.	Please include details around what is being discussed in consultation. Is it routing? The EA? Does it include the permitting/approvals phase of the project?
Activities and Key Comments and Concerns Expressed by Community Members to Date	10.3.1	143 - 144	The last two sentences in the table identifying Webequie comments/concerns would seem to be valid responses and/or mitigative measures to address the stated community concerns Can be addressed at ToR phase	Revise 'Responses Provided' to indicate that impacts have been mitigated through definition and refinement with the direct involvement of Webequie people
Government Review Team	10.4.2.1	152	A data share agreement has been provided between the Webequie project team and the Crown.	Please describe how Crown provided data and data collected for the project will be used and shared amongst organizations.
Record of Consultation	10.5	158	It would be helpful if the consultation record database included a column to indicate whether the concern has been addressed and any follow-up action concluded. Should be addressed at EA phase.	Consider revising the last bullet: "Identification of issues raised or discussed, any follow-up action or undertaking and status of the issue (e.g., outstanding, addressed/concluded)"
Other Permits and Approvals	12	161	To the extent possible, the proponent and agencies should be identifying and discussing permits and approvals throughout the EA process and maintaining a record of consultation with Indigenous communities in respect permits and approvals so that some level of consultation has been carried out on specific permitting requirements by Notice of Completion. This may help the agencies when consulting and/or considering consultation obligations for subsequent permitting and approvals process and could potentially expedite the	Suggested addition: "WFN and the agencies will make efforts to discuss applicable permits/approvals with potentially affected Indigenous communities through the EA. Depending on the status of consultation efforts through the EA process, additional consultation on permits and approvals may

Section Title	Section #	Page #	Comments & Rationale	Proposed Action/Solution
			timeframe between EA completion and issuance of permits and approvals. Should be addressed at ToR phase.	be required following the completion of the EA.”
	Appendix B	7	Socio-Economic Environment for both “ <i>Mineral & Aggregate Resources</i> ” and “ <i>Recreational Activities</i> ” list possible potential effects (e.g. Potential for increased access for non-Indigenous recreation).	In the EA, will there be consideration of the potential aggregate sites to be available for construction of access roads to non-Indigenous facilities? (e.g. to tourism camps, outfitters, etc.?)

Consolidated Comments Table

Proposal: Webequie Supply Road Project – Draft Terms of Reference

Proponent: Webequie First Nation

Agency: Ministry of Northern Development, Energy and Mines (ENDM)

Commenter Name and Job Title:

Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning

SUBSTANTIVE COMMENTS Example: Major concerns, substantial changes, etc.			
Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1. AH	Sec. 1.3, p.3	<i>Project Background and Context</i> While it is a good idea to provide context and background on how the proponent got to its current proposed project, this section seems to repeat the content of section 5.1.2.1 Background and Context (p. 36-47)	Suggested Solution: List the various studies in section 1.3 (with a 1-2-line description) with a note to refer to section 5.1.2.1 for details and then provide any additional details from section 1.3 in section 5.1.2.1
2. AH	Sec. 1.3, p. 3 See also 5.1.2.1, p. 36	<i>Noront Resources Eagle's Nest Mine Access Road (2013)</i> It should be noted that that Noront's EIS/EA was a very preliminary draft that Noront had prepared and circulated in advance of an approved provincial ToR . It was incomplete and could not be reviewed by Ontario as there wasn't an approved ToR. Only the federal government provided comments. Ontario did provide some technical expertise to support the federal government's review. The proponent should be very cautious about how it uses the information in that draft document.	Suggested Solution: Revise paragraph to more accurately reflect the context around Noront's preliminary draft EA and the current status of their project.

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Proponent should also exercise caution in how it articulates the current status of Noront's project. It is true that Noront has put its EA on hold until there is more certainty about an all-season road to the RoF, but there is no knowledge of what is or will be included in their provincial EA for their mine project. As noted below in No. 3, the federal EA for the Noront project has been terminated, so the status of a coordinated federal-provincial EA for Noront's project is not known at this time.	
3. KL	Sec 1.3, pg.3, Sec 5.1.2.1, pg.36 & 45 Sec. 5.1.2.3 p.54	<i>"At present the Noront EIS/EA is on hold until there is more certainty about a potential all-season road to be developed by others"</i> This sentence is partially incorrect. The provincial EA is on hold, but the federal EA was terminated when the IAA came into force.	Suggested wording: "The Provincial EA is currently on hold until there is more certainty about a potential all-season road to be developed by others. As part of the transition to the new Impact Assessment Act, on August 28, 2019 the Impact Assessment Agency of Canada issued a Notice of Termination of the federal EA for the Eagle's Nest Project."
4. AH	Sec. 1.3, p. 4	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System (2011)</i> Par. 1, line 2 – <i>From this study...</i> Not clear that you are referring to the study in the title of the section	Suggested Solution: Name the study to which the proponent is referring in the sentence.
5. AH	Sec. 1.3 p. 4	<i>Winter Road Realignment Study (2008)</i> Line 1: <i>On behalf of four First Nations...</i> It should be noted that the list of First Nations following, there are five First Nations listed.	Suggested Solution: The number of First Nations in the list need to align with the number cited right before the list.

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		For the other studies listed, there is a paragraph that speaks to Webequie's perspective about the contribution of the study to the thought process in the ToR. Is there a reason why this is not included here? Even if this study was not useful, would that not be worthy of stating from Webequie's perspective.	Include a sentence on "From Webequie's perspective..."
6. KL	Sec.1.4.2 Pg. 7, par. 3	<i>"The proposed section of all-season road between Nakina and Marten Falls First Nation is referred to as the Marten Falls Community Access Road project, which is subject to Ontario's Environmental Assessment Act. Marten Falls First Nation is also from a feasibility perspective, and as a separate project, examining an all-season road from their community to the Ring of Fire mineralized area. Collectively, these two projects are commonly referred to as the north-south corridor between the provincial road network to the mineralized area near McFaulds Lake. These studies by Marten Falls are ongoing in parallel to the Webequie Supply Road EA."</i> As per Marten Falls First Nation's Initial Project Description, the Marten Falls Community Access Road is a connection from Marten Falls First Nation to Painter Lake Road, not Nakina.	Suggested wording: "Marten Falls First Nation is currently leading a coordinated federal-provincial environmental assessment process for the Marten Falls Community Access Road, which would connect Marten Falls First Nation to the provincial highway network via a connection to Painter Lake Road. This environmental assessment is ongoing at the same time as the Webequie Supply Road EA"
7. AH	Sec. 2.1, p. 10	<i>2.1. Regulatory Framework</i> The Ontario EA regulatory framework is described in a few short paragraphs., while the description of the Impact Assessment Act is nearly 2.5 pages in length and details every step in the process when you are	Suggested Solution: - State that you began under CEAA 2012 - New IAA came into effect on Aug 28/19, were not far enough along to stay under CEAA 2012 - Transitioning to new IAA

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		describing processes in a draft ToR but are not describing the Ontario process in detail.	- Where you currently are in the process and the date by which you should know if a federal IA will be required.
8. AH	Sec. 2.1.3 p. 14	<i>Figure 2.1 Coordinated Webequie-Federal-Provincial EA Process</i> This Figure is based on a joint federal-provincial chart provided by MECPO and IAAC. Has the proponent discussed with MECP and IAAC the changes it has made to its chart?	Proposed Solution: Check with MECP and IAAC about changes made to the chart.
9. AH	Sec. 3.1, p.18	<i>3.1 Environmental Assessment Principles</i> What is the source of these principles? If the source is the Codes of Practice, then the source should be cited, and the principles stated as they are in the Code. We know that these principles, if they are from the Code will meet the requirements of the provincial EAA, but will they meet the IAA requirements.	Suggested Solution: Provide appropriate citation and use the same wording as the source. See if there are additional principles in the IAA that should be included if the proponent is going to state the principles will meet both the federal and provincial regulatory requirements.
10. JF	Sec 4.1.1, Fig 4.2, pg.25	Question: typical x-section design doesn't appear to account for any excavation below OG. Is that correct? Earlier versions of typical x-sections have been seen (ie from MTO) included an average variable depth earth ex for either a firm base (where appropriate) or for grade. Just thinking from a foundations perspective.	Perhaps provide rationale or point to where an explanation can be found. Maybe not an issue for the ToR as this really is an engineering matter.
11. AH	Sec. 5.1.1 p.29-35	<i>Alternatives to the Undertaking</i> It is not clear what method was used to review and screen the alternatives 'to'. Were criteria developed to screen the alternatives 'to' or were the only criteria 'advantages' and 'disadvantages'? If so, is that	Suggested Solution: Provide clarity on the method used to screen alternatives 'to' including criteria that were used and the rationale for criteria. Demonstrate any consultations that were had on the

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		sufficient to screen out a number of alternatives 'to'? Was there any consultation on the screening of alternatives?	alternatives 'to' assessment and whether the results of any consultations were considered in the screening process.
12. KL	Sec. 5.1.2.1 Pg. 37 Last par.	<i>"As noted previously, the EIS/EAR for Noront's Eagle's Nest Mine project is on hold and, when reactivated, will exclude consideration of an all-season road connection to the provincial highway network, as it has been assumed that this will be developed by others based on the Province of Ontario's pledges of funding for infrastructure (mainly roads) in the Ring of Fire area."</i> This sentence appears to be very definitive on what will happen (see bolded parts). Suggest softening the language to be more hypothetical. Suggest removing the reference about the Province's commitment of funding for infrastructure as the current government has not publicly announced a funding commitment for Ring of Fire infrastructure.	Suggested wording: "If Norton chooses to re-commence environmental assessments for the Eagle's Nest Mine project, it may not include consideration of an all-season road connection to the provincial highway network given that there are already ongoing environmental assessments for all-season road projects in the Ring of Fire area."
13. AH	Sec. 5.1.2.1 p. 39 par.3	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System</i> <i>Prior to the sale, Cliffs had conducted a number of studies as part of its Environmental Impact Statement and Environmental Assessment Process.</i> The way it is written implies that Cliffs was much farther along in its EA process than it actually was. There was no approved ToR, nor was there an EIS/EA prepared	Suggested Wording: Prior to the sale, Cliffs had conducted a number of studies as part of its coordinated federal-provincial EA process.

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
14. AH	Sec. 5.1.2.1 p. 42 par. 3	<i>All-Season Community Road Study (2016)</i> <i>Following community engagement and multi-criteria assessment, a preferred corridor was identified for further study.</i> In going back to the study to verify the statement, the conclusions state that: There is no clear answer about whether there should be a road (p. 132) There was no consensus on a preferred corridor option (p. 133) No option stands out as a most preferred (p. 136) One of the recommendations is to identify a preferred alternative (p. 141) Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how it has contributed to the current proposal.	Suggested Solution: Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how that may change “From the Webequie First Nation perspective...” for that particular study
15. AH	Sec 5.1.2.1 p. 45-46 Sec. 5.5 p. 76 Segment 2	<i>Table 5-1: Chronological Summary...</i> <i>Noront Eagle's Nest Mine</i> <i>Draft EIS/EAR: Submitted December 2013 (response issued by federal agencies; no comprehensive formal response issued by provincial agencies)</i> Since this was a draft, it was not a formal part of the process. Noront circulated a draft EIS/EA on its own and did so in advance of an approved provincial ToR which is why Ontario could not provide a response. Need to accurately reflect.	Suggested Wording Draft EIS/EA: circulated by Noront December 2013. Comments received from federal government agencies. Ontario could not provide comments because there was no approved Terms of Reference for the provincial EA, although some technical support was provided to the federal government.

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		<i>Status: EA has been paused. Noront will apply to modify its ToR when work (by others) on an all-season road connection between the mine site and the provincial highway is sufficiently advanced.</i> Should not be pre-determining the outcome of what Noront will do.	Status: EA has been paused. Noront will enter into discussions with MECP about how to proceed when it is ready to restart its EA process, which is likely to occur once work on an all-season road connection is sufficiently advanced.
16. KL	Sec. 5.1.2.3 Pg. 50	<i>“WFN is also exploring the feasibility of entering into a public private partnership to implement the Project, similar to the arrangement for constructing other comparable Northern and Indigenous undertakings (e.g., Tłıchq All-Season Road in NWT).”</i> Given that it is not yet decided who will lead the construction of the road, suggest not discussing any specific options yet.	Suggested wording: “WFN continues to have discussions with the Province on roles and responsibilities with respect to construction of the WSR”
17. AH	Sec. 5.1.2.3 p. 52 Sec 8.1, p. 121 par. 5	<i>Supply Road Alternative Concepts</i> Par 1: who made up the East-West Group (not to be confused with the East-West coalition) and how is it different from the WFN Local Working Group. Webequie used a unique approach in developing its alternative route concepts by relying on Indigenous knowledge first, before applying conventional approaches. This unique approach should somehow be emphasized more here and in other places within the document (Sec. 8.1, p. 121)	Suggested Solution: Provide clarification of what these groups were Provide some more details about the unique approach taken by Webequie in developing the alternative route concepts either here or at the beginning of Sec. 5.2. Include Provide more clarity on this approach and how it

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Par. 3: ... <i>that adopted a community-based land use planning approach for infrastructure development...</i> Would be helpful to explain this a bit more to provide clarity	informed the approach outlined in the ToR
18. AH	Sec 5.2 p. 57	<i>Initial Screening of WSR Corridor Alternative Concepts</i> Please provide additional detail about the consultation with WFN community members to convey all of the work that went into the screening process.	Suggested Solution: See 17 above
19. AH	Sec. 5.2 p. 61-68	<i>Table 5.3</i> May be useful to explain why advantages/disadvantages was used to compare the different alternative concepts against the various criteria	Suggested Solution: Provide rationale for using advantages and disadvantages to compare the different alternative concepts.
20. AH	Sec. 6.2, p.80	<i>Data Collection Methodology</i> Par. 3, list – item 1: Caution when using previous environmental studies as the information may be dated (2013) and may have to be updated	Suggested Solution: Indicate that dated information will be reviewed and updated as required.
21. JF	Sec 6.2.1, pg.84	Question: under Veg Surveys; why not sample age of trees over 10m? Does not age-class of a stand contribute as a factor in determining appropriateness of potential wildlife habitat? Or is the visual assessment enough of an indicator?	Please provide a response.
22. AH	Sec. 6.2.3 p. 85	<i>Socio-Economic Environment</i> May be helpful to include the communities that may be potentially affected by the project and what aspects of the component would be considered. Should be more	Suggested Solution: Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		than an inventory of physical assets in the community and economic opportunities.	a project can create impacts in the socio-economic component.
23. AH	Sec. 6.2.5 p. 86	<i>Table 6-1: Published Sources of Information</i> Noront Resources Ltd: Eagle's Nest Project – Federal/Provincial Environmental Impact Statement/Environmental Assessment Report (2013) The way it is listed, gives it more status than it actually had	Suggested Solution: Add in preliminary draft
24. AH	Sec. 6.3 p. 87 Sec. 12 p. 161	<i>6.3 Natural Environment</i> <i>Information collected for the EA may also be used by WFN to obtain other permits, approvals and/or licences that may be required to proceed to construction.</i> May want to state that you will be collecting information for the EA to a level of detail that would be sufficient for future permits	Suggested Solution: Provide clarity about whether the proponent intends to coordinate any permitting requirements with EA requirements. If so, detailed discussions would be required with appropriate ministries.
25. JF	Sec 6.3.1 pg.88	Comment: paragraph 4 last line references the term regosolic. It took time to find a definition that could be applied to this project; but would hazard that this is a specialized technical term familiar to those in the business but will go over the heads of most of your audience, never mind translating it into OjiCree etc...	Suggest expressing this concept in clearer terms.
26. AH	Sec. 6.3.3, p.90	<i>Mammals</i> <i>During the Noront Eagle's Nest Mine EA, winter tracking surveys were conducted in 2011 and 2012....</i>	Suggested Wording: During the preparation of the Noront Eagle's Nest Mine EA, in advance of an approved ToR winter tracking surveys were conducted in 2011 and 2012....

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Note also that these surveys were undertaken some time ago and may be dated.	
27. AH	Sec. 6.4.1 p. 106	<i>Regional Planning Initiatives</i> Par. 2: just flagging that this may have to be updated prior to formal submission	Suggested Solution: Work with MNRF and monitor until ready to formally submit ToR
28. AH	Sec. 6.4.1 p. 107	<i>Provincial Policy Statements</i> Par. 1: Are there any PPS that are relevant to this proposed project. If so, you may want to mention any relevant ones.	Suggested Solution: Include any relevant PPS, if appropriate
29. AH	Sec. 6.4.3 p. 107	<i>Population, Demographics and Community Profile</i> Par. 1: A socio-economic assessment should be more than an inventory of physical assets in a community (e.g. # of houses). Should include kinship, familial relationships with other communities, community stability, cohesion as communities can react differently to a proposed project based on some of the relationships and how close the community is. Par. 2: may want to include the provincial average against which to measure where the community sits. Par. 2: <i>This is due in part because of communities transitioning away from traditional manufacturing, agricultural based industries and resource development creating economic pressures</i> Not sure that this applies to remote northern Indigenous communities	Suggested Solution: Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of a project can create impacts in the socio-economic component. If making changes, include in Appendix B p. 7 Include provincial averages Provide clarification on traditional manufacturing and agricultural based industries.

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
30. AH	Sec. 6.4.5 p. 108	<i>Infrastructure and Services</i> <i>In addition to this, the Project may also have the potential to interact with communities and services such as police and fire stations, hospitals, schools, churches, and other religious buildings, local businesses, and residential areas,</i> The list of infrastructure and services appears to have a southern bias. Can the list be adjusted to better reflect the reality of remote Indigenous communities? Should be a list of services that are available within the particular community and how the services are used by community members	Suggested Solution: Adjust the language to better reflect the reality of remote Indigenous communities.
31. AH	Sec. 7.1 p. 113	<i>Natural Environment: Table 7.1 Project Activities and Potential Effects on the Natural Environment</i> May be useful to identify the phase of the project (construction, operations, maintenance) to which the impacts may apply. It will help indicate short-term and longer-term impacts.	Suggested Solution: Include the phase to which the impacts apply in table 7.1
32. JF	Sec 7.1, Table 7-1, pg.115	Question: it is noted in the Noise Emissions row that there are no mitigation measures listed. Are there no generic/standard mitigation measures for this potential impact (i.e. maintenance of mufflers, minimize idling, design charge loading and blast patterns to cap peak particle velocity, etc..)?	Consider adding mitigation measures
33. AH	Sec. 7.2 p. 116-117	<i>Socio-Economic Environment</i> Par. 1: Line 2: should add in families/clans in the various units of social order.	Suggested Solution: Suggest making changes to language at appropriate places

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Par. 1: Line 4: suggest changing mitigation/remedial measures to impact management measures Table 7-2: Positive Effects/Benefits: the positive social effect is actually more economic. Are there any other positive social effects? Table 7-2 Negative Effects: bullet 2: can you provide examples of social issues	
34. JF	Sec 7.2, Table 7-2, pg.117	Comment: Under negative economic effects, 1 st bullet; the WSR does not connect to the existing provincial network but rather connects 2 remote seasonally accessible locations. As such, the community should not lose its remote status as a result of this specific project.	For consideration; perhaps adjust wording to reflect that the potential loss of isolation transfer payments would not become a tangible negative effect unless this WSR is connected to a network that ultimately connects to the existing provincial network.
35. AH	Sec. 7.2.1 P, 117 Par. 2	Effects on Traditional/Indigenous Land Use <i>At present sixteen (16) of these Indigenous communities may be affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.</i> Add in additional language to be more precise.	Suggested wording: At present sixteen (16) of these Indigenous communities may have Aboriginal or treaty rights that may be adversely affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.
36. AH	Sec. 8 p. 119 par. 3	<i>Approach to Assessment and Evaluation of Effects</i> <i>The assessment will be based on the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)</i> Won't the assessment be based on the approved ToR as well?	Suggested Wording: The assessment will be based on the approved Terms of Reference, the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)
37. AH	Sec. 8.1.1 p. 122-125	<i>Table 8-1: Select Preliminary Criteria and Indicators for Evaluation</i>	Suggested Solution:

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Socio-economic: There are very few criteria and indicators specific to social and impacts on individuals, families and other relationships etc proposed for the evaluation. Should consider changes to familial relationships, and changes to community cohesion, stability etc in all of the communities that will be profiled.	Consider adding in additional criteria to provide better indication of the health of the community including changes to relationships, community cohesion, stability etc.
38. LA	Sec 10.1.1, pg.128	a) Section 10.1.1 – “Indigenous Communities Consultation” title. Is this just for proponent led consultation?	a) Suggest adding “Webequie-led Indigenous Communities Consultation”
39. LA	Sec 10.1.2, pg.131	a) See adjacent column for suggested changes for clarity and accuracy. b) The second paragraph says: “Material from the executed MOU will be included in the final ToR” – do we know what material is being proposed for inclusion?	It is the Crown’s constitutional duty to determine whether a Duty to Consult has been triggered by a Project and, if so, identify the Indigenous communities to be engaged and the appropriate consultation to be undertaken with those communities. As the Webequie Supply Road Project falls under the jurisdiction of both the provincial Environmental Assessment Act (EA Act), and the federal Impact Assessment Act, both federal and provincial ministries and agencies represent the Crown. The Crown can delegate some procedural aspects of the duty to consult to project proponents. Project proponents are obliged under the EA Act to consult with all interested parties, including Indigenous communities. To ensure engagement and consultation with Indigenous communities is meaningful, it is important to recognize that Indigenous communities

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
			have varying rights and interests in respect of the Project; consequently, they may request different approaches to consultation and engagement, as well as accommodation, where appropriate, to mitigate impacts to their rights and interests. In addition, the “public” consultation process is also open to ~~the~~ Indigenous communities. The Ministry of the Environmental, Conservation and Parks (MECP) and Ministry of Energy, Northern Development and Mines (ENDM), on behalf of the Ontario Government, have formally delegated some procedural aspects of consultation required under the EA Act to ~~the~~ Webequie First Nation, as proponent. A Memorandum of Understanding (MOU) between MECP, ENDM and Webequie First Nation, setting out how roles and responsibilities related to the Duty to Consult will be shared ~~amongst the three parties between the Crown and the proponent~~, is in the process of being finalized. Material from the executed MOU will be included in the final ToR. As established in the draft MOU, Webequie First Nation’s roles and responsibilities include the following: b) – addressed in suggested wording above
40. KL	Section 10.1.2	<i>“The Crown can delegate some aspects of the duty to consult to project proponents.”</i>	Suggested wording:

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
	Pg. 131 Par.1	Should specify that the aspects that can be delegated are procedural.	"The Crown can delegate some procedural aspects of the duty to consult to project proponents."
41. LA	Sec 10.2.1, pg.134	Second paragraph says "The list provided by MECP reflects the Crown's understanding of communities whose Aboriginal and/or treaty rights may be..."	Think it should say "The list provided by MECP reflects the Crown's understanding of communities whose established or asserted Aboriginal or treaty rights may be..."
42. AH	Sec. 10.2.1 p. 135	<i>Identification of Indigenous Communities</i> 1 st sentence: <i>Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests</i> May want to add that the proponent would be open to engage interested communities if they are interested	Suggested Wording: Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests. WFN would be open to engage interested communities should they wish to engage more frequently
43. LN	Sec 10.2.1, pg.135	"Based on these factors, the Indigenous communities to be offered the deepest and most frequent engagement/consultation, include:"	It may be helpful to provide details on what "frequent" engagement/consultation means. For ex. Is "frequent" engagement/consultation communication every 2-3 weeks? Same goes with "less frequent".
44. LA	Sec 10.2.2.1, pg.136	Last Paragraph says: "The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them before they compromise the EA process;"	Delete "before they compromise the EA process" The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them ~~before they compromise the EA process;~~

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
45. LA	Sec 10.3, pg.137	The sentence under the title refers to the “Terms of Reference Consultation Plan” – The reader likely doesn’t know what this is. Is it publicly available so it can be referred to?	-
46. AH	Sec.10.3.1 p. 138-143	<i>Table 10-2: Overview of Activities and Events Conducted with Potentially Affected Indigenous Communities to Date</i> Assume that the table will be updated before formal submission. Appears that there are still some key communities that have not yet been visited. Assume this will still happen before ToR submission. p. 138: Webequie First Nation: may want to add that they are a potentially affected community and that is why they are included under their name in the left-hand column p. 140: KI – was there not a meeting with KI. Should be included.	Suggested Solutions Add in additional information as suggested
47. LA	Sec. 10.3.1 Pg.138-143	a) Table 10-2 general comment – consider grouping the communities in accordance with consultation assessment so that it’s easier to compare what consultation activities have been done for communities with similar levels of consultation b) Check dates of meetings and letters referred to in 2018. Some may be 2019.	Suggested Solutions Add in additional information as suggested

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
48. AH	Sec. 10.3.1 P. 143-146	Table 10-3: Key Comments and Concerns Expressed by Indigenous Groups/Community Members p. 145 KI: did they not have any comments when they were visited. Please update	Suggested Solutions Add in additional information as suggested
49. LA	Sec. 10.3.1 Pg.143-146	a) Table 10-3 – some of the things in the column “Comments/Concerns Reviewed from Indigenous Communities/Groups” may not be in the correct column, and instead should likely be in the “Reponses Provided to Indigenous Communities” b) Table 10-3 – Certain responses in this table also seem like they need follow up. I.e. for Attawapiskat the response says “...to discuss further”.	a) For example, in the Comments/Concerns for Webequie First Nation it says: ...Impacts to traditional uses of the land will be minimized through corridor definition and construction methods. Similarly, impacts to cultural and historic areas will largely be mitigated through road alignment refinement. This seems more like a response than a comment. b) Please provide more detail on how that response was provided and what if any follow up has been done.
50. AH	Sec 10.3.2 p. 147	<i>Government Review Team and Municipal Involvement to Date</i> Par. 1: include government before agency Why is the proponent including activities pre-dating the ToR phase – provide rationale Provincial government: please make sure the correct acronyms are used for ministry names.	Suggested Solutions Add in additional information as suggested

SUBSTANTIVE COMMENTS

Example: Major concerns, substantial changes, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Include the bi-weekly calls, meetings to discuss aspects of ToR development etc. in the methods of consultation to date.	
51. AH	Sec. 10.3.3 p. 148	<i>Public and Stakeholder Involvement to Date</i> Par. 3: was there not a public OH in Thunder Bay October 8/9?	Suggested Solution Include updates in final submission of ToR
52. LA	Sec. 10.4.1.1 Pg.152	Second paragraph says that "WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use." Despite best efforts, this may not always be possible.	Suggested Wording: " Where possible , WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use."
53. AH	Sec. 10.4.3 p. 156	<i>Table 10-7: EA Consultation Milestones</i> <i>Notice of Commencement of EA: Circulate Notice of Commencement of ToR</i>	Suggested Wording: Circulate Notice of Commencement of EA
54. LA	Sec. 10.5 Pg.157	Second Paragraph says: "The Record of Consultation is a self-standing document that supports the EA study. It will document all Indigenous, government agency..."	Suggested change to delete the word agency: "The Record of Consultation is a self-standing document that supports the EA study. It will document all Indigenous, government agency ..."
55. LA	General	Throughout the document it refers to "federal and provincial agencies". This is misleading as on the provincial side it's not an agency.	Change to "federal and provincial ministries and agencies "
56. MM	General	Socio-Economic Environment: Include the review and reference to current Comprehensive Community Plans/Economic Development Plans for alignment.	Identify opportunities for businesses and current assets that could provide local opportunities, finally a Skills inventory and Training development for opportunities that could present themselves for the community and members.

EDITORIAL COMMENTS

Example: Grammar issues, typos, formatting, consistency, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
1. LN	Sec 1, pg.1, others throughout	Additional spacing put before sentences: “ Based on the scaling and complexity...”	Remove additional spacing before sentences
2. LN	Sec 1.2, pg.3	No telephone number listed under “Webequie Supply Road” contact info for the proponent	Instead of leaving it blank, you can write “See individual contact information with associated phone numbers below”, or remove “Telephone” category under Webequie Supply Road
3. LN	Sec 1.4, pg.4, Sec 5.1.2, pg.40, others throughout	Editorial, ensure clarity: Under the Winter Re-alignment Study, first line; references 4 communities in the text but lists 5 in the parenthesis.	Adjust as appropriate.
4. LN	Sec 1.3, pg.3-5	No rationale for the order of the studies listed. The studies are 2013, 2011, 2008, 2016, then 2017.	Before listing the studies, provide a rationale for why they are listed as such. Perhaps list in chronological order, or of order of importance/relevance to the project
5. JF	Pg 4, 36, others throughout	Semantics: Note references to the “Pickle Lake Road (previously Hwy 808)”. Not sure if this is a local reference, but the gravel road starting at the end of Hwy 599 at Pickle Lake/Central Patricia heading north and west is named the “NORT Road (formerly Hwy 808)” in the MTO data worked with in the past. In some cases, it has been referenced as the NORT North Road in order to differentiate it from the NORT Nungesser Road over by Red Lake.	Suggest verifying the official name to avoid confusion.

EDITORIAL COMMENTS

Example: Grammar issues, typos, formatting, consistency, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		Sometimes Hwy 599 itself is referred to as the Pickle Lake Road	
6. LN	Sec 1.5, pg.9	"Regulatory Framework for the Project (Section 2)" might be better organized by reversing the sentence to say "Section 2 – Regulatory Framework for the Project"	Change "Regulatory Framework for the Project (Section 2)" to say "Section 2 – Regulatory Framework for the Project" – make changes to the entire list on page 9
7. LN	Sec 2.1.1, pg.10	Inconsistent use of "Ontario Minister of the Environment, Conservation and Parks" and "Minister of the Environment, Conservation and Parks" and "Ontario Environmental Assessment Act" and "Environmental Assessment Act"	Add "Ontario" before "Minister of the Environment, Conservation and Parks" and "Environmental Assessment Act" consistently *There is a need to look through the entire document to ensure consistency
8. JF	Sec 2.1.2, pg.10	Typo: 5 th line; the term "right of way" is missing the "w".	Add the "w"
9. JF	Sec 2.1.2, pg.10	Typo: last line; there is a lone right parenthesis on the word "Act".	Remove the parenthesis
10. LN	Sec 2.1.2, pg.11	"Indigenous jurisdictions " – is it better to say "Indigenous governments"	Change "Indigenous jurisdictions " to "Indigenous governments "
11. LN	Sec 2.1.2, pg.11	Should be a webpage link to the IAA registry	Add webpage link to IAA registry
12. KL	Pg. 13	In two instances, the term "Tailored Impact Assessment Guidelines" was used instead of the correct term "Tailored Impact Statement Guidelines"	Use the correct name
13. LN	Sec 3.2, pg.18	Lengthen "The Act" to "The Environmental Assessment Act" for clarity	Lengthen "The Act" to "The Environmental Assessment Act"
14. LN	Sec 3.2, pg.20	"will include."	Should be "will include."

EDITORIAL COMMENTS

Example: Grammar issues, typos, formatting, consistency, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
15. JF	Sec 5.1.1.6, pg.35	Editorial, grammar: 3 rd line; there is an unnecessary “an” between “new” and “all-season”.	Remove the unnecessary “an”
16. LN	Sec 5.2, pg.57-59	Tables should have black lines that separate the columns and rows to look better organized and separate content from one another	Add black lines in the tables Additional tables throughout document: 61-68, 113-116, 123-125, 138–147, 149-151, 154-157
17. JF	Sec 5.3, pg.71	Typo: 3 rd bullet “... but does not full avoid potential...” missing the “y” on fully	Add the “y”
18. JF	Sec 6.1, pg.78	Typo: 3 rd line. there is a lone right parenthesis on the word “jurisdiction”.	Remove the parenthesis
19. JF	Sec 6.3.3 pg.91	Typo: Acronym in paragraph 2 line 5 references RSA: is this supposed to be ESA?	Either change to ESA or define what RSA is
20. JF	Sec 6.3.4, pg.94	Grammar: second last paragraph, last line. ‘...species list for Study Area’ missing a “the” before “Study Area”	Insert a “the”
21. JF	Sec 6.3.5, pg.98	Grammar: second paragraph 1 st line, “..riffle habitats for during the spring period spawning..” reads awkwardly	Remove either “for” or “during” and perhaps flip the positions of “period” and “spawning”
22. JF	Sec 6.4.4, pg.108	Typo: 2 nd line: “...many healthy and well-being issues...” the “y” on health is unnecessary.	Remove the “y”
23. LN	Sec 7.2, pg.117	“May facilitate more outsiders coming into community...” is listed under Negative Economic Impacts, but it seems like an environmental impact	Remove from under Negative Economic Impacts and create new category called “Negative Environmental Impacts”
24. LN	Sec 7.2.1, pg.117	“The MECP has provided a list of twenty-two (22)...” – other ministries in addition to MECP worked on identifying this list	On page 134, the statement reads: “In coordination with other provincial government agencies, Ontario (MECP) identified a list of twenty-two (22) Indigenous communities...” . The first part of this sentence should be consistent with the sentence on page 117

EDITORIAL COMMENTS

Example: Grammar issues, typos, formatting, consistency, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
25. LN	Sec 8, pg.119	"The assessment will be based on the Ministry of the Environment and Climate Change... "	MOECC's new ministry name "MECP" should be mentioned in this sentence
26. JF	Sec 8.1.1, Table 8-1, pg.123	Typo: 3 rd row of the table. Missing the "r" on "flycatcher"	Add the "r"
27. LN	Sec 10.1.2, pg.131	"...is in the process of being finalize. "	"...is in the process of being finalized. "
28. KL	Pg. 131	<i>"The Crown can delegate some aspects of the duty to consult to project proponents."</i> Should specify that the aspects that can be delegated are procedural.	Suggested wording: "The Crown can delegate some procedural aspects of the duty to consult to project proponents."
29. LN	Sec 10.2.1, pg.135	"Based on these factors, the Indigenous communities to be offered the deepest and most frequent engagement/consultation, include:"	It may be helpful to provide details on what "frequent" engagement/consultation means. For ex. Is "frequent" engagement/consultation communication every 2-3 weeks? Same goes with "less frequent".
30. JF	Sec 10.2.3, pg.137	Typo: unnecessary return between the 2 nd and 3 rd bullet, splitting the single thought.	Merge into 1 bullet
31. JF	Sec 10.3.2, Table 10-4, pg.147	Naming convention: noted the old names for CEAA, MNDM and MOECC. Should be updated to IAA, ENDM and MECP respectively?	Update to current name, as is consistent with other occurrences within the rest of the document
32. JF	Sec 10.3.2, pg.148	Naming convention: 2 nd paragraph, 2 nd line.	Update to current name, as is consistent with other occurrences within the rest of the document
33. JF	Sec 11.1, pg.160	Grammar: Line 2 missing an "an" ahead of "...open and respectful process,...".	Add the "an"
34. JF	Sec 12, pg.161	Typo: 3 rd line; missing the "i" on "is"	Add the "i"

EDITORIAL COMMENTS

Example: Grammar issues, typos, formatting, consistency, etc.

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
35. JF	Appendix B	Naming convention: noted throughout the table that our ministry is identified as MENDM – should just be ENDM	Adjust MENDM to ENDM throughout

Ariane Heisey

Commenter Signature

October 21, 2019

Date

APPENDIX P1.F.6

Ontario Ministry of Tourism, Culture and Sport (formerly Ministry of Heritage, Sport, Tourism and Culture Industries) (MTCS)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:23 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie Supply Road - Contact Info Form
Attachments: Webequie Supply Road Form 20190205.pdf

From: Antler, James (MTCS) [mailto:James.Antler@ontario.ca]
Sent: February 6, 2019 4:44 PM
To: Darson, Christine
Cc: Brownlee, Laurie (MTCS)
Subject: Webequie Supply Road - Contact Info Form

Christine:

Please find attached a completed contact information form on behalf of our Ministry's Northern Policy and Planning Unit.

Jim Antler
Policy Advisor
Northern Policy and Planning Unit
Tourism Division
Ministry of Tourism, Culture and Sport
447 McKeown Avenue, Suite 203
North Bay, ON P1B 9S9
Tel: (705) 494-4159
Fax: (705) 494-4086
Email: james.antler@ontario.ca

This message, including any attachments, is meant only for the use of the individual to whom it is intended and may contain information that is privileged/confidential. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received the message in error, please notify me immediately by reply e-mail and permanently delete this message including any attachments, without reading it or making a copy. Thank you.

Webequie First Nation's Supply Road Project
Environmental Assessment Project

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@snclavalin.com

55) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?

Yes ☒ No ☐

56) If yes, please provide a contact person and their information (if different from original notice):

Name: _____
Title: _____
Department: _____
Organization: _____
Mailing Address: _____

Phone: _____
Fax: _____
Email: _____

57) In the space below, please provide any initial comments you may have regarding the study.

THE MINISTRY OF TOURISM, CULTURE + SPORT'S ~~HAS A~~ NORTHERN
POLICY AND PLANNING UNIT HAS AN INTEREST IN THE PROJECT
BUT IS NOT PROVIDING INPUT AT THIS TIME. WE WISH TO
REMAIN ON THE PROJECT MAILING LIST TO RECEIVE FUTURE
UPDATES. THANK YOU. JAMES (JIM) ANTLER

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

**Ministry of Heritage, Sport,
Tourism and Culture Industries**

Programs and Services Branch
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel: 416.314.7643

**Ministère des Industries du Patrimoine,
du Sport, du Tourisme et de la Culture**

Direction des programmes et des services
401, rue Bay, Bureau 1700
Toronto ON M7A 0A7
Tel: 416.314.7643



21 October 2019

Email Only

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
michael.fox@supplyroad.ca

MHSTCI File : 0009743
Proponent : Webequie First Nation
Subject : Draft Terms of Reference
Project : Webequie Supply Road
Location : Webequie Airport to McFauld's Lake, District of Kenora

Dear Mr. Fox:

Thank you for notifying the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI, formerly the Ministry of Tourism, Culture and Sport) that the draft Terms of Reference (Webequie First Nation/ SNC-Lavalin, September 2019) for the above-referenced project were published and available for review. MHSTCI offers its comments on the document.

Project Summary

Webequie First Nation is proposing to establish an all-season corridor to facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development in the McFauld's Lake area.

Comments

Section of Draft Terms of Reference	Item	MHSTCI Comment
2.1 Regulatory Framework Table 2-2 Provincial Legislation, Permits and Other Authorizations	reference to letters of satisfaction	MHSTCI reviews technical cultural heritage studies such as archaeological assessment reports, cultural heritage existing conditions reports and heritage impact assessment reports. Once an archaeological assessment is reviewed, the ministry provides the archaeologist with a letter indicating that the report has been entered into the Ontario Public Register of Archaeological Reports. The entry should also include reference to the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>, which applies to properties owned or controlled by the provincial Crown or a public body prescribed under Ontario Regulation 157/10. Therefore, under the column "Permit/Act", the entry should read:

Section of Draft Terms of Reference	Item	MHSTCI Comment
		<i>Part III.1 (Standards and Guidelines for Conservation of Provincial Heritage Properties) Ontario Heritage Act, Part VI (Archaeological Resources)</i> <i>Standards and Guidelines for Consultant Archaeologists</i> Under the column “Corresponding Applicability to the Project”, the entry should read: “Letters for archaeological and other cultural heritage assessment(s) as part of environmental assessment and OHA due diligence.”
4 Description of the Undertaking 4.2 Components and Activities of the Project	list of construction activities	Please note that all the activities listed in this section require technical cultural heritage studies early in the EA process to identify any known or potential cultural heritage resources plus appropriate mitigative measures.
5 Description of and Rationale for Alternatives 5.2 Initial Screening... Alternative Concepts	entry for cultural environment	This entry appears to speak only to registered archaeological sites and can be misinterpreted as omitting areas of archaeological potential, built heritage resources and cultural heritage landscapes. It should be clear to the general reader that all types of cultural heritage resources should be identified and protected. The entry should read: “Effects on cultural heritage resources within the study area will be assessed. Cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes (both known and potential). Effects on sacred and spiritual sites identified by Indigenous communities that have been combined with Webequie community consideration of culturally significant features.” A separate entry should be made for burial sites as the <i>Funeral, Burial and Cremation Services Act</i> may apply and the Registrar, Burials of the Ministry of Government and Consumer Services (MGCS) might become involved.
Table 5-3 Summary Comparative Analysis... Alternative Concepts	entries for Cultural Environment	The project team might want to consider undertaking a combined Stage 1-2 archaeological assessment for the entire study area during the pre-planning phase, as it may prove more cost-effective. The entry titled “Culturally significant features” should be renamed “Burial sites” and the entry

Section of Draft Terms of Reference	Item	MHSTCI Comment
		should also reflect the possibility that the <i>Funeral, Burial and Cremation Services Act</i> may apply. A new section entitled “Built heritage resources/ Cultural heritage landscapes” should be created, with the appropriate discussion regarding advantages and disadvantages for each alternative concept. It should be made clear that this section includes sacred and spiritual sites.
6 Existing Environment 6.2.4 Cultural Environment	determining known or potential built heritage resources and cultural heritage landscapes	1st paragraph – MHSTCI recommends that a sentence be included to indicate that this data will be used to assist with and inform the technical cultural heritage studies. 2nd paragraph - MHSTCI recommends making the last sentence into a separate paragraph, to avoid misinterpretation that an archaeologist will undertake the determination of known and potential built heritage resources and cultural heritage landscapes. This work should be conducted by a qualified person with recent and relevant experience. The new paragraph should read: “A Cultural Heritage Existing Conditions and Preliminary Impact Assessment report will be undertaken to identify any known or potential built heritage resources and cultural heritage landscapes in the study area, identify preliminary potential project-specific impacts and recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The report will be undertaken by a qualified person with recent and relevant experience in consultation with the Indigenous communities.” This section should also specify the boundaries of the study area to be assessed for cultural heritage resources. MHSTCI recommends that the definition of study area be consistent with MTO’s practice as per Section 4.1 of the <i>Environmental Guide for Built Heritage and Cultural Heritage Landscape</i> (MTO, 2007), which states: The study area is defined as all lands to be affected adversely either through displacement and/or disruption by the proposed highway design and construction within the existing and proposed highway Right-of-Way (ROW) and the off-route zones adjacent or abutting the existing ROW. In practice, the Study Area has three zones:

Section of Draft Terms of Reference	Item	MHSTCI Comment
		1. A ROW study zone comprises lands to be cleared and developed for the proposed highway right-of-way. Built heritage resources are displaced (through loss or removal). Cultural heritage landscapes are displaced (through loss) or disrupted through the introduction of new highway related resources. 2. A 25-metre study zone is located on either side of the ROW and has potential for associated land clearance. The effects for built heritage resources are displacement (loss or removal), or disruption through isolation of built heritage resources retained adjacent to a new highway when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. The effects to cultural heritage landscapes are displacement (loss), or disruption through the isolation of cultural heritage landscapes retained adjacent to a new highway when visually set apart from the former settings and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. 3. A 25- to 250-metre study zone on either side of the ROW comprising an area where land clearance is unlikely to occur, however, where impacts to built heritage resources and cultural heritage landscapes may be experienced. The effects for built heritage resources and cultural heritage landscapes is disruption through isolation when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping the character or setting.
6.5.1 Cultural Heritage Resources	• MHSTCI approval	Please remove “for approval”, as MHSTCI does not approve reports; MHSTCI issues letters confirming it has reviewed reports (see comment above for Table 2-2). Also remove “and a stand alone”, since it could be misinterpreted as the initial archaeological assessment not relating to subsequent archaeological assessment reports, should they be required. The first paragraph should read: “A Stage 1 Archaeological Assessment will be conducted in 2019 to identify and confirm areas of archaeological potential. The findings from

Section of Draft Terms of Reference	Item	MHSTCI Comment
		this assessment will be documented in the EA and all archaeological assessment report(s) will be submitted to the Ministry of Tourism, Culture and Sport as per the <i>Ontario Heritage Act</i> and the <i>Standards and Guidelines for Consultant Archaeologists</i>".
7 Potential Environmental Effects 7.3 Cultural Environment	• spiritual or sacred sites as archaeological resources • effects to built heritage resources and cultural heritage landscapes • scope of Stage 1 archaeological assessment • archaeological management plan • contingency measures	Regarding the 4th bullet, please note that not all spiritual or sacred sites are archaeological in nature. This needs to be reflected either as a separate entry or noted clearly within the built heritage resources/cultural heritage landscapes entry. Regarding the 5th bullet, please add "known and potential" in front of "built heritage resources" and remove "/visual", so that the reference remains consistent to the terminology used throughout the report (i.e., cultural heritage landscapes). Please note that the term 'cultural heritage landscape' is defined in the Provincial Policy Statement and the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>. Therefore, the 5th bullet should read: "Effects to known or potential built heritage resources (e.g. old hunting or trapping camps) and/or cultural heritage landscapes." Any investigation of and for built heritage resources and cultural heritage landscapes is a separate undertaking, to be conducted by a qualified person(s). Regarding the contents of an archaeological assessment (2nd paragraph), although historical and cultural references provided the context, an archaeological assessment report focuses only on the archaeology component. When investigation the study area for built heritage resources and cultural heritage landscapes, historical and cultural components are typically addressed in the Cultural Heritage Existing Conditions and Preliminary Impact Assessment report. Please clarify why an AMP for this undertaking is being proposed. As a Stage 1 (or a combined Stage1-2) archaeological assessment will be undertaken, it may not be appropriate to develop an Archaeological Management Plan (AMP). MHSTCI can provide additional advice for those paragraphs. Regarding the last paragraph on typical contingency measures, MHSTCI recommends that the following be included:

Section of Draft Terms of Reference	Item	MHSTCI Comment
		- Notifying MHSTCI if any archaeological resources are impacted by the EA work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists. - If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act. MHSTCI also recommends that a paragraph discussing typical mitigation measures be included prior to the contingency measures section (similar to Table 7-1); MHSTCI can provide additional advice on this.
8 Approach to Assessment and Evaluation of Effects Table 8-1 Select Preliminary Criteria and Indicators for Evaluation	Environmental Factor – Cultural Environment	Please note that the terms ‘built heritage resources’ and ‘cultural heritage landscapes’ are defined in the Provincial Policy Statement and the <i>Standards and Guidelines for Conservation of Provincial Heritage Properties</i>. Both terms acknowledge that those resources may or may not be associated with Indigenous communities. The entry should read: “Number and type of known or potential built heritage resources and/or cultural heritage landscapes.” A new entry should be made with respect to burial sites in relation to the <i>Funeral, Burial and Cremation Services Act</i>.
Appendix B List or Preliminary Evaluation Criteria and Indicators	Archaeological Resources	For archaeological resources, the entry for the Indicators column should be: “artifacts, archaeological sites and marine archaeological sites, as defined in the <i>Ontario Heritage Act</i>. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the <i>Ontario Heritage Act</i>.”

Section of Draft Terms of Reference	Item	MHSTCI Comment
	• protection of built heritage resources and cultural heritage landscapes under the Ontario Heritage Act	Include a separate entry for burial sites and the application of the <i>Funeral, Burial and Cremation Services Act</i> (as per comments above). For Built Heritage Resources and Cultural Heritage Landscapes, the Indicators column should read: “Number and type of known and potential built heritage resources and/or cultural heritage landscapes; as identified by a community, including an Indigenous community.”

Thank you again for the opportunity to review and provide comments. Should you have any questions, please contact the undersigned.

Regards,

Katherine Kirzati
Heritage Planner
Heritage Planning Unit
katherine.kirzati@ontario.ca

c: Samson Jacob, Webequie First Nation
Don Parkinson, SNC-Lavalin Inc.
Agni Papageorgiou, MECP
Karla Barboza, MHTSCI
Paige Campbell, MHTSCI

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. MHSTCI makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MHSTCI be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

Please notify MHSTCI if archaeological resources are impacted by EA project work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the *Standards and Guidelines for Consultant Archaeologists*.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

APPENDIX P1.F.7

Ontario Provincial Police (OPP)



January 25, 2019

Ms. Meaghan Klassen
Administrator, Research and Program Evaluation Unit For: Manager, Research and Program
Evaluation Unit Business Management Bureau
Ontario Provincial Police
777 Memorial Avenue
1st Floor
Orillia, ON L3V 7V3

**Re: Notice of Commencement of Terms of Reference
Webequie First Nation's Supply Road
Environmental Assessment**

Dear Ms. Klassen:

Webequie First Nation (WFN) has initiated the Terms of Reference (ToR) phase for an Environmental Assessment (EA) under the Ontario *Environmental Assessment Act* for the proposed Webequie First Nation's Supply Road Project. The purpose of the Project is to establish an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

The ToR will set out WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. Important elements of the project will be to consult with parties that may be interested in and potentially affected by the project; evaluate the advantages and disadvantages of the alternatives; assess potential adverse environmental effects and determine measures to reduce or mitigate these effects.

The anticipated completion date for the ToR is Spring 2019, at which point it will be submitted to the Minister of the Environment, Conservation and Parks (the Minister) for review and a decision. If approved by the Minister, the EA will proceed as outlined in the ToR.

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Commencement of Terms of Reference, published on January 25, 2019, and a *Contact Information Form*. If you or your organization would like to participate in the Project or provide any input at this time, please complete the form and return it by February 25, 2019 to the undersigned.

To obtain information on the Project, or to provide comments, please visit our website at <http://www.supplyroad.ca> or contact one of the following.



January 25, 2019

Page 2

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Project Manager
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

Sincerely,

A handwritten signature in dark ink, appearing to read 'C. Darson', is positioned above the printed name and title.

Christine Darson, B.U.R.PI
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Contact Information Form
Notice of Commencement of Terms of Reference

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks



**Webequie First Nation's Supply Road Project
Environmental Assessment Project**

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

**Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@sncclavalin.com**

-
- 4) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?
Yes ☐ No ☐

- 5) If yes, please provide a contact person and their information (if different from original notice):

Name: _____
Title: _____
Department: _____
Organization: _____
Mailing Address: _____

Phone: _____
Fax: _____
Email: _____

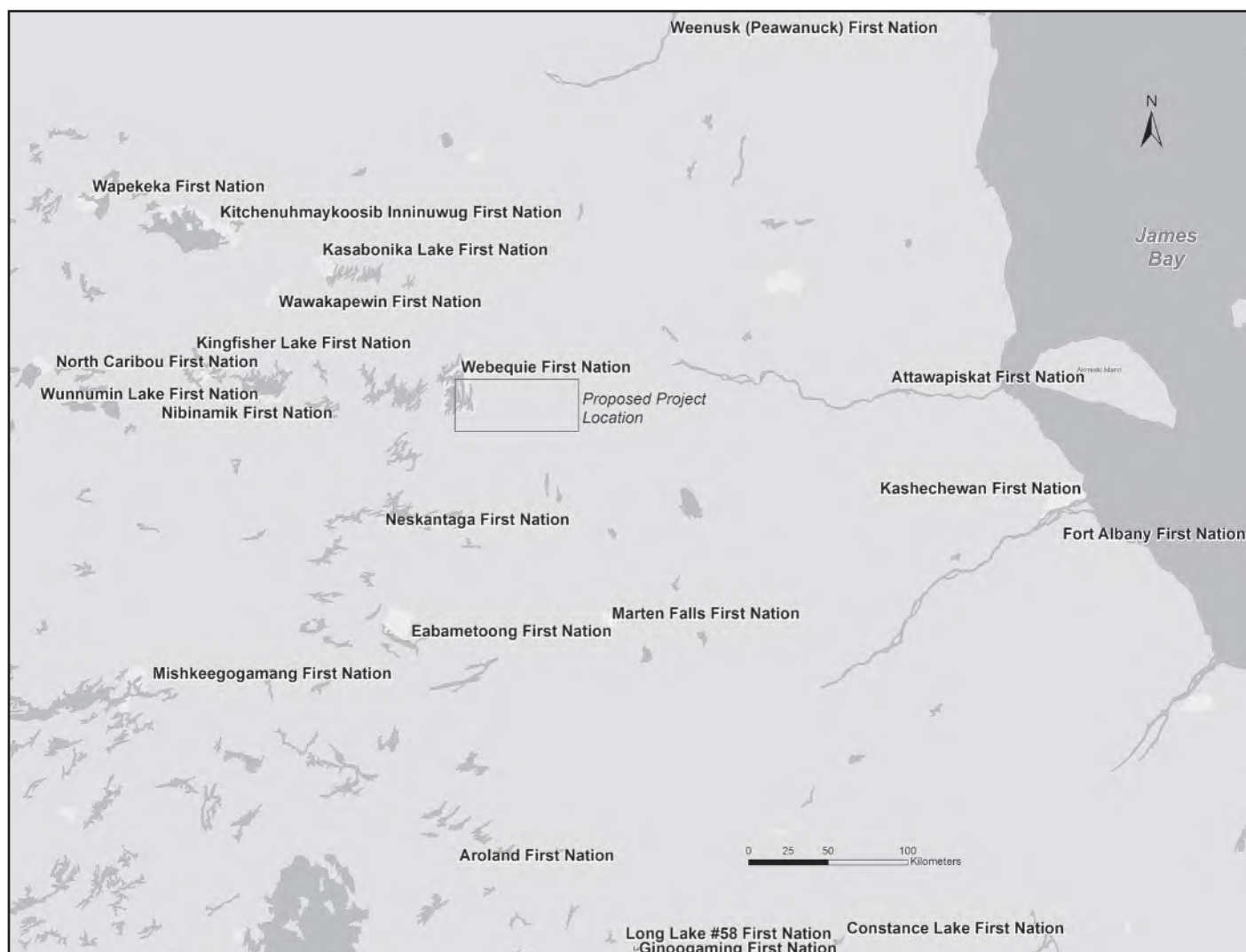
- 6) In the space below, please provide any initial comments you may have regarding the study.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

NOTICE OF DRAFT TERMS OF REFERENCE FOR REVIEW

Webequie Supply Road Project Environmental Assessment

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.



Key Plan – Proposed Location of the Webequie Supply Road

THE PROCESS

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

CONSULTATION

Beginning **September 16, 2019**, the draft Terms of Reference will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>.

You may also inspect the draft Terms of Reference during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri: 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Boulevard East
Timmins, ON
tel: 705-264-1331
Mon-Fri: 8:30 a.m. - 12:00 p.m.
and 1:00 p.m. - 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri: 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri: 8:30 a.m. - 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1st Floor
Toronto, ON
Tel: 416-314-8001 / 1-800-461-6290
Mon-Fri: 8:30 a.m. - 5:00 p.m.

Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@sncclavalin.com

WSR
W E B E Q U I E
S U P P L Y R O A D

All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks' Freedom of Information and Privacy Coordinator at 416-327-1434.

This notice was first published September 11, 2019.



September 11, 2019

Ms. Gillian Lee
A/Manager
Research and Program Evaluation Unit/Research Planning & Analysis Section
Ontario Provincial Police, Business Management Bureau
777 Memorial Avenue, 1st Floor
Orillia, ON L3V 7V3

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Ms. Lee,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.



Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is written over a light blue horizontal line.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks



September 11, 2019

Mr. Iain Joyce
Ontario Provincial Police

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Mr. Joyce,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office
500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office
25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office
220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office
1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office
2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks
Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.

Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.



Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Don Parkinson', is positioned below the 'Sincerely,' text.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks



October 2, 2019

Ms. Gillian Lee
A/Manager
Research and Program Evaluation Unit/Research Planning & Analysis Section
Ontario Provincial Police
Business Management Bureau
777 Memorial Avenue
1st Floor
Orillia, ON
L3V 7V3

**Re: Notice of Public Information Centre
Webequie Supply Road Project
Environmental Assessment**

Dear Ms. Lee,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

A draft Terms of Reference (ToR) for the EA has been prepared and is available for review online as well as at various review locations. The draft ToR details WFN's framework and work plan for addressing Ontario's *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. The comment period for the draft ToR will conclude on October 16, 2019. To view the draft ToR, or for information regarding the review locations, please visit our website at: <http://www.supplyroad.ca>.

A Public Information Centre (PIC) is being held to provide interested parties an opportunity to learn about the EA study for the Project and review elements of the draft ToR. The PIC will consist of a presentation at 2:00 p.m. and at 6:00 p.m. followed by an informal drop-in centre with display information about the project. Project Team representatives will share information on proposed studies to be conducted, criteria and indicators for the evaluation of alternatives and project effects, preliminary route alternatives for the all-season road corridor, and future consultation activities and opportunities. Attendees will have the opportunity to meet Project Team representatives, ask questions and provide comments. Information gathered at the PIC will be used both to complete the ToR and to gather information toward completion of the EA. Anyone with an interest in the study is invited to attend and participate. The PIC has been scheduled as follows:

Wednesday October 9, 2019
2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 9:00 p.m.
Regency Room B
Victoria Inn Hotel and Convention Centre
555 Arthur Street West, Thunder Bay

Please visit the Webequie Supply Road website <http://www.supplyroad.ca> for information on the study progress and updates. If you have comments regarding the study and cannot attend the PIC, or require additional information regarding the project, please contact the following Project Team representatives:

**Michael Fox**

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Public Information Centre, first published on October 2, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is written over a light blue horizontal line.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

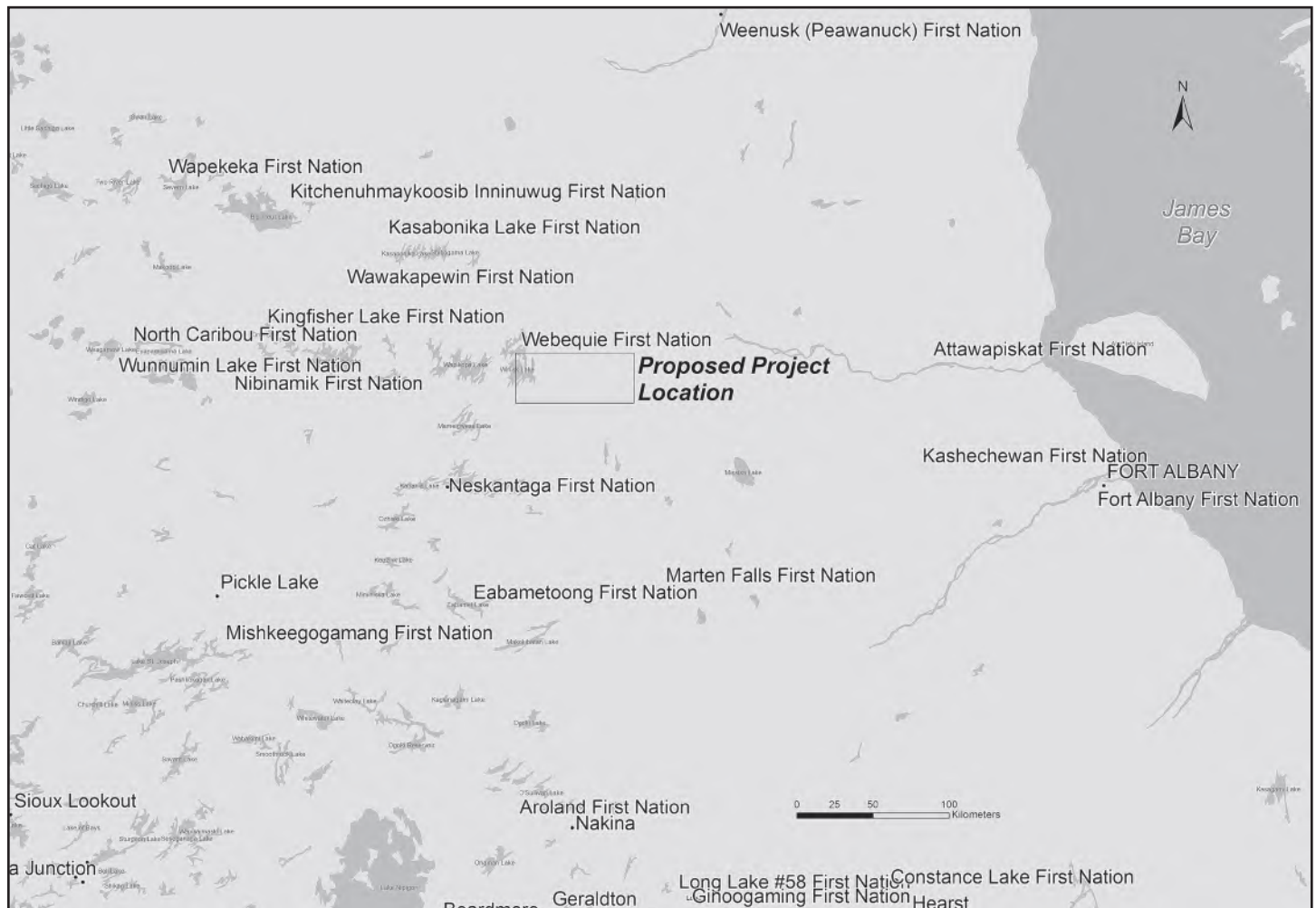
Enclosed:
Notice of Public Information Centre

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks

NOTICE OF PUBLIC INFORMATION CENTRE

Webequie Supply Road Project Environmental Assessment

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.



Key Plan – Proposed Location of the Webequie Supply Road

THE PROCESS

A draft Terms of Reference (ToR) for the EA has been prepared and is available for review online as well as at various review locations. The draft ToR details WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. The comment period for the draft ToR will conclude on October 16, 2019. To view the draft ToR, or for information regarding the review locations, please visit our website at: <http://www.supplyroad.ca>.

THE PUBLIC INFORMATION CENTRE

A Public Information Centre (PIC) is being held to provide interested parties an opportunity to learn about the EA study for the Project and review elements of the draft ToR. The PIC will consist of a presentation at 2:00 p.m. and at 6:00 p.m. followed by an informal drop-in centre with display information about the Project. Project Team representatives will share information on proposed studies to be conducted, criteria and indicators for the evaluation of alternatives and project effects, preliminary route alternatives for the all-season road corridor, and future consultation activities and opportunities. Information gathered at the PIC will be used both to complete the ToR and to gather information toward completion of the EA. You are invited to attend the PIC, which has been scheduled as follows:

Wednesday, October 9, 2019

2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 9:00 p.m.

Regency Room B

Victoria Inn Hotel and Convention Centre

555 Arthur Street West, Thunder Bay

CONTACT

For information on the study progress and updates, please visit the Webequie Supply Road website: <http://www.supplyroad.ca>. If you are unable to attend the PIC, or have any comments or questions regarding the study, you are welcome to contact the following:

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@sncclavalin.com

WSR
WEBEQUIE
SUPPLY ROAD

All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at 416-327-1434.

This notice was first published October 2, 2019.

WSR240-SNC-PR-PUN-0003

SNC-Public Notice EA Open House-2019-10-09

NOTICE OF SUBMISSION OF TERMS OF REFERENCE

Webequie Supply Road Project Environmental Assessment

Webequie First Nation

Webequie First Nation (WFN) has prepared a Terms of Reference (ToR) for an Individual Environmental Assessment (EA) for the Webequie Supply Road project ("the Project") and is submitting the ToR to the Ministry of the Environment, Conservation and Parks (MECP) for review as required under the *Environmental Assessment Act*. If approved, the ToR will serve as a framework for the preparation of the EA for the Project. As part of the submission process, Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and submit comments to the MECP.

The proposed Webequie Supply Road will be an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The preliminary corridor for the road consists of a northwest-southeast segment running 51 km from Webequie First Nation to a 56 km segment running east, before terminating near McFaulds Lake. A total of 17 km of the corridor is located within Webequie First Nation Reserve lands. The preliminary supply road route alternatives being carried forward to the Environmental Assessment are shown in the accompanying Key Plan.

PROJECT PURPOSE

The purpose of the Project is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario. The Project is intended to provide the WFN with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

THE PLANNING PROCESS

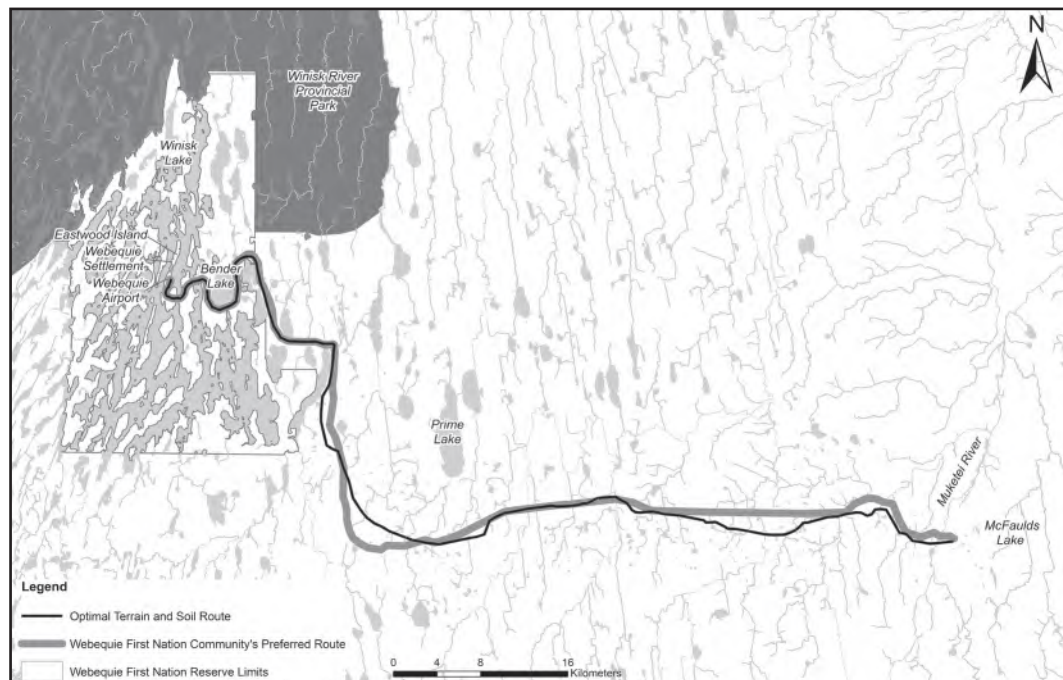
The WFN has entered into a voluntary agreement with the MECP to subject the Project to Ontario's *Environmental Assessment Act*. The ToR is the first step in the EA process and outlines the work plan for addressing the requirements under the *Environmental Assessment Act*. The submitted proposed ToR considered comments received by WFN on the draft ToR. If approved by the Minister of the Environment, Conservation and Parks, the ToR will provide the framework for the second step of the process, the preparation of the EA. Important elements of the EA will be to evaluate the alternatives, assess potential effects and determine measures to reduce or mitigate these effects.

REVIEW OF THE TERMS OF REFERENCE

Members of Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and provide comments from **August 14 until October 13, 2020**.

The ToR can be accessed on the project website at www.supplyroad.ca and hard copies will be available for review at local First Nation community band offices, as well as at the following public library and municipal offices:

- Thunder Bay Library – 285 Red River Road, Thunder Bay
- Sioux Lookout – 25 Fifth Avenue, Sioux Lookout
- City of Timmins – 220 Algonquin Boulevard East, Timmins
- Township of Pickle Lake – 2 Anne Street South, Pickle Lake



SUBMISSION OF COMMENTS

Your comments regarding the ToR must be submitted to the MECP before **5:00 p.m. on October 13, 2020**. All comments should be submitted to:

Sasha McLeod and Shannon Gauthier
Special Project Officer and Project Officer
Ministry of the Environment, Conservation and Parks - Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor, Toronto, ON M4V 1P5
Tel: 416-268-5984 / 416-258-8215
Fax: 416-314-8452
E-mail: Sasha.Mcleod@ontario.ca and Shannon.Gauthier@ontario.ca

A copy of all comments submitted to the MECP will be forwarded to the proponent for consideration.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT:

Michael Fox
Regional Consultation Lead
Webequie First Nation
100 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: Michael.Fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268, Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: Samson.Jacobs@supplyroad.ca

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall, Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at (416) 327-1434.

Notice published – August 12, 2020 (WSR-SNC-PR-PUN-0002 SNC-Public Notice of Submission of T of R-2020-08-12)

**Ministry of the Environment, Conservation
and Parks****Ministère de l'Environnement, de la
Protection de la nature et des Parcs**

Environmental Assessment Branch

Direction des évaluations
environnementales1st Floor

135 St. Clair Avenue W

Toronto ON M4V 1P5

Tel.: 416 314-8001**Fax.:** 416 314-8452

Rez-de-chaussée

135, avenue St. Clair Ouest

Toronto ON M4V 1P5

Tél. : 416 314-8001**Télé. :** 416 314-8452

August 14, 2020

MEMORANDUM

TO: Government Review Team Distribution List

FROM: Sasha McLeod and Shannon Gauthier, Special Project Officer and Project Officer
Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks

RE: Review of Proposed Terms of Reference for the Webequie Supply Road
EAIMS No. 18046

Webequie First Nation has submitted a Terms of Reference (ToR) for the proposed Webequie Supply Road to the Minister of the Environment, Conservation and Parks for a decision. The ToR is being provided to your agency for review and comment by the deadline specified below.

The proposed Webequie Supply Road is an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The purpose for the Webequie Supply Road is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of northwestern Ontario. The project is intended to provide Webequie First Nation with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

The ToR sets out how Webequie First Nation is proposing to assess the potential environmental effects of this proposal.

The goal of the ToR is to promote early identification of potential issues relevant to the completion of an environmental assessment (EA) for the proposed undertaking. This is to ensure that the proponent has clear, concise direction with respect to what is required by key regulatory agencies when preparing its EA. This step has considerable benefits for review agencies, as it allows for early participation and provides an opportunity to sign off on a proposal at the ToR stage, if appropriate. This emphasis on early participation will result in a more streamlined and focused EA for all parties involved.

Purpose of this Review

We believe your agency has an interest in the review of this ToR. If this is not the case, please complete the attached "Acknowledgement of Receipt" form indicating that your agency's

involvement is no longer required for this ToR and/or the future EA preparation process. You have been identified as the contact person for your agency. If you are not the appropriate contact person in your agency, please immediately forward this material to the appropriate person and notify Sasha McLeod and Shannon Gauthier of the change.

We are interested in knowing whether you feel your agency's mandated responsibilities would be addressed if the EA were to be completed as proposed in the ToR. The role of the ToR is to provide the proponent with an approved framework for the completion of its EA in consideration of relevant issues. Given this, you are asked to focus your review on the identification of any concerns your agency may have with the manner in which Webequie First Nation is proposing to complete its EA.

Should you identify any concerns, please indicate how you feel they could be addressed by modifying the existing ToR. Please indicate any specific modifications to this ToR that you think are necessary to address your agency's mandated responsibilities, and provide your comments to the Environmental Assessment Branch. Please also ensure that your comments on the draft ToR, if any, were addressed to your satisfaction. Your comments will be provided to the proponent for its consideration and response. Please use the attached comment table template.

The proposed ToR and other supporting documents can be accessed at the following link: <https://www.supplyroad.ca/> – click on **Documents->Terms of Reference** at the top of the page.

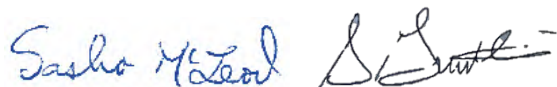
The following documents are enclosed:

- **Comment Table** – please use this for your agency's comments and send the Word version to Sasha and Shannon by the deadline below
- **Acknowledgement of Receipt Form** – please complete and return to the Environmental Assessment and Permissions Branch immediately upon receipt of this letter
- **Notice of Submission**

Timing

In order to ensure consideration within the final decision-making process, the Environmental Assessment Branch should receive your comments **no later than October 13, 2020**. While the ToR comment period is normally 30 days, the ministry has extended the comment period to 60 days to allow for more time to review and comment on the ToR. Should you have any questions or require additional information about your agency's review of this ToR, please contact us at: Shannon Gauthier, 416-258-8215, shannon.gauthier@ontario.ca and Sasha McLeod, 416-268-5984, sasha.mcleod@ontario.ca.

Thank you for your participation.



Sasha McLeod and Shannon Gauthier

ACKNOWLEDGEMENT OF RECEIPT

For the Webequie Supply Road EA Terms of Reference

**UPON RECEIPT, PLEASE COMPLETE
BOXES/BLANK LINES AND RETURN BY
FAX TO:**

Date Received

Ministry of the Environment, Conservation and
Parks
Environmental Assessment Branch
**Attn: Sasha McLeod and Shannon
Gauthier**
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5
TEL.: 416-268-5984 or 416-258-8215
FAX: 416-314-8452
sasha.mcleod@ontario.ca and
shannon.gauthier@ontario.ca

Proponent: Webequie First Nation
EA Terms of Reference Title: Webequie Supply Road
EAIMS No.: 18046

Community: _____
Reviewer: _____
Tel. No.: _____
FAX No.: _____

Please check the appropriate box:

- ☐ We will be able to provide comments to the Environmental Assessment Branch by:
October 13, 2020 (comments received after this date may not be considered in the
approval process).
- ☐ We are satisfied with the proposed Terms of Reference, but wish to be involved in the
preparation of the EA.
- ☐ We have no comments and do not require any further involvement with this proposal.

APPENDIX P1.F.8

Impact Assessment Agency of
Canada (IAAC)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: February 5, 2019 11:16 AM
To: 'anjala.puvananathan@canada.ca'
Subject: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_A.Puvananathan.pdf; 20190118_Final OGN.pdf

Dear Ms. Puvananathan,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Canadian Environmental Assessment Agency be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



PROUD TO
BUILD WHAT
MATTERS

FIERS
DE BÂTIR
L'AVENIR

   [snclavalin.com](https://www.snclavalin.com)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: February 5, 2019 12:54 PM
To: 'christine.greenaway@canada.ca'
Subject: Webequie First Nation's Supply Road Project
Attachments: 20190125_Stakeholder Letter_C.Greenaway.pdf; 20190118_Final OGN.pdf

Dear Ms. Greenaway,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you or the Canadian Environmental Assessment Agency be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing from you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



PROUD TO
BUILD WHAT
MATTERS

FIERS
DE BÂTIR
L'AVENIR



snclavalin.com

APPENDIX P1.F.9

Environment and Climate Change
Canada (ECCC)

Tibor-McMahon, Marian

From: Darson, Christine
Sent: April 1, 2019 2:17 PM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project

Follow Up Flag: Follow up
Flag Status: Flagged

From: Fell, Denise (EC) [mailto:denise.fell@canada.ca]
Sent: April 1, 2019 2:16 PM
To: Darson, Christine
Subject: RE: Webequie First Nation's Supply Road Project

Thanks Christine.

ECCC is interested in participating in the review of this project. We may also have a regulatory role in the project should any impacts on First Nation/federal lands require a Species at Risk Permit, which would then require us to take a Section 67 determination under the Canadian Environmental Assessment Act.

Please put me on your distribution list for the project.

Denise Fell
Environmental Assessment Officer
Environment and Climate Change Canada
867 Lakeshore Road
Burlington, ON
L7R 4A6
905-336-4951
Denise.fell@canada.ca

Best Regards,

Denise Fell

A/Senior Environmental Assessment Officer, Environmental Protection Branch – Ontario Region
Environment and Climate Change Canada / Government of Canada
denise.fell@canada.ca / Tel: 905-336-4951

Agente superieur int. d'evaluation environnementale, Direction générale de la protection de
l'environnement - Région de l'Ontario
Environnement et Changement climatique Canada / Gouvernement du Canada
denise.fell@canada.ca / Tel: 905-336-4951

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: February 5, 2019 11:20 AM

To: Fell, Denise (EC) <denise.fell@canada.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Ms. Fell,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and Environment and Climate Change Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1



**BUILD PROUD TO
WHAT
MATTERS**

**DE BÂTIR FIER
L'AVENIR**

   snclavalin.com

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:23 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project
Attachments: sandrol_020719_123712.pdf

From: Leonardelli, Sandro (EC) [mailto:sandro.leonardelli@canada.ca]
Sent: February 7, 2019 3:53 PM
To: Darson, Christine
Subject: RE: Webequie First Nation's Supply Road Project

Hi Christine.

We are indeed interested in this project. Please see attached Contact Information Form.

Regards,

Sandro

From: Darson, Christine <Christine.Darson@snclavalin.com>
Sent: February 5, 2019 11:18 AM
To: Leonardelli, Sandro (EC) <sandro.leonardelli@canada.ca>
Subject: Webequie First Nation's Supply Road Project

Dear Mr. Leonardelli,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you and the Environment and Climate Change Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin



Webequie First Nation's Supply Road Project
Environmental Assessment Project

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@snc-lavalin.com

67) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?

Yes ☒ No ☐

68) If yes, please provide a contact person and their information (if different from original notice):

Name: Sandro Leonardelli
Title: Manager, EA Section - Ontario, Environment & Climate Change Canada
Department: Environment & Climate Change Canada
Organization: Federal Government
Mailing Address: 4905 Dufferin St., Rm. 255215
Toronto, Ontario M3H-5T4
Phone: 416-739-5858
Fax: 416-739-4797
Email: Sandro.Leonardelli@canada.ca

69) In the space below, please provide any initial comments you may have regarding the study.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

APPENDIX P1.F.10

Transport Canada

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:22 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project

From: EnviroOnt [mailto:EnviroOnt@tc.gc.ca]
Sent: February 19, 2019 10:38 AM
To: Darson, Christine
Subject: RE: Webequie First Nation's Supply Road Project

Greetings,

Thank you for your correspondence.

Please note Transport Canada **does not** require receipt of all individual or Class EA related notifications. We are requesting project proponents to self-assess if their project:

1. Will interact with a federal property and/or waterway by reviewing the Directory of Federal Real Property, available at www.tbs-sct.gc.ca/dfrp-rbif/; and
2. Will require approval and/or authorization under any Acts administered by Transport Canada* available at <http://www.tc.gc.ca/eng/acts-regulations/menu.htm>.

Projects that will occur on federal property prior to exercising a power, performing a function or duty in relation to that project, will be subject to a determination of the likelihood of significant adverse environmental effects, per Section 67 of the *Canadian Environmental Assessment Act, 2012*.

If the aforementioned does not apply, the Environmental Assessment program should not be included in any further correspondence and future notifications will not receive a response. If there is a role under the program, correspondence should be forwarded *electronically* to: EnviroOnt@tc.gc.ca with a **brief description of Transport Canada's expected role**.

*Below is a summary of the most common Acts that have applied to projects in an Environmental Assessment context:

- **Navigation Protection Act (NPA)** – the Act applies primarily to works constructed or placed in, on, over, under, through, or across scheduled navigable waters set out under the Act. The Navigation Protection Program administers the NPA through the review and authorization of works affecting scheduled navigable waters. Information about the Program, NPA and approval process is available at: <http://www.tc.gc.ca/eng/programs-621.html>. Enquiries can be directed to NPPONT-PPNONT@tc.gc.ca or by calling (519) 383-1863.
- **Railway Safety Act (RSA)** – the Act provides the regulatory framework for railway safety, security, and some of the environmental impacts of railway operations in Canada. The Rail Safety Program develops and enforces regulations, rules, standards and procedures governing safe railway operations. Additional information about the Program is available at: <https://www.tc.gc.ca/eng/railsafety/menu.htm>. Enquiries can be directed to RailSafety@tc.gc.ca or by calling (613) 998-2985.

- **Transportation of Dangerous Goods Act (TDGA)** – the transportation of dangerous goods by air, marine, rail and road is regulated under the TDGA. Transport Canada, based on risks, develops safety standards and regulations, provides oversight and gives expert advice on dangerous goods to promote public safety. Additional information about the transportation of dangerous goods is available at: <https://www.tc.gc.ca/eng/tdg/safety-menu.htm>. Enquiries can be directed to TDG-TMDOntario@tc.gc.ca or by calling (416) 973-1868.
- **Aeronautics Act** – Transport Canada has sole jurisdiction over aeronautics, which includes aerodromes and all related buildings or services used for aviation purposes. Aviation safety in Canada is regulated under this Act and the Canadian Aviation Regulations (CARs). Elevated Structures, such as wind turbines and communication towers, would be examples of projects that must be assessed for lighting and marking requirements in accordance with the CARs. Transport Canada also has an interest in projects that have the potential to cause interference between wildlife and aviation activities. One example would be waste facilities, which may attract birds into commercial and recreational flight paths. The *Land Use In The Vicinity of Aerodromes* publication recommends guidelines for and uses in the vicinity of aerodromes, available at: <https://www.tc.gc.ca/eng/civilaviation/publications/tp1247-menu-1418.htm>. Enquires can be directed to at tc.aviationservicesont-servicesaviationont.tc@tc.gc.ca or by calling 1 (800) 305-2059 / (416) 952-0230.

Please advise if additional information is needed.

Thank you,

Environmental Assessment Program, Ontario Region

Transport Canada / Government of Canada / 4900 Yonge St., Toronto, ON M2N 6A5

EnviroOnt@tc.gc.ca / Facsimile : (416) 952-0514 / TTY: 1-888-675-6863

Programme d'évaluation environnementale, Région de l'Ontario

Transports Canada / Gouvernement du Canada / 4900, rue Yonge, Toronto, ON, M2N 6A5

EnviroOnt@tc.gc.ca / télécopieur: (416) 952-0514

From: Darson, Christine [<mailto:Christine.Darson@snclavalin.com>]

Sent: Tuesday, February 05, 2019 11:48 AM

To: EnviroOnt <EnviroOnt@tc.gc.ca>

Subject: Webequie First Nation's Supply Road Project

Dear Sir/Madam,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should Transport Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

APPENDIX P1.F.11

Fisheries and Oceans Canada (DFO)

From: [Darson, Christine](#)
To: ["fisheriesprotection@dfo-mpo-gc.ca"](mailto:fisheriesprotection@dfo-mpo-gc.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 11:37:00 AM
Attachments: [20190125_Stakeholder Letter_DFO.pdf](#)
[20190118_Final_OGN.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Sir/Madam,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should the Department of Fisheries and Oceans Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

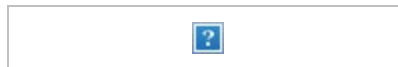
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



☐ ☐ ☐ snclavalin.com

APPENDIX P1.F.12

Crown-Indigenous Relations and Northern Affairs
Canada (CIRNAC)

From: [Darson, Christine](#)
To: ["eacoordination_ON@aandc-andc.gc.ca"](mailto:eacoordination_ON@aandc-andc.gc.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 11:42:00 AM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[20190125_Stakeholder Letter Crown-Indigenous Relations and Northern Affairs Canada.pdf](#)
[20190118_Final OGN.pdf](#)
[image008.png](#)
[image009.png](#)

Dear Sir/Madam,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should Crown-Indigenous Relations and Northern Affairs Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

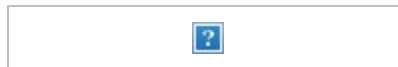
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



☐ ☐ ☐ snclavalin.com

APPENDIX P1.F.13

Indigenous Services Canada (ISC)

From: [Darson, Christine](#)
To: ["shannon.doyle@canada.ca"](mailto:shannon.doyle@canada.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 11:44:00 AM
Attachments: [20190125_Stakeholder Letter_S.Doyle.pdf](#)
[20190118_Final_OGN.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Ms. Doyle,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should Indigenous Services Canada be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

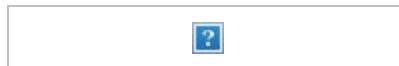
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



   snclavalin.com

APPENDIX P1.F.14

City of Thunder Bay

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 6, 2019 11:24 AM
To: Tibor-McMahon, Marian
Subject: FW: Webequie First Nation's Supply Road Project

From: Bill Mauro [mailto:BMauro@thunderbay.ca]
Sent: February 5, 2019 2:31 PM
To: Darson, Christine
Subject: Re: Webequie First Nation's Supply Road Project

Just read it

Thanks for the info

Good luck

Bill

Sent from my iPhone

On Feb 5, 2019, at 1:34 PM, Darson, Christine <Christine.Darson@snclavalin.com> wrote:

Dear Mr. Mauro,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you or the City of Thunder Bay be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing from you.

Sincerely,

Christine Darson, *BURPI*
Environmental Planner
Environment & Geoscience
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin
195 The West Mall
Toronto | Ontario | Canada | M9C 5K1

<image001.png><image002.png><image003.png><image004.png><image005.png> snclavalin.com

<20190118_Final OGN.PDF>

<20190125_Stakeholder Letter_B.Mauro.pdf>

The information contained in this email message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any review, dissemination, distribution or copying is strictly prohibited. If you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

APPENDIX P1.F.15

Municipality of Greenstone

From: [Darson, Christine](#)
To: ["renald.beaulieu@greenstone.ca"](mailto:renald.beaulieu@greenstone.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 1:37:00 PM
Attachments: [20190125_Stakeholder Letter_R.Beaulieu.pdf](#)
[20190118_Final_OGN.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Mr. Beaulieu,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you or the Municipality of Greenstone be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing from you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

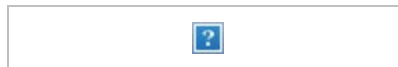
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



☐ ☐ ☐ snclavalin.com

From: [Darson, Christine](#)
To: ["jim.runciman@greenstone.ca"](mailto:jim.runciman@greenstone.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 2:05:00 PM
Attachments: [20190125_Stakeholder Letter J.Runciman.pdf](#)
[20190118_Final OGN.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Mr. Runciman,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you or the Municipality of Greenstone Fire Service be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing from you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

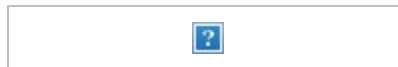
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



☐ ☐ ☐ snclavalin.com

From: [Darson, Christine](#)
To: ["gabrielle.lecuyer@greenstone.ca"](mailto:gabrielle.lecuyer@greenstone.ca)
Subject: Webequie First Nation's Supply Road Project
Date: February 5, 2019 1:39:00 PM
Attachments: [20190118_Final OGN.pdf](#)
[20190125_Stakeholder Letter G.Lecuyer.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Ms. Lecuyer,

Please find attached a Notice of Commencement of Terms of Reference for Webequie First Nation's Supply Road Project. The attached material was sent to you through mail to advise you of the project and seek any input you are willing to provide at this time.

Should you or the Municipality of Greenstone be interested in the Project, kindly fill out the Contact Information Form and return to the undersigned by February 25, 2019. Should you have questions or comments regarding the Project, please contact any of the persons indicated on the letter.

We look forward to hearing from you.

Sincerely,

Christine Darson, *BURPI*

Environmental Planner

Environment & Geoscience

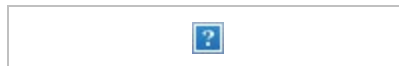
Engineering, Design and Project Management

Tel.: 416-252-5315 x 54255

SNC-Lavalin

195 The West Mall

Toronto | Ontario | Canada | M9C 5K1



 snclavalin.com

Tibor-McMahon, Marian

From: Darson, Christine
Sent: March 21, 2019 1:12 PM
To: Tibor-McMahon, Marian
Subject: FW: WSR Greenstone contact Form
Attachments: WSR Greenstone Contact Info.pdf

Importance: High

For Praxis.

From: Gabrielle Lecuyer [mailto:gabrielle.lecuyer@greenstone.ca]
Sent: February 22, 2019 11:18 AM
To: Darson, Christine
Subject: WSR Greenstone contact Form
Importance: High

Good morning,

Mayor and Council received at its meeting held February 11, 2019 the information pertaining to the Webequie First Nation's Supply Road Project Environmental Assessment Project. Council requested that the CAO Mark Wright and the Mayor Renald Beaulieu be the main contacts for the above noted. I have attached the form.

Should you require additional information or have questions please don't hesitate to contact me.

Regards,



Gabrielle Lecuyer
Municipality of Greenstone
Clerk
P 807-854-1100 ext 2059
gabrielle.lecuyer@greenstone.ca



Webequie First Nation's Supply Road Project
Environmental Assessment Project

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@sncclavalin.com

-
- 109) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?
Yes ☒ No ☐

- 110) If yes, please provide a contact person and their information (if different from original notice):

Name: Ronald Beaulieu Mayor & Mark Wright, CAO
Title: Mayor and CAO
Department: _____
Organization: Municipality of Greenstone
Mailing Address: Box 70, 1800 main St Geraldton, Ont L0T 1M0
Phone: 807-854-1100
Fax: _____
Email: mark.wright@greenstone.ca
ronald.beaulieu@greenstone.ca

- 111) In the space below, please provide any initial comments you may have regarding the study.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.

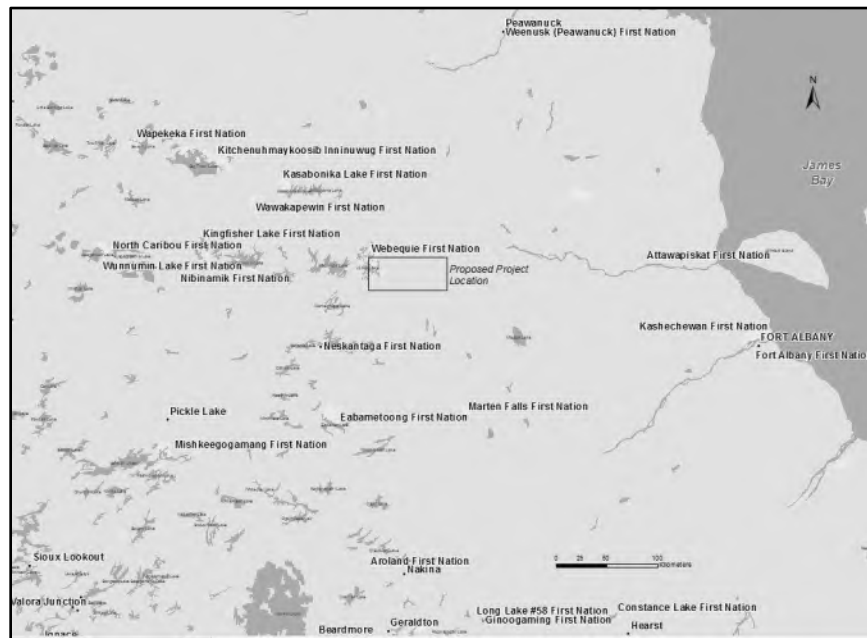
APPENDIX P1.F.16

Township of Pickle Lake

NOTICE OF COMMENCEMENT OF TERMS OF REFERENCE

Webequie First Nation's Supply Road Environmental Assessment Project

Webequie First Nation (WFN) has initiated an Environmental Assessment (EA) study under the *Environmental Assessment Act* for the proposed WFN Supply Road project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.



Key Plan – Regional Context of Webequie First Nation's Proposed Supply Road

The Process

This study will be carried out in accordance with the requirements of the Ontario *Environmental Assessment Act*. The first step is the preparation of a terms of reference (ToR), which will set out WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. Important elements of this work will be to consult parties that may be interested in and potentially affected by the project; evaluate the advantages and disadvantages of the alternatives; assess potential adverse environmental effects; and determine measures to reduce or mitigate such effects. The anticipated completion date for preparation of the ToR is Spring 2019, at which point they will be submitted to the Minister of the Environment, Conservation and Parks for review and a decision. If approved by the Minister, the ToR will provide the framework and requirements for the preparation of the EA. The EA will build on ongoing environmental and community-based land use planning.

The purpose of this study is to examine the alternatives to determine the preferred corridor. Once the preferred alternative for the corridor has been determined, the study will move forward with the planning, design and EA work.

Consultation

Indigenous communities, government agencies, municipal officials, members of the public and other interested persons are encouraged to actively participate in the planning process, including the preparation of the ToR, by attending consultation events or contacting staff directly with comments or questions. Consultation and engagement opportunities will be organized throughout the planning process and communicated via notices in community newspapers, mailings and on the project website. Members of the Project Team are always available to discuss the project with interested parties.

For further information about this project, including ongoing updates throughout the project study, please visit our website at <http://www.supplyroad.ca> or contact:

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807 472-6147
Fax: 807 577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Project Manager
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com



All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at (416) 327-1434.

This notice was first published January 25, 2019



January 25, 2019

Ms. Tanis Jonasson
Reception
Township of Pickle Lake
2 Anne St. S.
P.O. Box 340
Pickle Lake, ON P0V 3A0

**Re: Notice of Commencement of Terms of Reference
Webequie First Nation's Supply Road
Environmental Assessment**

Dear Ms. Jonasson:

Webequie First Nation (WFN) has initiated the Terms of Reference (ToR) phase for an Environmental Assessment (EA) under the Ontario *Environmental Assessment Act* for the proposed Webequie First Nation's Supply Road Project. The purpose of the Project is to establish an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

The ToR will set out WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. Important elements of the project will be to consult with parties that may be interested in and potentially affected by the project; evaluate the advantages and disadvantages of the alternatives; assess potential adverse environmental effects and determine measures to reduce or mitigate these effects.

The anticipated completion date for the ToR is Spring 2019, at which point it will be submitted to the Minister of the Environment, Conservation and Parks (the Minister) for review and a decision. If approved by the Minister, the EA will proceed as outlined in the ToR.

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Commencement of Terms of Reference, published on January 25, 2019, and a *Contact Information Form*. If you or your organization would like to participate in the Project or provide any input at this time, please complete the form and return it by February 25, 2019 to the undersigned.

To obtain information on the Project, or to provide comments, please visit our website at <http://www.supplyroad.ca> or contact one of the following.

January 25, 2019

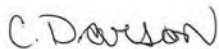
Page 2

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Project Manager
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

Sincerely,



Christine Darson, B.U.R.PI
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Contact Information Form
Notice of Commencement of Terms of Reference

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks



**Webequie First Nation's Supply Road Project
Environmental Assessment Project**

CONTACT INFORMATION FORM

PLEASE RETURN BY FAX/MAIL/EMAIL BY FEBRUARY 25, 2019 TO:

**Christine Darson
Environmental Planner
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Phone: (416) 252-5315 ext. 54255
Fax: (416) 253-5356
E-mail: Christine.Darson@snclavalin.com**

115) Please indicate whether you or your organization has an interest in the project and if you would like to provide any input at this time?

Yes ☐ No ☐

116) If yes, please provide a contact person and their information (if different from original notice):

Name: _____
Title: _____
Department: _____
Organization: _____
Mailing Address: _____

Phone: _____
Fax: _____
Email: _____

117) In the space below, please provide any initial comments you may have regarding the study.

Comments and personal information regarding this project are collected under the authority of the *Environmental Assessment Act* to assist the Webequie First Nation in making decisions. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, will be shared among Webequie First Nation and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained.



September 11, 2019

Ms. Tanis Jonasson
Reception
Township of Pickle Lake
2 Anne St. S.
P.O. Box 340
Pickle Lake, ON P0V 3A0

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Ms. Jonasson,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.



Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Don Parkinson', is written over a light blue horizontal line.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks



September 11, 2019

Mr. Dwight Monck
Mayor
Township of Pickle Lake
2 Anne St. S.
P.O. Box 340
Pickle Lake, ON P0V 3A0

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Mr. Monck,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.



Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is written over a light blue horizontal line.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

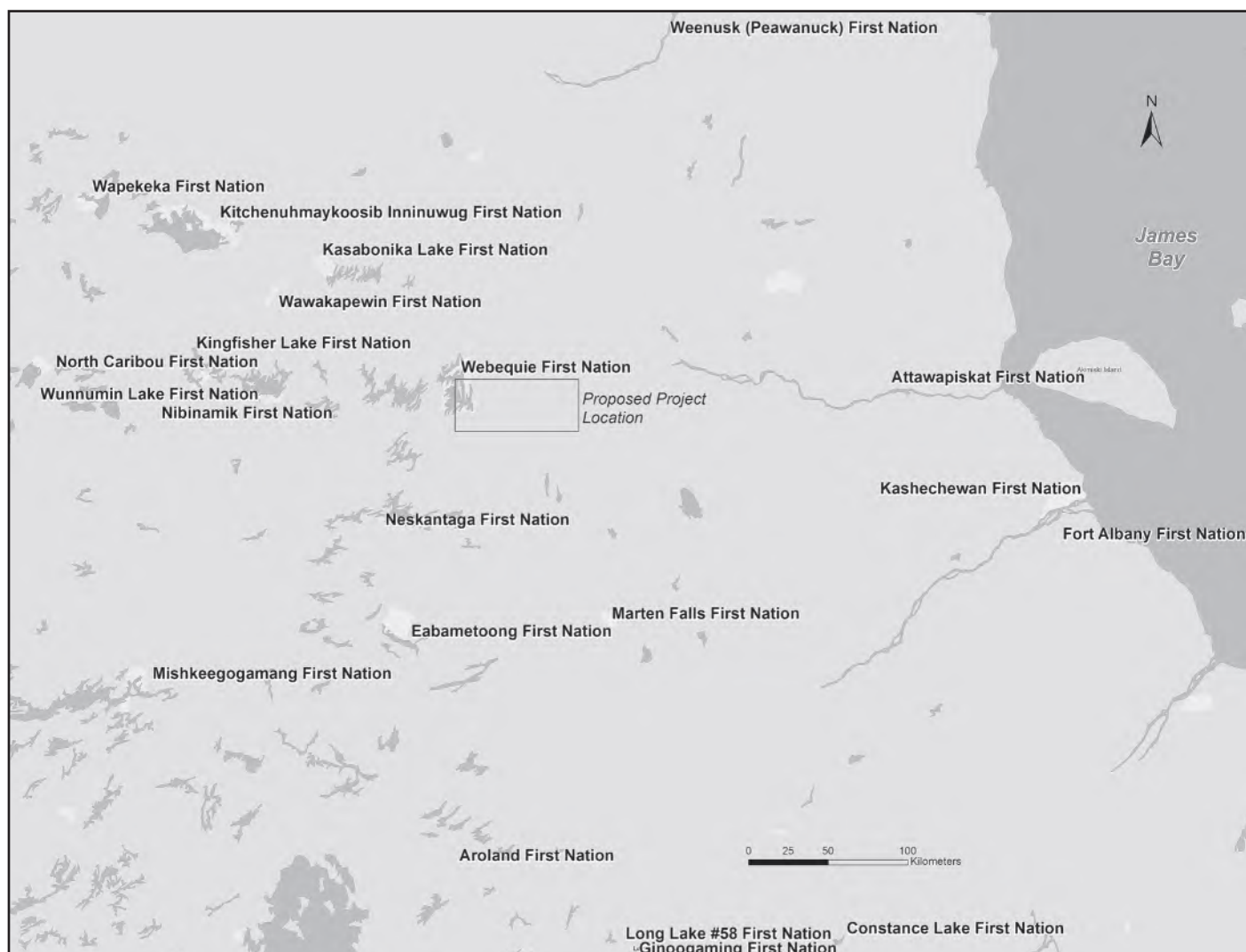
Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks

NOTICE OF DRAFT TERMS OF REFERENCE FOR REVIEW

Webequie Supply Road Project Environmental Assessment

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.



Key Plan – Proposed Location of the Webequie Supply Road

THE PROCESS

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

CONSULTATION

Beginning **September 16, 2019**, the draft Terms of Reference will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>.

You may also inspect the draft Terms of Reference during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri: 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Boulevard East
Timmins, ON
tel: 705-264-1331
Mon-Fri: 8:30 a.m. - 12:00 p.m.
and 1:00 p.m. - 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri: 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri: 8:30 a.m. - 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1st Floor
Toronto, ON
Tel: 416-314-8001 / 1-800-461-6290
Mon-Fri: 8:30 a.m. - 5:00 p.m.

Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@sncclavalin.com

WSR
W E B E Q U I E
S U P P L Y R O A D

All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks' Freedom of Information and Privacy Coordinator at 416-327-1434.

This notice was first published September 11, 2019.



October 2, 2019

Mayor Dwight Monck
Township of Pickle Lake
2 Anne St. S.
P.O. Box 340
Pickle Lake, ON
P0V 3A0

**Re: Notice of Public Information Centre
Webequie Supply Road Project
Environmental Assessment**

Dear Mayor Monck,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

A draft Terms of Reference (ToR) for the EA has been prepared and is available for review online as well as at various review locations. The draft ToR details WFN's framework and work plan for addressing Ontario's *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. The comment period for the draft ToR will conclude on October 16, 2019. To view the draft ToR, or for information regarding the review locations, please visit our website at: <http://www.supplyroad.ca>.

A Public Information Centre (PIC) is being held to provide interested parties an opportunity to learn about the EA study for the Project and review elements of the draft ToR. The PIC will consist of a presentation at 2:00 p.m. and at 6:00 p.m. followed by an informal drop-in centre with display information about the project. Project Team representatives will share information on proposed studies to be conducted, criteria and indicators for the evaluation of alternatives and project effects, preliminary route alternatives for the all-season road corridor, and future consultation activities and opportunities. Attendees will have the opportunity to meet Project Team representatives, ask questions and provide comments. Information gathered at the PIC will be used both to complete the ToR and to gather information toward completion of the EA. Anyone with an interest in the study is invited to attend and participate. The PIC has been scheduled as follows:

Wednesday October 9, 2019
2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 9:00 p.m.
Regency Room B
Victoria Inn Hotel and Convention Centre
555 Arthur Street West, Thunder Bay

Please visit the Webequie Supply Road website <http://www.supplyroad.ca> for information on the study progress and updates. If you have comments regarding the study and cannot attend the PIC, or require additional information regarding the project, please contact the following Project Team representatives:



Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Public Information Centre, first published on October 2, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is written over a light grey horizontal line.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Public Information Centre

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks



October 2, 2019

Ms. Tanis Jonasson
Reception
Township of Pickle Lake
2 Anne St. S.
P.O. Box 340
Pickle Lake, ON
P0V 3A0

**Re: Notice of Public Information Centre
Webequie Supply Road Project
Environmental Assessment**

Dear Ms. Jonasson,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

A draft Terms of Reference (ToR) for the EA has been prepared and is available for review online as well as at various review locations. The draft ToR details WFN's framework and work plan for addressing Ontario's *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. The comment period for the draft ToR will conclude on October 16, 2019. To view the draft ToR, or for information regarding the review locations, please visit our website at: <http://www.supplyroad.ca>.

A Public Information Centre (PIC) is being held to provide interested parties an opportunity to learn about the EA study for the Project and review elements of the draft ToR. The PIC will consist of a presentation at 2:00 p.m. and at 6:00 p.m. followed by an informal drop-in centre with display information about the project. Project Team representatives will share information on proposed studies to be conducted, criteria and indicators for the evaluation of alternatives and project effects, preliminary route alternatives for the all-season road corridor, and future consultation activities and opportunities. Attendees will have the opportunity to meet Project Team representatives, ask questions and provide comments. Information gathered at the PIC will be used both to complete the ToR and to gather information toward completion of the EA. Anyone with an interest in the study is invited to attend and participate. The PIC has been scheduled as follows:

Wednesday October 9, 2019
2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 9:00 p.m.
Regency Room B
Victoria Inn Hotel and Convention Centre
555 Arthur Street West, Thunder Bay

Please visit the Webequie Supply Road website <http://www.supplyroad.ca> for information on the study progress and updates. If you have comments regarding the study and cannot attend the PIC, or require additional information regarding the project, please contact the following Project Team representatives:



Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Public Information Centre, first published on October 2, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is positioned above the printed name and title.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Public Information Centre

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks

NOTICE OF SUBMISSION OF TERMS OF REFERENCE

Webequie Supply Road Project Environmental Assessment

Webequie First Nation

Webequie First Nation (WFN) has prepared a Terms of Reference (ToR) for an Individual Environmental Assessment (EA) for the Webequie Supply Road project ("the Project") and is submitting the ToR to the Ministry of the Environment, Conservation and Parks (MECP) for review as required under the *Environmental Assessment Act*. If approved, the ToR will serve as a framework for the preparation of the EA for the Project. As part of the submission process, Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and submit comments to the MECP.

The proposed Webequie Supply Road will be an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The preliminary corridor for the road consists of a northwest-southeast segment running 51 km from Webequie First Nation to a 56 km segment running east, before terminating near McFaulds Lake. A total of 17 km of the corridor is located within Webequie First Nation Reserve lands. The preliminary supply road route alternatives being carried forward to the Environmental Assessment are shown in the accompanying Key Plan.

PROJECT PURPOSE

The purpose of the Project is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario. The Project is intended to provide the WFN with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

THE PLANNING PROCESS

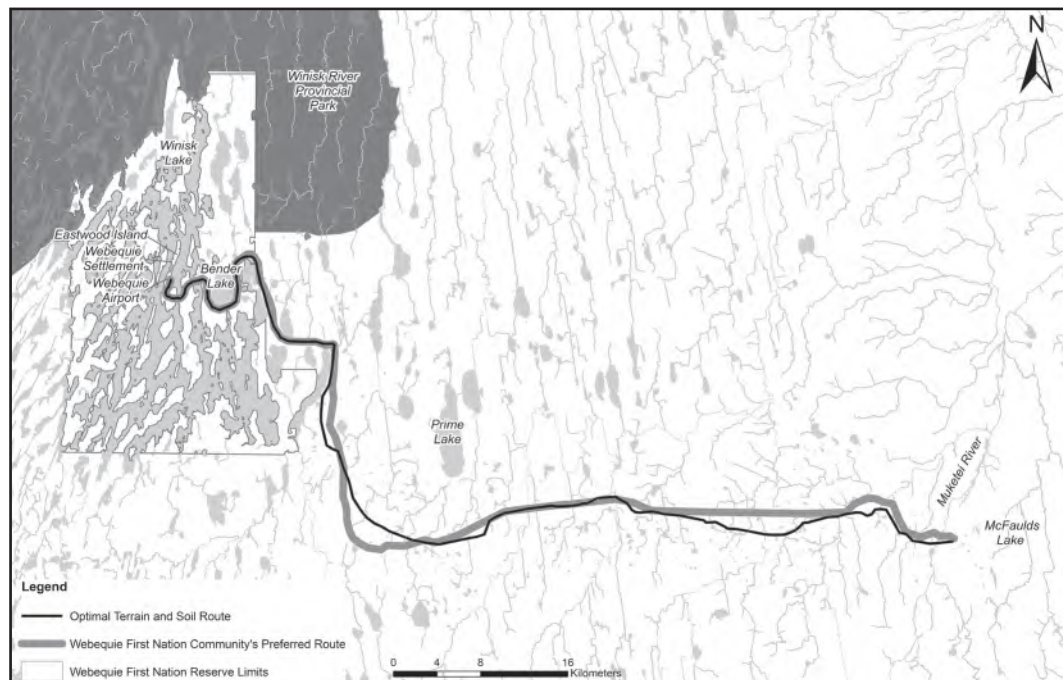
The WFN has entered into a voluntary agreement with the MECP to subject the Project to Ontario's *Environmental Assessment Act*. The ToR is the first step in the EA process and outlines the work plan for addressing the requirements under the *Environmental Assessment Act*. The submitted proposed ToR considered comments received by WFN on the draft ToR. If approved by the Minister of the Environment, Conservation and Parks, the ToR will provide the framework for the second step of the process, the preparation of the EA. Important elements of the EA will be to evaluate the alternatives, assess potential effects and determine measures to reduce or mitigate these effects.

REVIEW OF THE TERMS OF REFERENCE

Members of Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and provide comments from **August 14 until October 13, 2020**.

The ToR can be accessed on the project website at www.supplyroad.ca and hard copies will be available for review at local First Nation community band offices, as well as at the following public library and municipal offices:

- Thunder Bay Library – 285 Red River Road, Thunder Bay
- Sioux Lookout – 25 Fifth Avenue, Sioux Lookout
- City of Timmins – 220 Algonquin Boulevard East, Timmins
- Township of Pickle Lake – 2 Anne Street South, Pickle Lake



SUBMISSION OF COMMENTS

Your comments regarding the ToR must be submitted to the MECP before **5:00 p.m. on October 13, 2020**. All comments should be submitted to:

Sasha McLeod and Shannon Gauthier
Special Project Officer and Project Officer
Ministry of the Environment, Conservation and Parks - Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor, Toronto, ON M4V 1P5
Tel: 416-268-5984 / 416-258-8215
Fax: 416-314-8452
E-mail: Sasha.Mcleod@ontario.ca and Shannon.Gauthier@ontario.ca

A copy of all comments submitted to the MECP will be forwarded to the proponent for consideration.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT:

Michael Fox
Regional Consultation Lead
Webequie First Nation
100 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: Michael.Fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268, Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: Samson.Jacobs@supplyroad.ca

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall, Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at (416) 327-1434.

Notice published – August 12, 2020 (WSR-SNC-PR-PUN-0002 SNC-Public Notice of Submission of T of R-2020-08-12)

**Ministry of the Environment, Conservation
and Parks**

**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**

Environmental Assessment Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télé. : 416 314-8452

August 14, 2020

MEMORANDUM

TO: Aboriginal Communities Distribution List

FROM: Sasha McLeod and Shannon Gauthier, Special Project Officer and Project Officer
Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks

RE: Review of Proposed Terms of Reference for the Webequie Supply Road
EAIMS No. 18046

Webequie First Nation has submitted a Terms of Reference (ToR) for the proposed Webequie Supply Road to the Minister of the Environment, Conservation and Parks for a decision. The ToR is being provided to your agency for review and comment by the deadline specified below.

The proposed Webequie Supply Road is an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The purpose for the Webequie Supply Road is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of northwestern Ontario. The project is intended to provide Webequie First Nation with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

The role of the ToR is to provide the proponent with an approved framework for the completion of their environmental assessment (EA). The ToR sets out how Webequie First Nation is proposing to assess the potential environmental effects of this proposal.

Your community may have an interest in this ToR based on potential environmental effects of the project. If you have no comments on the ToR but wish to be involved in the preparation of the EA, please indicate when you wish to be involved by completing the attached "Acknowledgement of Receipt (of a ToR)" form. You may also indicate on this form that your community's involvement is no longer required for this ToR and/or the future EA process.

We are interested in knowing whether you have any specific interests or issues related to the ToR. Should you identify any concerns you are asked to indicate, please indicate how you feel they could be addressed by modifying the existing ToR, and provide your comments to the

Environmental Assessment Branch by October 13, 2020. Your comments will be provided to the proponent for its consideration and response.

The proposed ToR and other supporting documents can be accessed at the following link: <https://www.supplyroad.ca/> – click on **Documents->Terms of Reference** at the top of the page.

The following documents are enclosed:

- Webequie Supply Road Terms of Reference
- USB stick with Webequie Supply Road Terms of Reference and supporting documents
- Acknowledgement of Receipt Form – please complete and return to the Environmental Assessment and Permissions Branch immediately upon receipt of this letter
- Notice of Submission

Timing

In order to ensure consideration within the final decision-making process, the Environmental Assessment Branch should receive your comments **no later than October 13, 2020**. While the ToR comment period is normally 30 days, the ministry has extended the comment period to 60 days to allow for more time to review and comment on the ToR. Should you have any questions or require additional information about your community's review of this ToR, please contact us at: Shannon Gauthier, 416-258-8215, shannon.gauthier@ontario.ca and Sasha McLeod, 416-268-5984, sasha.mcleod@ontario.ca, or toll free at 1-800-461-6290.

Thank you for your participation.



Sasha McLeod and Shannon Gauthier

ACKNOWLEDGEMENT OF RECEIPT

For the Webequie Supply Road EA Terms of Reference

**UPON RECEIPT, PLEASE COMPLETE
BOXES/BLANK LINES AND RETURN BY
FAX TO:**

Date Received

Ministry of the Environment, Conservation and
Parks

Environmental Assessment Branch

**Attn: Sasha McLeod and Shannon
Gauthier**

135 St. Clair Avenue West, 1st Floor

Toronto, Ontario

M4V 1P5

TEL.: 416-268-5984 or 416-258-8215

FAX: 416-314-8452

sasha.mcleod@ontario.ca and

shannon.gauthier@ontario.ca

Proponent: Webequie First Nation

EA Terms of Reference Title: Webequie Supply Road

EAIMS No.: 18046

Agency: _____

Reviewer: _____

Tel. No.: _____

FAX No.: _____

Please check the appropriate box:

- [] We will be able to provide comments to the Environmental Assessment Branch by:
October 13, 2020 (comments received after this date may not be considered in the
approval process).
- [] We are satisfied the proposed Terms of Reference will address our mandate, but wish to
be involved in the preparation of the EA.
- [] We have no comments and do not require any further involvement with this proposal.

APPENDIX P1.F.17

City of Timmins



September 11, 2019

Mr. Dave Landers
CAO
Corporation of the City of Timmins
200 Algonquin Blvd. East
Timmins, ON P4N 1B3

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Mr. Landers,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.



Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is positioned above the printed name and contact information.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks



September 11, 2019

Mr. George Pirie
Mayor
Corporation of the City of Timmins
200 Algonquin Blvd. East
Timmins, ON P4N 1B3

**Re: Notice of Draft Terms of Reference for Review
Webequie Supply Road Project
Environmental Assessment**

Dear Mr. Pirie,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the supporting studies to be conducted, the identification and means of evaluating alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

Beginning September 16, 2019, the draft ToR will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>. The draft ToR will be available during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri 8:30 a.m. to 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Blvd. East
Timmins, ON
Tel: 705-264-1331
Mon-Fri 8:30 a.m. – 12:00 p.m. and
1:00 p.m. – 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri 8:30 a.m. – 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1ST Floor
Toronto, ON
416-314-8001 / 1-800-461-6290
Mon-Fri 8:30 a.m. – 5:00 p.m.



Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox
Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON
P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON
P0T 3A0
Phone: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson
Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON
M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Draft ToR for Review, first published on September 11, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is positioned above the printed contact information.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

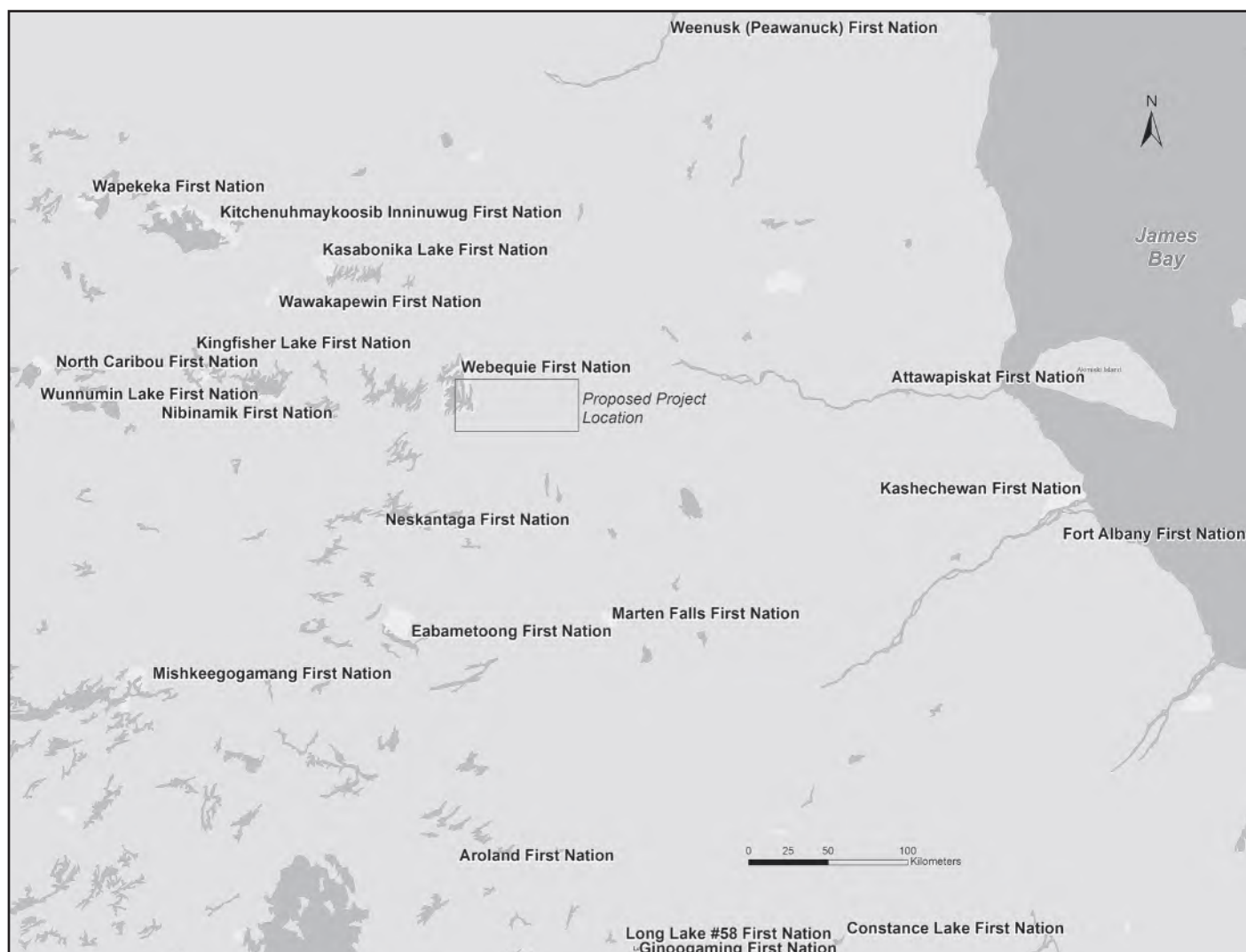
Enclosed:
Notice of Draft Terms of Reference for Review

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks

NOTICE OF DRAFT TERMS OF REFERENCE FOR REVIEW

Webequie Supply Road Project Environmental Assessment

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.



Key Plan – Proposed Location of the Webequie Supply Road

THE PROCESS

As part of the planning process, WFN has prepared a draft Terms of Reference (ToR) for the EA. The draft ToR provides WFN's framework and work plan for addressing *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. WFN plans to submit the final version of the ToR for review and a decision to the Ministry of the Environment, Conservation and Parks in Fall 2019 and is seeking input from interested parties to finalize the document prior to the final submission. WFN will consider input received in preparing the final version of the ToR that will be submitted to the Ministry.

CONSULTATION

Beginning **September 16, 2019**, the draft Terms of Reference will be available for review and comment for a 30-day period at: <http://www.supplyroad.ca>.

You may also inspect the draft Terms of Reference during normal business hours at the following locations:

City of Thunder Bay Municipal Office

500 Donald Street East
Thunder Bay, ON
Tel: 807-625-2230
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Sioux Lookout Municipal Office

25 Fifth Avenue
Sioux Lookout, ON
Tel: 807-737-2700
Mon-Fri: 8:00 a.m. - 4:30 p.m.

Timmins Municipal Office

220 Algonquin Boulevard East
Timmins, ON
tel: 705-264-1331
Mon-Fri: 8:30 a.m. - 12:00 p.m.
and 1:00 p.m. - 4:30 p.m.

Greenstone Municipal Office

1800 Main Street
Geraldton, ON
Tel: 807-854-1100
Mon-Fri: 8:30 a.m. - 4:30 p.m.

Pickle Lake Municipal Office

2 Anne Street
Pickle Lake, ON
Tel: 807-928-2034
Mon-Fri: 8:00 a.m. - 12:00 p.m. and 1:00 p.m. - 5:00 p.m.

Ministry of the Environment, Conservation and Parks

Thunder Bay District Office
435 James Street South, Suite 331
Thunder Bay, ON
Tel: 807-475-1205 / 1-800-875-7772
Mon-Fri: 8:30 a.m. - 4:45 p.m.

Ministry of the Environment, Conservation and Parks

135 St. Clair Avenue West
1st Floor
Toronto, ON
Tel: 416-314-8001 / 1-800-461-6290
Mon-Fri: 8:30 a.m. - 5:00 p.m.

Please submit your comments on the draft Terms of Reference to the contacts below or on the Webequie Supply Road website (<http://www.supplyroad.ca>) by October 16, 2019.

Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@sncclavalin.com



All personal information included in a submission - such as name, address, telephone number and property location - is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks' Freedom of Information and Privacy Coordinator at 416-327-1434.

This notice was first published September 11, 2019.



October 2, 2019

Mr. Dave Landers
CAO
Corporation of the City of Timmins
200 Algonquin Blvd. East
Timmins, ON
P4N 1B3

**Re: Notice of Public Information Centre
Webequie Supply Road Project
Environmental Assessment**

Dear Mr. Landers,

Webequie First Nation (WFN) is conducting an Environmental Assessment (EA) study under the Ontario *Environmental Assessment Act* for the Webequie Supply Road Project, a proposed all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario.

A draft Terms of Reference (ToR) for the EA has been prepared and is available for review online as well as at various review locations. The draft ToR details WFN's framework and work plan for addressing Ontario's *Environmental Assessment Act* requirements when preparing the EA, including an outline of the studies, evaluation of alternatives to be considered, and consultation activities that will be carried out. The comment period for the draft ToR will conclude on October 16, 2019. To view the draft ToR, or for information regarding the review locations, please visit our website at: <http://www.supplyroad.ca>.

A Public Information Centre (PIC) is being held to provide interested parties an opportunity to learn about the EA study for the Project and review elements of the draft ToR. The PIC will consist of a presentation at 2:00 p.m. and at 6:00 p.m. followed by an informal drop-in centre with display information about the project. Project Team representatives will share information on proposed studies to be conducted, criteria and indicators for the evaluation of alternatives and project effects, preliminary route alternatives for the all-season road corridor, and future consultation activities and opportunities. Attendees will have the opportunity to meet Project Team representatives, ask questions and provide comments. Information gathered at the PIC will be used both to complete the ToR and to gather information toward completion of the EA. Anyone with an interest in the study is invited to attend and participate. The PIC has been scheduled as follows:

Wednesday October 9, 2019
2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 9:00 p.m.
Regency Room B
Victoria Inn Hotel and Convention Centre
555 Arthur Street West, Thunder Bay

Please visit the Webequie Supply Road website <http://www.supplyroad.ca> for information on the study progress and updates. If you have comments regarding the study and cannot attend the PIC, or require additional information regarding the project, please contact the following Project Team representatives:



Michael Fox

Regional Consultation Lead
Webequie First Nation
1000 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: michael.fox@supplyroad.ca

Samson Jacob

Local Consultation Lead
Webequie First Nation
P.O. Box 268
Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: samson.jacob@supplyroad.ca

Don Parkinson

Consultation Lead
SNC- Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1
Tel: 416-252-5315 ext. 52584
Fax: 416-235-5356
E-mail: don.parkinson@snclavalin.com

Indigenous communities, government agencies, municipal officials, members of the public, and other interested persons are encouraged to actively participate in the planning process. Attached to this correspondence is the newspaper Notice of Public Information Centre, first published on October 2, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Parkinson', is positioned above the printed name and contact information.

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall
Toronto, ON M9C 5K1

Enclosed:
Notice of Public Information Centre

cc: Ariane Heisey, Senior Policy Advisor, Ministry of Energy, Northern Development and Mines
Agni Papageorgiou, Special Project Officer, Ministry of the Environment, Conservation and Parks
Sasha McLeod, Special Project Officer, Ministry of the Environment, Conservation and Parks

NOTICE OF SUBMISSION OF TERMS OF REFERENCE

Webequie Supply Road Project Environmental Assessment

Webequie First Nation

Webequie First Nation (WFN) has prepared a Terms of Reference (ToR) for an Individual Environmental Assessment (EA) for the Webequie Supply Road project ("the Project") and is submitting the ToR to the Ministry of the Environment, Conservation and Parks (MECP) for review as required under the *Environmental Assessment Act*. If approved, the ToR will serve as a framework for the preparation of the EA for the Project. As part of the submission process, Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and submit comments to the MECP.

The proposed Webequie Supply Road will be an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The preliminary corridor for the road consists of a northwest-southeast segment running 51 km from Webequie First Nation to a 56 km segment running east, before terminating near McFaulds Lake. A total of 17 km of the corridor is located within Webequie First Nation Reserve lands. The preliminary supply road route alternatives being carried forward to the Environmental Assessment are shown in the accompanying Key Plan.

PROJECT PURPOSE

The purpose of the Project is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario. The Project is intended to provide the WFN with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

THE PLANNING PROCESS

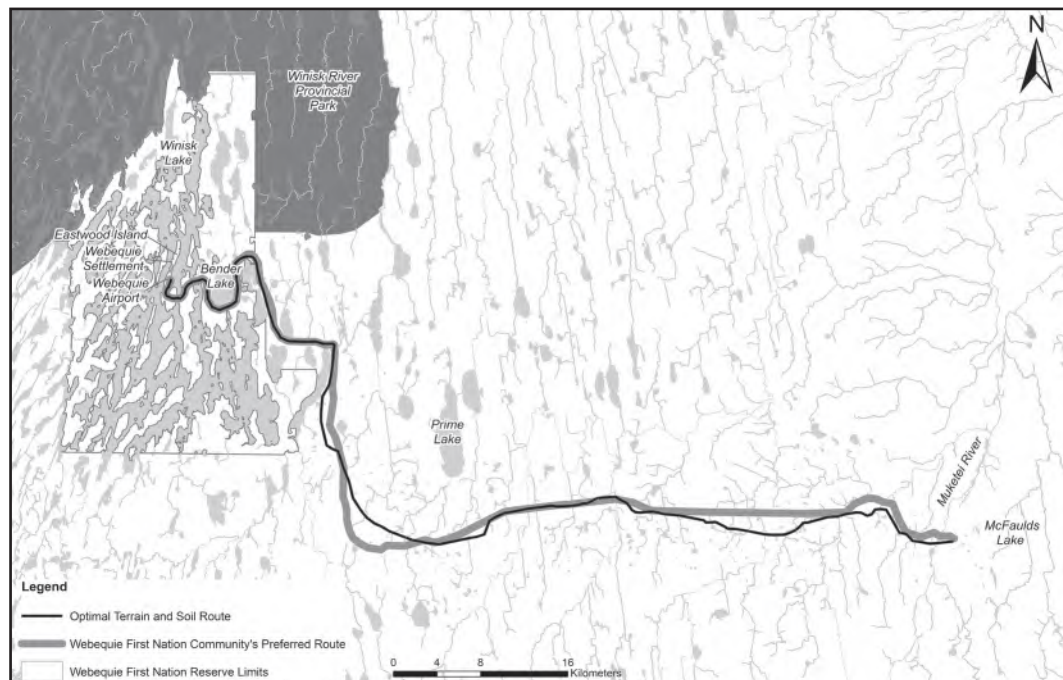
The WFN has entered into a voluntary agreement with the MECP to subject the Project to Ontario's *Environmental Assessment Act*. The ToR is the first step in the EA process and outlines the work plan for addressing the requirements under the *Environmental Assessment Act*. The submitted proposed ToR considered comments received by WFN on the draft ToR. If approved by the Minister of the Environment, Conservation and Parks, the ToR will provide the framework for the second step of the process, the preparation of the EA. Important elements of the EA will be to evaluate the alternatives, assess potential effects and determine measures to reduce or mitigate these effects.

REVIEW OF THE TERMS OF REFERENCE

Members of Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and provide comments from **August 14 until October 13, 2020**.

The ToR can be accessed on the project website at www.supplyroad.ca and hard copies will be available for review at local First Nation community band offices, as well as at the following public library and municipal offices:

- Thunder Bay Library – 285 Red River Road, Thunder Bay
- Sioux Lookout – 25 Fifth Avenue, Sioux Lookout
- City of Timmins – 220 Algonquin Boulevard East, Timmins
- Township of Pickle Lake – 2 Anne Street South, Pickle Lake



SUBMISSION OF COMMENTS

Your comments regarding the ToR must be submitted to the MECP before **5:00 p.m. on October 13, 2020**. All comments should be submitted to:

Sasha McLeod and Shannon Gauthier
Special Project Officer and Project Officer
Ministry of the Environment, Conservation and Parks - Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor, Toronto, ON M4V 1P5
Tel: 416-268-5984 / 416-258-8215
Fax: 416-314-8452
E-mail: Sasha.Mcleod@ontario.ca and Shannon.Gauthier@ontario.ca

A copy of all comments submitted to the MECP will be forwarded to the proponent for consideration.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT:

Michael Fox
Regional Consultation Lead
Webequie First Nation
100 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: Michael.Fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268, Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: Samson.Jacobs@supplyroad.ca

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall, Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at (416) 327-1434.

Notice published – August 12, 2020 (WSR-SNC-PR-PUN-0002 SNC-Public Notice of Submission of T of R-2020-08-12)

APPENDIX P1.F.18

Municipality of Sioux Lookout

NOTICE OF SUBMISSION OF TERMS OF REFERENCE

Webequie Supply Road Project Environmental Assessment

Webequie First Nation

Webequie First Nation (WFN) has prepared a Terms of Reference (ToR) for an Individual Environmental Assessment (EA) for the Webequie Supply Road project ("the Project") and is submitting the ToR to the Ministry of the Environment, Conservation and Parks (MECP) for review as required under the *Environmental Assessment Act*. If approved, the ToR will serve as a framework for the preparation of the EA for the Project. As part of the submission process, Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and submit comments to the MECP.

The proposed Webequie Supply Road will be an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The preliminary corridor for the road consists of a northwest-southeast segment running 51 km from Webequie First Nation to a 56 km segment running east, before terminating near McFaulds Lake. A total of 17 km of the corridor is located within Webequie First Nation Reserve lands. The preliminary supply road route alternatives being carried forward to the Environmental Assessment are shown in the accompanying Key Plan.

PROJECT PURPOSE

The purpose of the Project is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of Northwestern Ontario. The Project is intended to provide the WFN with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

THE PLANNING PROCESS

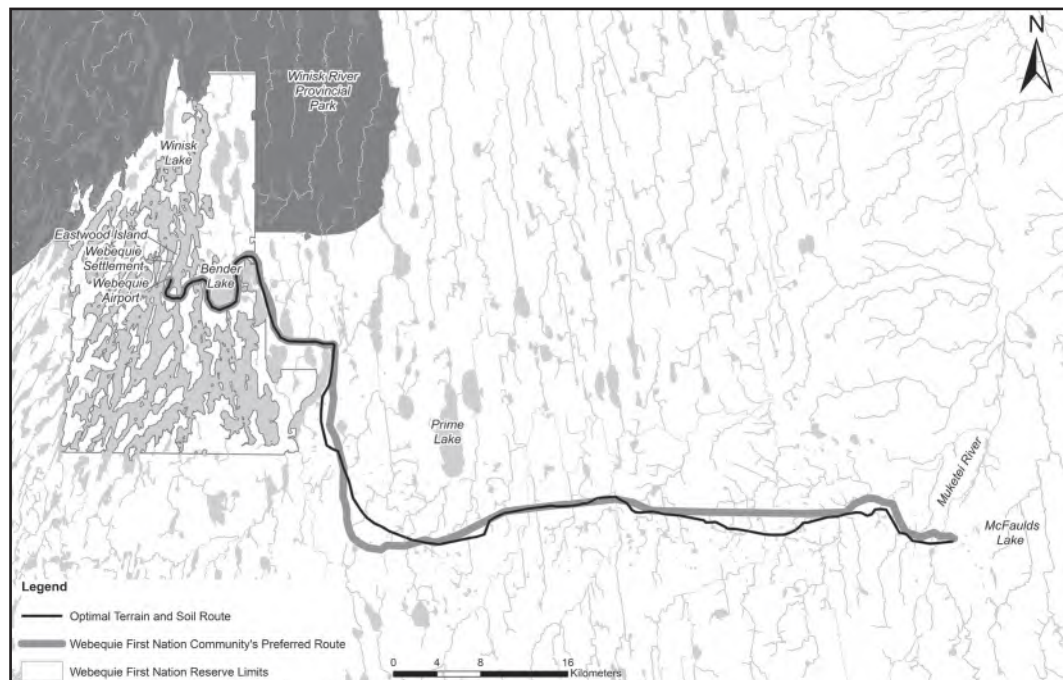
The WFN has entered into a voluntary agreement with the MECP to subject the Project to Ontario's *Environmental Assessment Act*. The ToR is the first step in the EA process and outlines the work plan for addressing the requirements under the *Environmental Assessment Act*. The submitted proposed ToR considered comments received by WFN on the draft ToR. If approved by the Minister of the Environment, Conservation and Parks, the ToR will provide the framework for the second step of the process, the preparation of the EA. Important elements of the EA will be to evaluate the alternatives, assess potential effects and determine measures to reduce or mitigate these effects.

REVIEW OF THE TERMS OF REFERENCE

Members of Indigenous communities, the public, agencies, and other interested parties are encouraged to review the ToR and provide comments from **August 14 until October 13, 2020**.

The ToR can be accessed on the project website at www.supplyroad.ca and hard copies will be available for review at local First Nation community band offices, as well as at the following public library and municipal offices:

- Thunder Bay Library – 285 Red River Road, Thunder Bay
- Sioux Lookout – 25 Fifth Avenue, Sioux Lookout
- City of Timmins – 220 Algonquin Boulevard East, Timmins
- Township of Pickle Lake – 2 Anne Street South, Pickle Lake



SUBMISSION OF COMMENTS

Your comments regarding the ToR must be submitted to the MECP before **5:00 p.m. on October 13, 2020**. All comments should be submitted to:

Sasha McLeod and Shannon Gauthier
Special Project Officer and Project Officer
Ministry of the Environment, Conservation and Parks - Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor, Toronto, ON M4V 1P5
Tel: 416-268-5984 / 416-258-8215
Fax: 416-314-8452
E-mail: Sasha.Mcleod@ontario.ca and Shannon.Gauthier@ontario.ca

A copy of all comments submitted to the MECP will be forwarded to the proponent for consideration.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT:

Michael Fox
Regional Consultation Lead
Webequie First Nation
100 Chippewa Road
Thunder Bay, ON P7J 1B6
Tel: 807-472-6147
Fax: 807-577-0404
E-mail: Michael.Fox@supplyroad.ca

Samson Jacob
Local Consultation Lead
Webequie First Nation
P.O. Box 268, Webequie, ON P0T 3A0
Tel: 807-353-6531
Fax: 807-353-1218
E-mail: Samson.Jacobs@supplyroad.ca

Don Parkinson
Consultation Lead
SNC-Lavalin Inc.
195 The West Mall, Toronto, ON M9C 5K1
Tel: 416-252-5315, ext. 52584
Fax: 416-235-5356
E-mail: Don.Parkinson@snclavalin.com

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained, and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act*, or is collected and maintained for the purpose of creating a record that is available to the general public, as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks Freedom of Information and Privacy Coordinator at (416) 327-1434.

Notice published – August 12, 2020 (WSR-SNC-PR-PUN-0002 SNC-Public Notice of Submission of T of R-2020-08-12)

**Ministry of the Environment, Conservation
and Parks**

**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**

Environmental Assessment Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télé. : 416 314-8452

August 14, 2020

MEMORANDUM

TO: Aboriginal Communities Distribution List

FROM: Sasha McLeod and Shannon Gauthier, Special Project Officer and Project Officer
Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks

RE: Review of Proposed Terms of Reference for the Webequie Supply Road
EAIMS No. 18046

Webequie First Nation has submitted a Terms of Reference (ToR) for the proposed Webequie Supply Road to the Minister of the Environment, Conservation and Parks for a decision. The ToR is being provided to your agency for review and comment by the deadline specified below.

The proposed Webequie Supply Road is an all-season road corridor approximately 107 km in length from Webequie First Nation to the mineral deposit area near McFaulds Lake. The purpose for the Webequie Supply Road is to create an all-season corridor that will facilitate the movement of materials, supplies and people from the Webequie Airport to the proposed mine development and mineral exploration activities in the McFaulds Lake area of northwestern Ontario. The project is intended to provide Webequie First Nation with a means to better service their community and be a contributor to the local economy by providing employment and economic development opportunities.

The role of the ToR is to provide the proponent with an approved framework for the completion of their environmental assessment (EA). The ToR sets out how Webequie First Nation is proposing to assess the potential environmental effects of this proposal.

Your community may have an interest in this ToR based on potential environmental effects of the project. If you have no comments on the ToR but wish to be involved in the preparation of the EA, please indicate when you wish to be involved by completing the attached "Acknowledgement of Receipt (of a ToR)" form. You may also indicate on this form that your community's involvement is no longer required for this ToR and/or the future EA process.

We are interested in knowing whether you have any specific interests or issues related to the ToR. Should you identify any concerns you are asked to indicate, please indicate how you feel they could be addressed by modifying the existing ToR, and provide your comments to the

Environmental Assessment Branch by October 13, 2020. Your comments will be provided to the proponent for its consideration and response.

The proposed ToR and other supporting documents can be accessed at the following link: <https://www.supplyroad.ca/> – click on **Documents->Terms of Reference** at the top of the page.

The following documents are enclosed:

- Webequie Supply Road Terms of Reference
- USB stick with Webequie Supply Road Terms of Reference and supporting documents
- Acknowledgement of Receipt Form – please complete and return to the Environmental Assessment and Permissions Branch immediately upon receipt of this letter
- Notice of Submission

Timing

In order to ensure consideration within the final decision-making process, the Environmental Assessment Branch should receive your comments **no later than October 13, 2020**. While the ToR comment period is normally 30 days, the ministry has extended the comment period to 60 days to allow for more time to review and comment on the ToR. Should you have any questions or require additional information about your community's review of this ToR, please contact us at: Shannon Gauthier, 416-258-8215, shannon.gauthier@ontario.ca and Sasha McLeod, 416-268-5984, sasha.mcleod@ontario.ca, or toll free at 1-800-461-6290.

Thank you for your participation.



Sasha McLeod and Shannon Gauthier

ACKNOWLEDGEMENT OF RECEIPT

For the Webequie Supply Road EA Terms of Reference

**UPON RECEIPT, PLEASE COMPLETE
BOXES/BLANK LINES AND RETURN BY
FAX TO:**

Date Received

Ministry of the Environment, Conservation and
Parks

Environmental Assessment Branch

**Attn: Sasha McLeod and Shannon
Gauthier**

135 St. Clair Avenue West, 1st Floor

Toronto, Ontario

M4V 1P5

TEL.: 416-268-5984 or 416-258-8215

FAX: 416-314-8452

sasha.mcleod@ontario.ca and

shannon.gauthier@ontario.ca

Proponent: Webequie First Nation

EA Terms of Reference Title: Webequie Supply Road

EAIMS No.: 18046

Agency: _____

Reviewer: _____

Tel. No.: _____

FAX No.: _____

Please check the appropriate box:

- [] We will be able to provide comments to the Environmental Assessment Branch by:
October 13, 2020 (comments received after this date may not be considered in the
approval process).
- [] We are satisfied the proposed Terms of Reference will address our mandate, but wish to
be involved in the preparation of the EA.
- [] We have no comments and do not require any further involvement with this proposal.

APPENDIX P1.F.19

Comment/Response Tables

Table AA – Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MHSTCI-1	Section 2.1 Regulatory Framework Table 2-2 Provincial Legislation, Permits and Other Authorizations	MHSTCI reviews technical cultural heritage studies such as archaeological assessment reports, cultural heritage existing conditions reports and heritage impact assessment reports. Once an archaeological assessment is reviewed, the ministry provides the archaeologist with a letter indicating that the report has been entered into the Ontario Public Register of Archaeological Reports. The entry should also include reference to the Standards and Guidelines for Conservation of Provincial Heritage Properties, which applies to properties owned or controlled by the provincial Crown or a public body prescribed under Ontario Regulation 157/10. Therefore, under the column “Permit/Act”, the entry should read: Part III.1 (Standards and Guidelines for Conservation of Provincial Heritage Properties) Ontario Heritage Act, Part VI (Archaeological Resources) Standards and Guidelines for Consultant Archaeologists Under the column “Corresponding Applicability to the Project”, the entry should read: “Letters for archaeological and other cultural heritage assessment(s) as part of environmental assessment and OHA due diligence.”	As per the comment received from the MHSTCI, Table 2.2 has been revised.	Section 2.1.5 Table 2-2
MHSTCI-2	Section 4 Description of the Undertaking Section 4.2 Components and Activities of the Project	Please note that all the activities listed in this section require technical cultural heritage studies early in the EA process to identify any known or potential cultural heritage resources plus appropriate mitigative measures.	The environmental field surveys and other investigations to support the road design and EA are deemed to include archaeological and cultural heritage elements.	Section 4.2
MHSTCI-3	Section 5 Description of and Rationale for Alternatives Section 5.2 Initial Screening... Alternative Concepts	This entry appears to speak only to registered archaeological sites and can be misinterpreted as omitting areas of archaeological potential, built heritage resources and cultural heritage landscapes. It should be clear to the general reader that all types of cultural heritage resources should be identified and protected. The entry should read: “Effects on cultural heritage resources within the study area will be assessed. Cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes (both known and potential). Effects on sacred and spiritual sites identified by Indigenous communities that have been combined with Webequie community consideration of culturally significant features.” A separate entry should be made for burial sites as the Funeral, Burial and Cremation Services Act may apply and the Registrar, Burials of the Ministry of Government and Consumer Services (MGCS) might become involved.	As per the comment received, Section 5.2 has been revised to more clearly differentiate between registered archaeological sites and areas of archaeological potential, and has added a discrete reference to the Funeral, Burial and Cremation Services Act under cultural environment considerations.	Section 5.2 Table 5-2
MHSTCI-4	Table 5-3 Summary Comparative Analysis... Alternative Concepts	The project team might want to consider undertaking a combined Stage 1-2 archaeological assessment for the entire study area during the pre-planning phase, as it may prove more cost-effective. The entry titled “Culturally significant features” should be renamed “Burial sites” and the entry should also reflect the possibility that the Funeral, Burial and Cremation Services Act may apply. A new section entitled “Built heritage resources/ Cultural heritage landscapes” should be created, with the appropriate discussion regarding advantages and disadvantages for each alternative concept. It should be made clear that this section includes sacred and spiritual sites.	The Culturally Significant Features Category has been renamed to Burial Sites. A Built Heritage Resources/Cultural Heritage Landscapes factor has been created in Table 5-3 for the comparative analysis of alternatives.	Section 5.2 Table 5-3
MHSTCI-5	Section 6 Existing Environment Section 6.2.4	1st paragraph – MHSTCI recommends that a sentence be included to indicate that this data will be used to assist with and inform the technical cultural heritage studies. 2nd paragraph - MHSTCI recommends making the last sentence into a separate paragraph, to avoid misinterpretation that an archaeologist will undertake the determination of known and potential built heritage resources and cultural heritage	As per the comment received, the following revisions have been made: - First paragraph has been revised - Second paragraph has been revised based on the comments	Section 7.3

Table AA – Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
	Cultural Environment	landscapes. This work should be conducted by a qualified person with recent and relevant experience. The new paragraph should read: “A Cultural Heritage Existing Conditions and Preliminary Impact Assessment report will be undertaken to identify any known or potential built heritage resources and cultural heritage landscapes in the study area, identify preliminary potential project-specific impacts and recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The report will be undertaken by a qualified person with recent and relevant experience in consultation with the Indigenous communities.” This section should also specify the boundaries of the study area to be assessed for cultural heritage resources. MHSTCI recommends that the definition of study area be consistent with MTO’s practice as per Section 4.1 of the Environmental Guide for Built Heritage and Cultural Heritage Landscape (MTO, 2007), which states: The study area is defined as all lands to be affected adversely either through displacement and/or disruption by the proposed highway design and construction within the existing and proposed highway Right-of-Way (ROW) and the off-route zones adjacent or abutting the existing ROW. In practice, the Study Area has three zones: 1. A ROW study zone comprises lands to be cleared and developed for the proposed highway right-of-way. Built heritage resources are displaced (through loss or removal). Cultural heritage landscapes are displaced (through loss) or disrupted through the introduction of new highway related resources. 2. A 25-metre study zone is located on either side of the ROW and has potential for associated land clearance. The effects for built heritage resources are displacement (loss or removal), or disruption through isolation of built heritage resources retained adjacent to a new highway when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. The effects to cultural heritage landscapes are displacement (loss), or disruption through the isolation of cultural heritage landscapes retained adjacent to a new highway when visually set apart from the former settings and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. 3. A 25- to 250-metre study zone on either side of the ROW comprising an area where land clearance is unlikely to occur, however, where impacts to built heritage resources and cultural heritage landscapes may be experienced. The effects for built heritage resources and cultural heritage landscapes is disruption through isolation when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping the character or setting		
MHSTCI-6	Section 6.5.1 Cultural Heritage Resources	Please remove “for approval”, as MHSTCI does not approve reports; MHSTCI issues letters confirming it has reviewed reports (see comment above for Table 2-2). Also remove “and a stand alone”, since it could be misinterpreted as the initial archaeological assessment not relating to subsequent archaeological assessment reports, should they be required. The first paragraph should read: “A Stage 1 Archaeological Assessment will be conducted in 2019 to identify and confirm areas of archaeological potential. The findings from this assessment will be documented in the EA and all archaeological assessment report(s) will be submitted to the Ministry of Tourism, Culture and Sport as per the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists”.	As per the comment received, the following changes have been made: • The wording “for approval” has been removed; • The wording “stand alone” has been removed; • The 1st paragraph has been revised	Section 6.4.1
MHSTCI-7	Section 7 Potential Environmental Effects Section 7.3 Cultural Environment	Regarding the 4th bullet, please note that not all spiritual or sacred sites are archaeological in nature. This needs to be reflected either as a separate entry or noted clearly within the built heritage resources/cultural heritage landscapes entry. Regarding the 5th bullet, please add “known and potential” in front of “built heritage resources” and remove “/visual”, so that the reference remains consistent to the terminology used throughout the report (i.e., cultural heritage landscapes). Please note that the term ‘cultural heritage landscape’ is defined in the Provincial Policy Statement and the Standards and Guidelines for Conservation of Provincial Heritage Properties. Therefore, the 5th bullet should read: “Effects to known or potential built heritage resources (e.g. old hunting or trapping camps) and/or cultural heritage landscapes.” Any investigation of and for built heritage resources and cultural heritage landscapes is a separate undertaking, to be conducted by a qualified person(s).	As per the comment received the following changes have been made to the document: • The 4th bullet has been revised to remove reference to cultural, spiritual or sacred sites. • The 5th bullet has been revised; Paragraph regarding contents of archaeological assessment report have been revised. For greater clarity, text has been revised to reflect that the assessment of built heritage resources and cultural heritage landscapes will be documented in Cultural Heritage	Section 7.3

Table AA – Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		Regarding the contents of an archaeological assessment (2nd paragraph), although historical and cultural references provided the context, an archaeological assessment report focuses only on the archaeology component. When investigation the study area for built heritage resources and cultural heritage landscapes, historical and cultural components are typically addressed in the Cultural Heritage Existing Conditions and Preliminary Impact Assessment report. Please clarify why an AMP for this undertaking is being proposed. As a Stage 1 (or a combined Stage1-2) archaeological assessment will be undertaken, it may not be appropriate to develop an Archaeological Management Plan (AMP). MHSTCI can provide additional advice for those paragraphs. Regarding the last paragraph on typical contingency measures, MHSTCI recommends that the following be included: - Notifying MHSTCI if any archaeological resources are impacted by the EA work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists. - If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act. MHSTCI also recommends that a paragraph discussing typical mitigation measures be included prior to the contingency measures section (similar to Table 7-1); MHSTCI can provide additional advice on this.	Assessment Report, including the identification of potential impacts and measures to avoid or mitigate potential negative impacts. Reference to the need for an AMP has been removed. Suggested typical contingency measures have been added.	
MHSTCI-8	Section 8 Approach to Assessment and Evaluation of Effects Table 8-1 Select Preliminary Criteria and Indicators for Evaluation	Please note that the terms 'built heritage resources' and 'cultural heritage landscapes' are defined in the Provincial Policy Statement and the Standards and Guidelines for Conservation of Provincial Heritage Properties. Both terms acknowledge that those resources may or may not be associated with Indigenous communities. The entry should read: "Number and type of known or potential built heritage resources and/or cultural heritage landscapes." A new entry should be made with respect to burial sites in relation to the Funeral, Burial and Cremation Services Act.	As per the comment received, Table 8-1 has been revised for greater clarity and includes a new entry with respect to burial sites.	Section 8.3.1 Table 8-1
MHSTCI-9	Appendix B List or Preliminary Evaluation Criteria and Indicators	For archaeological resources, the entry for the Indicators column should be: "artifacts, archaeological sites and marine archaeological sites, as defined in the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act." Include a separate entry for burial sites and the application of the Funeral, Burial and Cremation Services Act (as per comments above). For Built Heritage Resources and Cultural Heritage Landscapes, the Indicators column should read: "Number and type of known and potential built heritage resources and/or cultural heritage landscapes; as identified by a community, including an Indigenous community."	As per the comment received, the text in Appendix B related to cultural heritage resources has been revised.	Appendix B

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-1	Section 1.4.1 Purpose & Description of the Undertaking (Page 6)	The goals and objectives do not reflect the use of the road (or a portion thereof) for purposes beyond a supply road. To suggest the Webequie supply road will be limited to servicing the mining area is misleading. Several studies and even the Noront Eagle's Nest Mine proposal had the east-west leg of the Webequie Supply Road coincident as a transportation corridor. Updating the project description by including reasonably foreseeable uses will inform related EA analysis such as identifying potential effects and road design considerations including safety/travel demand concerns. Further rationale is MNRF interests in minimizing the number of linear corridors that are developed in the region by acknowledging the multiple purposes beyond a supply road. This in turn may yield benefits such as: minimizing potential negative effects associated with individual linear developments and the cumulative effects that may result from multiple corridors; promoting the efficient use of / maximum benefit from the use of land and resources; supporting the interests of First Nation communities in road and other infrastructure development opportunities in the region, and sustainably using public funds and resources in the development and ongoing maintenance of major infrastructure in the region.	Proposed Action/Solution: The recommended action is to revise the purpose and description of the undertaking to acknowledge other reasonably foreseeable uses, and to accordingly, update related information / sections in the TOR. For example, information requiring updating would be the preliminary design criteria for the Webequie Supply Road that applies a relatively low Annual Average Daily Traffic (AADT) volume of less than 500 vehicles which likely does not account for estimated haul truck traffic from mines – particularly for the east-west segment of the proposed supply road. Gaining this understanding would subsequently inform other aspects of the EA.	The Webequie Supply Road, as currently envisaged by Webequie First Nation, will be limited to servicing mining interests in the McFaulds Lake area. The references to the Noront transportation corridor in the area are for historic context only. The revised ToR clarifies the status of the Noront proposals and related EA work (no status; paused at the provincial level and terminated at the federal level; and not expected to include an all-season road link to the provincial highway network if and when reinitiated). In Table 5-1, the Draft ToR also makes it clear that it was WFN that assumed the responsibility for identifying a preferred alignment through their traditional territory for Noront. Further, in identifying the road corridor options being carried forward to the EA phase (Section 5.5), the revised ToR states that although Segment 3 (the east-west section across the James Bay Lowlands area) is coincident with the routing previously developed by Noront in consultation with WFN to serve the Eagle's Nest mine, this Webequie Supply Road segment should be considered as a separate project from the Noront road. WFN's objectives and vision are aligned with MNRF interests in minimizing the number of linear corridors that are developed in the region by acknowledging the possible multiple purposes beyond a supply road. The other "reasonable foreseeable uses" are identified on Page 7 of the Draft ToR ("Although WFN is seeking approval for the development of a supply road, the basic corridor (35 m right-of-way width) that will be subject to environmental assessment will be wide enough to accommodate future communications (e.g., broadband fibre optic line) and low voltage power distribution lines, if and when connection is established to the provincial highway and electricity grid system."). Envisaged "other" uses do not include being a link in a direct connection from the mine developments in the McFaulds Lake area to the provincial highway network, or an industrial road for hauling mineral ores or mine products. Thus, the projected traffic volumes to not warrant revision.	Section 1.4.1
MNRF-2	Section 1.4.2 Rationale for the Undertaking Figure 4.1 (Pages 7, 22, 23)	The ToR identifies both a 35m corridor for the road right-of-way (p. 7) and a 2km wide proposed preliminary corridor (p. 22). The Project Team could consider having the ToR more clearly identify that the 35m right of way will be developed within the 2km wide corridor. Clear identification of the 2km wide corridor in the document and maps will ensure clarity, allow for flexibility and help avoid the need for EA amendments due to potential deviations in the 35m right of way that could be encountered in the construction phase. Should be addressed at ToR phase.	Proposed Action/Solution: Suggest revising the document and maps to show a 2km wide corridor in which the 35m right-of-way will be developed.	The revised ToR provides requested clarification in Section 5.1.2.3 (Alternative Methods of Carrying Out the Undertaking) – "Each of the corridors under consideration is approximately 2 km in width, within which the supply road (35 m right-of-way), as depicted by the respective coloured lines, is located along the centreline of the corridor." The revised ToR adds clarification (text) with respect to the basic definition of the areas for which baseline information will be collected and the environmental assessment conducted (including general dimensioning of the Project Footprint, the Local Study Area, and the Regional Study Area). It also describes the challenges with attempting to graphically depict study area bands around the centerlines due the variability of study areas for different Valued Components.	Section 5.1.2.3
MNRF-3	Section 2.1.5 Other Relevant Provincial	Any Far North Act authorization cannot be issued until all EA components are met and approved.	Proposed Action/Solution:	The Project Team confirmed that this comment is referencing the approval of an exception under Section 12(2) of the <i>Far North Act</i> , and the timing relative to the approval of the EA and subsequent permitting and approvals.	Section 2.1.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Legislation and Permits (Page 15)		Suggest the inclusion of the order of events/authorizations, such as EA, then authorization under Far North Act, then permitting and approvals.	MNRF also confirmed that approval of a CBLUP or acceptance of a Draft CBLUP, as well as the issuance of a Minister's Order designating a planning area, can happen at any time. However, the issuance and approval of a Minister's Order permitting development under the Act (for sections 12(2), 12(5b), 12(5f), or 12(6)) or a Lieutenant Governor in Council order under section 12(4), cannot occur until after the EA is approved, and must occur before the issuance of other permits and approvals (such as work permits under the <i>Public Lands Act</i>). The Project Team understands that, as a general approach, no permits under any legislation will be sought or provided until EA approval is secured, and agrees that it would be preferable to have the CBLUP in at least draft form prior to the approval of the EA so that there is no delay in proceeding with an Order permitting development under the <i>Far North Act</i>. This bullet for this item has been revised to clarify the order of events/authorizations under the <i>Far North Act</i> and include a note regarding the current proposal to amend or repeal various provisions of the Act, which is under consideration by the Ontario Government.	
MNRF-4	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	"Land Use Permits • Necessary for temporary access roads, temporary laydown areas, work camps, and/or spoil areas" Occupational authority is not necessarily needed for an access road. It is very unlikely that this type of tenure authorization would be used for this project as Land Use Permit should suffice.	Proposed Action/Solution: Revise table by removing Licence of Occupation from the list.	As per the comment received, the table has been revised.	Section 2.1.5, Table 2-2
MNRF-5	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	Majority of works would be authorized under a work permit (Public Lands Act). This is not identified.	Proposed Action/Solution: Revise.	As per the comment received, the table has been revised to the following: The majority of the Project components would require a Work Permit under the Act	Section 2.1.5, Table 2-2
MNRF-6	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	Under Far North Act, a proposal to repeal the act was made. This was only a proposal and it cannot be said that is currently occurring. This impacts the need for the project to acquire authorization under the Act.	Proposed Action/Solution: There is currently a proposal to repeal the Far North Act, which is under consideration by the Ontario Government".	As per the comment received, the table has been revised to include the following note: "There is currently a proposal to repeal the Far North Act, which is under consideration by the Ontario Government".	Section 2.1.5, Table 2-2
MNRF-7	Section 2.1.4 Other Relevant Provincial Legislation and Permits (Page 15)	As migratory birds are mentioned on page 123 as an evaluation criterion, Migratory Birds Convention Act should be included and listed under the jurisdiction of Environment and Climate Change Canada (ECCC).	Proposed Action/Solution: Please confirm with ECCC for the additional listing in the table of the Migratory Birds Convention Act.	Table 2-1 in Section 2.1.4 addresses those potential applicable permitting requirements for the Project. We acknowledge that migratory birds fall under the jurisdiction of ECCC and the MBCA. However, the types of permits issued under the Act, such as those for causing known damage or danger to species of migratory birds (e.g., intentionally scare or kill; or relocate birds), are not envisioned for the Project. As such, we have excluded permits under the MBCA as being required for the Project, which is consistent with the guidance (Permitting Plan) received from the Impact Assessment Agency of Canada for the Project.	Section 2.1.4

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-8	Section 3.2 Indication of How the EA is to be Prepared (Page 20)	Where conflicts between IK information and western science information arise, who will determine what is the best information and/or how to apply it to the EA (ex, impact assessment, mitigation options, impacts on caribou)?	Proposed Action/Solution: Suggest there be a dispute resolution process developed to help. All information should be used and reported on in the EA.	Prior to dispute resolution, the WSR Project Team will consider all information (Indigenous Knowledge and Western science) and will ensure that environmental effects are addressed. The dispute resolution process will be avoided to the greatest extent possible through engagement and iterative assessment.	
MNRF-9	Section 3.2 Indication of How the EA is to be Prepared (Page 21)	In consideration of potential authorization options under the Far North Act, the list of investigations and assessments may want to include additional items to facilitate and expediate Far North Act authorization after the completion of the EA. These may be items that aren't specifically required in the EA but would be needed for certain FNA authorizations.	Proposed Action/Solution: Include reference to SAR, more around biodiversity, candidate ANSI's (natural heritage areas); habitat fragmentation, carbon sequestration; social and economic interest of Ontario.	Noted. Species at Risk has been added as a discrete element to the list of detailed technical investigations and assessments that will be undertaken and documented in the EAR/IS. Candidate ANSI's (natural heritage areas); habitat fragmentation, carbon sequestration; social and economic interest of Ontario are included in other existing or added elements in the cited list (Vegetation and Wetlands, Wildlife, Climate Change, Socio-Economic Environment).	Section 3.2
MNRF-10	Section 4 Description of the Undertaking (Page 23 Map)	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications on GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	Proposed Action/Solution: At minimum, the review of literature on road construction effects on carbon be undertaken for this potential EA. Data exist in the study region that the client should review and evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. The client is encouraged to apply the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. It is further recommended the project should test the IPCC calculations against data collected along the length of road network.	The Project Team is committed to including a carbon and GHG evaluation as part of the EA. An additional subsection (7.1.9 Climate Change) has been added to the ToR section addressing potential environmental effects. This will include assessment methods and calculations based on the <i>International Panel on Climate Change Guidelines for National Greenhouse Gas Inventories</i> .	Sections 4 and 7.1.9
MNRF-11	Section 4.1.1 Preliminary Design and Criteria (Page 24)	"The road will be gravel surfaced, including shoulders, with material from aggregate source areas that have suitable sand and gravel deposits (e.g., eskers)."	Proposed Action/Solution: Consideration toward Natural Heritage Features such as eskers when determining aggregate sources and preferred route for road location. As guidance, please review: - Provincial Policy Statement - Natural Heritage Reference Manual	Noted. Consideration will be given to Natural Heritage Features when determining aggregate sources and the preferred route.	Section 4.1.1
MNRF-12	Section 4.2 Components and Activities of the Project (Page 26)	Development of aggregate extraction and production/processing areas as a component of the project.	Proposed Action/Solution: Options for sourcing aggregates, including the development of new aggregate sites needs to be part of the EA; otherwise, additional EA requirements may apply prior to MNRF issuing permits for new sites. The potential impacts and proposed mitigations of various alternatives for sourcing aggregates should be addressed in the EA. This is a critical point for this EA for reasons stated elsewhere in the comments. The EA should emphasize that any development of aggregate extraction areas can only begin after sites have approved Aggregate Permits in place. It should be noted that the processing of these permit applications can take 6 months or longer.	As per the comment received, the text in Section 4.2 has been revised to include the following: Once an Aggregate Permit has been secured (which can take 6 months or more), the development of aggregate extraction and production (crushing/processing) areas including the transport and delivery of materials from source areas to the road ROW may proceed. The need for the EA to include consideration of aggregate production and processing areas has been recognized in the discussion of alternative aggregate sources (Section 5.5.2) and alternative methods carried forward for environmental assessment (Section 5.5).	Section 5.5
MNRF-13	Section 5.1.2.3	CBLUP is a joint process between Webequie and Ontario. The planning area has not been designated.	Proposed Action/Solution:	As per the comment received, the document has been revised.	Section 5.1.2.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Community Based Land Use Plan (Page 47)		Please include reference to the joint community-based land use planning process. Add the word “potential” before “designation of a Webequie Planning Area”. Reword “leading” on last line to: “undertaking a joint...”		
MNRF-14	Section 5.1.2.3 Community Based Land Use Plan (Page 47-48)	Good to see the Webequie CBLUP identified in the document. However, it is unclear how some of the information regarding the CBLUP is relevant to alternative scoping. The CBLUP exercise is significant because it provided Webequie a way of considering alternatives by way of existing information and interests regarding linear corridors. Should be addressed at ToR phase.	Proposed Action/Solution: Consider revising the information provided on the CBLUP to more specifically focus in on how the planning exercise involved review and consideration of known linear infrastructure corridor proposals, concepts and interests which are relevant to the WSR alternative routing exercise.	Draft CBLUP information on land use designations is important in understanding the relationship between the WFN community and surrounding lands. This information has been retained, but some of it has been relocated to Section 6.3.6 Land and Resource Use.	Sections 5.1.2.3 and 6.3.6
MNRF-15	Section 5.1.2.3 Community Based Land Use Plan (Page 48)	This section does not identify that Marten Falls is also planning for this area and is included in their Terms of Reference for the Marten Falls CBLUP area of interest.	Proposed Action/Solution: Acknowledge the overlapping areas of interest between Webequie and Marten Falls. Ongoing discussions will be needed to finalize both CBLUP direction.	These comments have been addressed in Section 5.1.2.3 and Section 6.3.6, including recognition that further discussions between Webequie and Marten Falls will be required prior to either CBLUP being finalized.	Sections 5.1.2.3 and 6.3.6
MNRF-16	Section 5.1.2.3 Design Considerations and Criteria (Page 49-50)	The summary on pg. 49-50 highlights the all-season road is technically feasible and uses proven technology that is also economically feasible. MNRF does not possess expertise in (or experience with) current technologies for road construction through peatlands, nor of the nature, severity or extent of potential impacts of all-weather roads to peatlands and peatland function in this part of Ontario. This uncertainty about feasibility, potential effects and how they may be managed may pose a challenge to MNRF in making authorization decisions related to the proposed road.	Proposed Action/Solution: Providing information on appropriate roadbuilding techniques, and a detailed accounting of potential effects and associated mitigations is suggested. Peatlands/wetlands in the Far North are important on local through to global scales. The proposal notes the length of road corridor that will cross through peatlands for each of the alternatives considered. However, it does not describe the potential impacts of an all-weather road on peatland/wetland functions nor how these may be minimized. This should include, for example, identification of concentrated areas of peat that function as carbon sinks; measures that can be taken to sustain normal hydrological flow and related ecosystem services such as flood protection; impacts to biological functions of wetlands in providing wildlife habitat; working with watershed and sub-watershed boundaries to inform routing; and consideration of the potential impacts of the road and existing activities in the region to peatlands/wetlands.	Road design features and techniques to mitigate potential effects to peatlands will be examined as part of the EA for the Project, including the evaluation of the alternatives methods of carrying out the project.	Section 5.1.2.3
MNRF-17	Section 5.1.2.3 Design Considerations and Criteria (Page 51)	The acronym PAI is taken to mean ‘Planning Area of Interest’. The Webequie PAI is not finalized and includes an area of overlap with the Marten Falls PAI. Further dialogue is required to determine which First Nation will lead planning for this area. PAIs/Planning Areas do not in and of themselves define the kind of role Webequie will have in the management of the road. It should be identified there is overlap with Marten Fall’s PAI, not just with territories, as with Neskantaga. Should be addressed at ToR phase.	Proposed Action/Solution: Suggest revising to include a more general reference to the fact that Webequie has been engaged in a CBLUP exercise for the area including the road and has considered how roads and other developments in this area can proceed in an environmentally responsible manner, considering a range of community and provincial values brought forward through the planning process.	The ToR text has been revised to recognize the overlaps in both traditional territories and planning areas of interest.	Section 5.1.2.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-18	Section 5.1.2.3 Supply Road Alternative Concepts (Page 52-53)	All land use designations (e.g., General Use Area, Enhanced Management Area) identified in the Draft CBLUP are 'Draft' and subject to further revision.	Proposed Action/Solution: The document should include this as a qualifying statement where appropriate.	Although use of the term "draft" accompanying all references to the WFN CBLUP is deemed to convey the message that the current land use designations are subject to revision, the suggested qualifying statement has been added in the description of the CBLUP process and content.	Section 5.1.2.3
MNRF-19	Section 5.1.2.3 Supply Road Alternative Concepts (Pages 52-54)	Though the current draft of the CBLUP does state that planning direction for the shared area will not be provided at the draft plan stage, given current timelines for completion of both the Webequie CBLUP and the Marten Falls CBLUP, this issue will need to be determined sooner rather than later.	Proposed Action/Solution: Suggest rewording to "Determination of how to proceed with zoning in this area will need to occur". Please reword wherever this is found in the document.	The suggested language has been added to the CBLUP discussion where there is reference to overlapping Planning Areas of Interest.	Section 5.1.2.3
MNRF-20	Section 5.1.2.3 Supply Road Alternative Concepts (Pages 53-54)	References to Neskantaga and Marten Falls shared and traditional areas as well as the Three Nation process may represent the perspective of Webequie and Ontario in CBLUP but not necessarily that of Neskantaga, Marten Falls or other additional First Nations who are not identified here as having shared/traditional use in the area. The information does not appear to be relevant to alternatives. Shared area and planning understandings are the subject of ongoing dialogue between Webequie and other communities and are potentially sensitive in nature.	Proposed Action/Solution: Suggest removing the information after this sentence: "The current Draft Webequie First Nation CBLUP (March 2019) recognizes that there is shared territory with other First Nations within the lands that Webequie has identified as its proposed planning area, including areas shared with Neskantaga and Marten Falls that would be occupied by the Webequie Supply Road corridor."	The subject information is a statement of fact and deemed to be pertinent to recognition and consideration of known asserted treaty rights, which has a bearing on the development of, and consultation on, alternative supply road corridors, as well as the identification of potential impacts to Indigenous peoples (i.e., which First Nations may be most directly affected by the Project). There are other sections of the ToR that identify asserted rights by additional First Nations, including Attawapiskat First Nation, Weenusk (Peawanuck) First Nation and Kasabonika Lake First Nation (refer to Section 7.2.1 Effects on Traditional/Indigenous Land Use) Therefore, the information has been retained as originally drafted. The statements have been relocated to Section 6.3.6 Land and Resource Use.	Sections 5.1.2.3, 6.3.6, 7.2.1
MNRF-21	Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment (Pages 56, 76)	In consideration of potential authorization options under the Far North Act, the identification of alternatives and the selection of the preferred route will need to clearly identify where adjustments to routing have been made in response to consultation/ecological/cultural values. This may not be specifically required in the EA but would be needed for certain FNA authorizations.		Noted for future identification of required authorizations. No action required for ToR at this time.	
MNRF-22	Alternative Maps (Pages 56, 73, 75)		Proposed Action/Solution: Please provide clarity in the text regarding which alternatives will be included for assessment. Varying maps shown on page 56 and 73 - 75.	The graphic on Draft ToR Page 56 (now Figure 5.7) shows the alternative supply road corridors that were initially subjected to a screening, as described in Section 5.2 of the ToR. The graphic on Draft ToR Page 70 (Figure 5.8) shows the preliminary corridor preferred by the Webequie community. The graphic on Draft ToR Page 73 (now Figure 5.9) shows the alternatives subject to a geotechnical (soil and terrain) assessment, with the preferred option from a geotechnical perspective presented in relation to the preliminary community preferred corridor in the graphic on Draft ToR Page 75 (now Figure 5.10). Both of these supply road alternatives being carried forward for environmental assessment. These same alternatives are presented in a segmented fashion (which will facilitate the comparative assessment and the ability to combine segments from the two different options) in the graphic on Draft ToR Page 77 (now Figure 5.11). The text has been revised in Section 5.6 to provide clarity on the road alternatives carried forward. In addition, text has been added to address other alternative methods (options for other project infrastructure) to be included in the environmental assessment.	Sections 5.2 and 5.6

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-23	Section 5.2 Initial Screening of Webequie Supply Road Corridor Alternative Concepts (Page 57)	An assessment of the Ozhiski Woodland Caribou Range should be provided as alternative options may impact overlapping areas of the 2 adjacent Ozhiski and Missisa caribou ranges. MNRF worked with the client during development of winter caribou aerial surveys prior to MECP involvement under the ESA. It is recommended that rationale provided by MNRF to the client (prior to April 1, 2019), to include survey efforts west of Webequie in the Ozhiski Range be carried forward and discussed in the ToR for inclusion in the EA.	Proposed Action/Solution: Please discuss with MECP, as an update to Table 5-2 is warranted to reflect impacts to multiple caribou ranges.	The MECP have been consulted and Table 5-2 has been updated to include select other recommended criteria and indicators for Caribou, including citing ranges for Caribou in the comparison of the corridor alternatives.	Section 5.2, Table 5-2
MNRF-24	Section 5.2 Initial Screening of Webequie Supply Road Corridor Alternative Concepts (Page 57)	When describing considerations for screening alternative concepts. There's mention of "assessment of advantages and disadvantages against the following factors" and "developing evaluation criteria against which alternative road corridor concepts were screened during the Terms of Reference phase". It is uncertain in the Terms of Reference how the factors outlined in Table 5-2 were determined (i.e. guidance and definitions) and the indicators used to evaluate advantages/disadvantages of these criteria to determine screening of alternatives.	Proposed Action/Solution: Please clarify or further define understanding of criterion and what types of values are considered within "Natural or Built Features". The ToR needs to clearly identify the criteria and associated indicators that will be used to evaluate effects and alternatives in the EA. MNRF suggests the ToR for the proposed undertaking reflect the Natural Heritage Reference Manual, 2014 with consideration toward Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features. These values should be considered/assessed throughout the Environmental Assessment process.	Section 5.2, Table 5-2 have been revised to provide clarify on the understanding of criterion related to natural or built features within the context of cultural heritage resources. Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features and other values will be considered and assessed as part of the EA.	Section 5.2, Table 5-2
MNRF-25	Section 5.4.1 and 5.4.1.1 Figure 6.1 Initial Geotechnical Assessment – Terrain Mapping (Pages 71, 72, 79)	Map shows "Potential Aggregate Sources"; however, many of these do not correspond to the MTO "First Right of Refusal" (FRR) sites which were approved for this section on March 25/19. Further to this, many of the approved sites are not shown on this map. Several of the potential sites identified on this map fall in shoreline reserves, over-top waterbodies or in areas with no access to the proposed road routes. These issues need to be corrected at the earliest stage possible.	Proposed Action/Solution: Approved MTO FRR aggregate sites must be shown on this map in the EA.	Noted. MTO FRR aggregate sites will be shown on future map/figures as part of the EA.	Section 5.4.1
MNRF-26	Section 6.2.1 Biological Environment (Page 81)	The list of items to be assessed in this section does not align with the list on page 21.	Proposed Action/Solution: Please match the assessment techniques for the items on page 21, include all items in this section. Please include the impacts, both positive and negative, in the assessment, as well as at the various spatial scales.	Section 6 has been revised. A new Section 6.5 entitled "Data Collection Methods and Baseline Studies" has been added to state that the scope and intensity of the field studies and that associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Preliminary potential effects of the Project on the natural environment are discussed in Section 7 of the ToR.	Sections 6.2 and 6.5
MNRF-27	Published Sources of Information (Page 85)	Additional resources from: Catalogue of natural resource scientific and technical publications. Search a list of the scientific and technical publications issued since	Proposed Action/Solution: Some selected publications that may be of interest: Wester, M.C. et al. 2018. The Ecosystems of Ontario, Part 2: Ecodistricts. Ontario Ministry of Natural Resources and Forestry, Science and	Noted. The reference documents listed have been reviewed and added to the list of sources in Section 6.5.1.	Section 6.5.1

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		2004 see Catalogue-natural-resource-scientific-and-technical publications • To request a publication issued by the Ministry of Natural Resources and Forestry, or if you have a question related to MNRF scientific and technical publications, please <u>contact us by email</u> with the title of the publication. For journal articles, please contact the journal publisher directly. • For MNRF climate change publications see MNRF Climate Change Publications • Information about Ontario's species of conservation concern, plant communities, wildlife concentration areas and natural areas see https://www.ontario.ca/page/get-natural-heritageinformation • Decision support tools are also available: OFAT (Ontario Flow Assessment Tool) is used by water professionals in the public and private sectors and academia to better understand water flow in Ontario. It is also used by the general public for educational or general interest purposes. https://www.ontario.ca/page/watershed-flowassessment-tool	Research Branch, Peterborough, ON. Science and Research Technical Report TR-26. 474 p. + appendices Cataloguenatural-resource-scientific-andtechnical-publications - Ontario Ministry of Natural Resources and Forestry. 2019. Far North Information Knowledge Management Plan Progress Report 2008-2018. Ontario Ministry of Natural Resources and Forestry, Far North Branch, Peterborough, ON. 80p. contact: farnorthfeedback@ontario.ca - Riley, J. 2011. Wetlands of the Hudson Bay Lowland: An Ontario Overview. Nature Conservancy of Canada, Toronto ON 156 pp. ISBN 978-1-897386-27-9 link - Marshall, T.R. and Jones, N.E. 2011. Aquatic ecosystems of the Far North of Ontario state of knowledge. Ontario Ministry of Natural Resources.43 p.+ appends. ISBN 978-1-4435-6512-7 Catalogue-natural-resourcescientific-and-technical-publications - Metcalfe, R.A. et al., 2013. Aquatic Ecosystem Assessments for Rivers. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp.link		
MNRF-28	Section 6.2.5 Table 6-1, Published sources of information (Page 86-87)	Missing source information: MNRF Natural Heritage Reference Manual (NHRM), 2014.	Proposed Action/Solution: Please add MNRF Natural Heritage Reference Manual (2014) to the list of published sources of information for existing conditions in Table 6-1. The Natural Heritage Reference Manual can be referenced in conjunction with the Significant Wildlife Habitat Technical Guide (SWHTG) 2000, which are not mandatory for the EA, but provide clear guidance. The NHRM outlines evaluation processes of habitat and other natural heritage features. The SWHTG offers guidance to evaluate and identify the significance of wildlife habitat.	The MNRF Natural Heritage Reference Manual (2014) has been added to the list of published sources of information for existing conditions in Section 6.5.1	Section 6.5.1
MNRF-29	Section 6.3.3 Terrestrial Wildlife Habitat (Page 93)	A reference is included in the Waterfowl Stopover and Staging section (MNRF 2017b), which is an incorrect reference.	Proposed Action/Solution: Please update the reference list to include MNRF 2017a and MNRF 2017b with the correct information.	The reference list has been updated accordingly.	Section 6.2.3
MNRF-30	Section 6.4.1 Regional Planning Initiatives (Pages 105-106)	Further details around the authorization under the Far North Act is required.	Proposed Action/Solution: Please add additional description around 12(2) order, including that it involves concurrent planning and development, and the additional conditions that will need to be met prior to the issuance of the Order.	Additional provisions from the FNA have been added to clarify the conditions under which an exception may be granted.	Section 6.3.1
MNRF-31	Section 6.4.1 Regional Planning Initiatives (Page 1.6)	The section on authorization under the Far North Act suggests that a 12(4) order is related to a 12(2) order.	Proposed Action/Solution: Suggest rewording to "Alternately, Section 12(4) of the Act allows an activity to be granted an exception if the Lieutenant Governor....".	The suggested revision regarding Section 12(4) has been made. The footnote has been removed and the Project Team will monitor the status of the proposal to repeal the FNA.	Section 6.3.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			Also, after stating that the application for a 12(2) was accepted, please note that additional conditions will need to be met to receive this exception. Remove footnote #3 re: Far North Act proposal. As this is only a proposal and a commitment to proceed has not occurred, this is speculation at this point and may serve to suggest that further authorization is not required. If the Act is not repealed, supporting information may be needed to support an authorization under the Act. It is recommended that this information is collected early in the process, rather than hold up issuance of approvals and permitting after the completion of the EA.		
MNRF-32	Section 6.4.1 Regional Planning Initiatives (Page 106)	Requirements under the Far North Act should be clarified because it could be perceived that simply providing an application under section 12.2 is sufficient. There are other requirements in the subsection that would also have to be met before the Minister could consider making an order.	Proposed Action/Solution: The proposed solution (shown in bold) is suggested to the Far North Act description on pg 106: "...However, s. 12(2) of the Act includes provisions for exemption from this stipulation through the issuance of an exception order by the Minister of Natural Resources and Forestry.... The application was accepted by the Minister on March 2, 2018. In addition to this application, other requirements under section 12.2 must be met before the Minister could consider making an Order.	The suggested wording has been added to the discussion of FNA Section 12(2).	Section 6.3.1
MNRF-33	Section 6.4.3 Population, Demographics, and Community Profile (Page 108)	Will the First Nation communities identified have an opportunity to inform or prepare the community profiles? Could be addressed at EA phase.	Proposed Action/Solution: Consider offering this opportunity through the EA consultation process.	Through consultation activities during the EA phase, Indigenous communities will have the opportunity to inform or provide input to the community profiles. If information is not provided by Indigenous communities, community profiles will be developed through desktop research using information sources such as Statistics Canada, First Nation websites, etc.	
MNRF-34	Section 6.4.6 Land and Resource Use (Page 109)	Section identifies mining tenure but does not identify MNRF values in the area.	Proposed Action/Solution: Look into existing values.	MNRF values in the area will be identified and examined in the EA in consultation with the MNRF.	Section 6.3.6
MNRF-35	Section 6.4.6 Land and Resource Use (Page 109)		Proposed Action/Solution: Add the word "joint" before "Community Based Land Use Plan". Italicize "Far North Act"	The document has been revised.	Section 6.3.6
MNRF-36	Section 8.1 Identification and Evaluation of Alternatives (Page 122)	"Therefore, it is proposed that, in addition to the initial alternatives and with the benefit of additional engagement and consultation, the EA will further identify and evaluate routing alignment alternatives within the preferred corridor, including alternatives that optimize constructability and cost, as well as other alternative infrastructure designs (e.g., culverts or bridges at waterbody crossings) and siting with respect to temporary or permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites."	Proposed Action/Solution: MNRF supports the completion of alternatives analysis for ancillary infrastructure components and/or activities involved in the Project. This approach will ensure good project planning and that all activities that are part of the Project are evaluated and consulted on through the EA and will not require completion of further EA alternatives processes / requirements at the time of MNRF permitting {Note: Project components that are not evaluated as part of the EA but require dispositions of Crown land / resources may be subject to additional EA requirements}. Providing this information in the EA process will also help to enable flexibility in project	Noted. Appropriate related language has been added to relevant sections of the ToR (Sections 5.6 and 8.2) to indicate that the environmental assessment will include temporary and permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites.	Sections 5.6 and 8.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			implementation (e.g., method, location, style, implementation) if/as required.		
MNRF-37	Table 8.1 Evaluation Criteria and Indicators (Pages 123-125)	The importance of water – whether it be for source water protection or hydrological function is highlighted in the draft TOR; however, preliminary criteria and indicators do not address water quality, quantity and related hydrological processes at the watershed or subwatershed (catchment) levels.	Proposed Action/Solution: The Study Area has many different types of waterbodies, including streams, rivers, lakes, ponds and wetlands). There is also a vast network of smaller connected headwater streams, ponds and lakes. Explicitly identifying criterion and indicators to address the importance of hydrological related features and functions is recommended – especially in light of project effects summarized in Table 7.1 pg 113-116. Available references may be of assistance such as: Metcalfe, R.A. et al., 2013. Aquatic Ecosystem Assessments for Rivers. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp. link. In addition, expert knowledge from a hydrogeologist and MNRF researchers (e.g., Jim McLaughlin) advancing hydrology – peatland studies in the Far North is encouraged. While no specifics are provided in this submission, MNRF welcomes a discussion with MECP and ENDM to explore what (if any) role this project could play in advancing baseline information and long-term environmental monitoring for the Ring of Fire in partnership with First Nations communities.	Noted. The preliminary list of criterion and indicators for the EA to address the importance of hydrological related features and functions is presented in Appendix B of the ToR.	Appendix B
MNRF-38	Table 8.1 Evaluation Criteria and Indicators (Pages 123-125)	The client acknowledges the importance of identifying and securing the aggregate materials that will be required for road construction and maintenance. MNRF shares the view that the availability of suitable and sufficient amounts of aggregate for the project will be a major consideration in route selection and overall feasibility. Transparency for aggregate sources are required at the TOR stage, because of the wetland dominated landscape with limited sources. The associated potential effects in obtaining sufficient volume to construct and maintain the proposed road should be identified because sources will likely need to be accessed outside the defined local study area resulting in additional roads.	Proposed Action/Solution: Detailed information about the type and volume of aggregate needed to implement the project and that exists in the project area (i.e. specific sources) will need to be presented, along with an assessment of environmental impacts of new aggregate extraction operations that are proposed and how these will be mitigated. The assessment approach to evaluating potential effects for aggregates is weak (Table 8.1 pgs. 123-125) because it is based solely on number of hectares extracted. Attention should be given to developing criterion and indicators under the Natural Environment (as well as under the heading socio-economic) that reflect the potential ecological and hydrologic effects associated with construction and maintenance of the proposed road. In addition, indicators based on area for other criterion listed in Table 8.1 are considered inadequate in effects monitoring because ecological composition, structure and function are not accounted for, and thus, provide limited insights in mitigating and addressing cumulative effects for range of stressors. The proponent is encouraged to develop indicators that are sensitive to ecological changes at the project, local and regional levels.	The assessment approach to evaluating potential effects of aggregate extraction and processing areas, including developing criterion and indicators to reflect the potential ecological and hydrologic effects, will be examined further in the EA.	Section 8
MNRF-39	Section 10.1.1.3	Text does not identify what specifically is being consulted on. Including permitting/approvals items could streamline	Proposed Action/Solution:	Section 10.1.1.3 describes the requirements of applicable legislation, policies and guidelines for the consultation process. Details are provided in	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table BB – Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Requirements of Applicable Legislation, Policies and Guidelines (Page 131)	the process and reduce the need for duplication at the completion of the EA.	Please include details around what is being discussed in consultation. Is it routing? The EA? Does it include the permitting/approvals phase of the project?	Section 10.3 regarding the consultation activities and input received during the Terms of Reference Phase. Section 10.4 provides details as to consultation activities throughout the Environmental Assessment Phase and what will be consulted on.	
MNRF-40	Section 10.3.1 Activities and Key Comments and Concerns Expressed by Community Members to Date (Page 143-144)	The last two sentences in the table identifying Webequie comments/concerns would seem to be valid responses and/or mitigative measures to address the stated community concerns. Can be addressed at ToR phase.	Proposed Action/Solution: Revise 'Responses Provided' to indicate that impacts have been mitigated through definition and refinement with the direct involvement of Webequie people.	As per the comment received, the text has been revised.	Section 10.3.1
MNRF-41	Section 10.4.2.1 Government Review Team (Page 152)	A data share agreement has been provided between the Webequie project team and the Crown.	Proposed Action/Solution: Please describe how Crown provided data and data collected for the project will be used and shared amongst organizations.	As per the comment received, the text has been revised.	Section 10.4.2.1
MNRF-42	Section 10.5 Record of Consultation (Page 158)	It would be helpful if the consultation record database included a column to indicate whether the concern has been addressed and any follow-up action concluded. Should be addressed at EA phase.	Proposed Action/Solution: Consider revising the last bullet: "Identification of issues raised or discussed, any follow-up action or undertaking and status of the issue (e.g., outstanding, addressed/concluded)"	As per the comment received, the text has been revised.	Section 10.5
MNRF-43	Section 12 Other Permits and Approvals (Page 161)	To the extent possible, the proponent and agencies should be identifying and discussing permits and approvals throughout the EA process and maintaining a record of consultation with Indigenous communities in respect of permits and approvals so that some level of consultation has been carried out on specific permitting requirements by Notice of Completion. This may help the agencies when consulting and/or considering consultation obligations for subsequent permitting and approvals process and could potentially expedite the timeframe between EA completion and issuance of permits and approvals. Should be addressed at ToR phase.	Proposed Action/Solution: Suggested addition: "WFN and the agencies will make efforts to discuss applicable permits/approvals with potentially affected Indigenous communities through the EA. Depending on the status of consultation efforts through the EA process, additional consultation on permits and approvals may be required following the completion of the EA."	As per the comment received, the text has been revised.	Section 12
MNRF-44	Appendix B (Page 7)	Socio-Economic Environment for both "Mineral & Aggregate Resources" and "Recreational Activities" list possible potential effects (e.g., Potential for increased access for non-Indigenous recreation).	Proposed Action/Solution: In the EA, will there be consideration of the potential aggregate sites to be available for construction of access roads to non-Indigenous facilities? (e.g. to tourism camps, outfitters, etc.?)	Aggregate resources will be used for supply road construction and operations/maintenance, as first priorities. Webequie First Nation will consider sharing resources with others on the basis of availability and community support for the other proposed project(s).	Appendix B

Table CC – Comments Received from the Ontario Ministry of Transportation
MTO – Provincial Highways Management Division (Jennifer Fisk, Senior Business Consultant), October 16, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MTO-1	Section 4.1.1 Design Considerations and Criteria (Pages 24-25)	The design standards are based on a 100 km/h design speed with a posted speed of 80 km/h; Typically, the design and posted speed for similar roadways (i.e. secondary highways) is 80 km/hr. The return storm periods for the roadside ditches and culvert watercourse crossings appear to exceed MTO standards for this type of road. It is unclear how the roadway platform of 11m was established. What lane and shoulder widths are proposed?	Initially the road was classified to be a local arterial undivided road however its functionality has been reviewed and revised to rural collector undivided (RCU) road after additional data became available. A design speed of 100 km/hr. and 80 km/hr. posted speed limit is being retained at this time with the acknowledgment that the design speed standard of 80 km/hr. exceeds that specified for a rural collector road (i.e., secondary highway). Similar to the above response, the design criteria for drainage outlined below (associated with RCU) has been adopted and is reflected in the ToR. Roadside ditches will be sized to accommodate a minimum 10-year Minor System Design Flow, and a minimum 100-year Major System Design Flow (MTO Drainage Standards SD-1, SD-9). Crossing culverts will be sized to accommodate a minimum 25-year return period design flow for structures with a total span less than or equal to 6.0 m, and a minimum 50-year return period design flow for structures with a total span greater than 6.0 m (MTO Drainage Standards WC-1, WC-7). A minimum culvert diameter or rise of 600 mm will be provided for circular, elliptical or arch culverts. A minimum 900 mm rise will be provided for box culverts (MTO Drainage Standards WC-8). The cross section has been revised to show the lane and shoulder widths clearly.	Section 4.1.1
MTO-2	Section 4.3.1 Construction Phase (Page 26)	There is often some grey area with regards to some pre-construction activities needing permits/licences/ authorizations/ clearances prior to be being executed. It is suggested that these activities be clearly laid out and where reasonable, be included in the applications for these permits/licences/authorizations/ clearances so as to avoid potential delays.	Noted. Pre-construction permitting will be addressed during the detail design phase for the Project. This preliminary design phase will only seek to identify the permitting requirements in preparation for detail design.	Section 4.3.1
MTO-3	Section 4.3.2 Operation and Maintenance Phases: Winter Maintenance Activities (Page 27)	Consider land requirements for snowplow turnarounds, storage, salt and sand storage facilities.	Snow plow turnarounds will be considered once a preferred road alignment has been established as part of the EA. No changes to the ToR are proposed.	Section 4.3.1
MTO-4	Section 4.3.2 Operation and Maintenance Phases (Page 28)	Suggest adding “type of vehicles permitted on road” to the list of “road control elements” as this would likely be of interest to the public and could impact feedback on the acceptability of the undertaking.	The roadway is being designed to accommodate conventional highway traffic as described in the Highway Traffic Act (HTA). It is assumed that the road will not be used for heavy haul mining vehicles other than what is permitted under the HTA oversize load provisions. No changes to the ToR are proposed.	Section 4.3.2
MTO-5	Section 7.1 Natural Environment (Page 112)	Predicted impacts on animals from collisions with vehicles have not been identified as part of “project activities and potential effects on the natural environment.”	Predicated effects to wildlife and wildlife habitat from the supply road, including the potential for direct mortality to wildlife from vehicle collisions, will be examined in the EA and is identified as a potential effect in the ToR.	Section 7.1.4
MTO-6		Consider including more information on road design (e.g., route, structures, etc.) when alternatives are being evaluated and how impacts would be predicted without some design information.	Additional information will be provided as the road design evolves and will be applied to those alternatives proposed to be carried forward in the EA for further examination.	
MTO-7		The purpose and scope of the cumulative effects assessment should be a subject for discussion in the development of the Terms of Reference.	A new section has been added to the ToR to discuss cumulative effects. Webequie First Nation as part of the EA will identify and assess the Project's cumulative effects using the approaches as described provincial and federal guidance documents, such as the <i>Operational Policy Statement: Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2015b); and <i>Interim Technical Guidance for Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2018b). A	Section 8.1



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table CC – Comments Received from the Ontario Ministry of Transportation
MTO – Provincial Highways Management Division (Jennifer Fisk, Senior Business Consultant), October 16, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			technical workplan for the cumulative effects assessment will be prepared at the outset of the EA, including identification of which other developments will be assessed and the methodology for assessing effects.	

Table DD1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-EA-1	Throughout	Terminology – Undertaking and Project Throughout the ToR, both “Undertaking” and “Project” are used. It is not clear how the proponent is interpreting the differences between these terms. Undertaking has a specific definition under the EAA.	Proposed Action/Solution: Please review the ToR to ensure either “undertaking” or “project” is used consistently throughout, including use of capitals.	Within the three meanings of “undertaking” in the Environmental Assessment Act (“EAA”, “the Act”), the Project Team considers the Webequie Supply Road Project (“the Project”) to be an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity of a person or persons other than an enterprise or activity by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies, or by a municipality or municipalities, where an agreement has been entered into under Section 3.0.1 of the EAA to have the Act apply to the enterprise, activity, proposal, plan or program (in this case, the May 2018 voluntary agreement between MECP and WFN to have the Act apply to the Project). Therefore, we believe the use of the cited terminology in the draft ToR is not inconsistent with the intent of the Act or the language in applicable MECP Codes of Practice, and it is not inappropriate for “the Project” and “the Undertaking” to be used interchangeably. This is now explained in a footnote. As discussed at our December 12, 2019 working meeting to address the approach to our responses, in all instances, “the undertaking” has been changed to “the Undertaking” (to match the use of title case on “the Project”), and the common reference has been cited in Section 1.1 of the revised ToR.	Throughout
MECP-EA-2	Section 1 Introduction (Page 1) Section 2.1.1 Ontario’s EAA (Page 10)	Voluntary Agreement and Class EA Requirements Page 1 indicates that “Based on the scale and complexity of the Project, and the potential for significant environmental effects, an Individual Environmental Assessment must be completed for approval under the EA Act.” Additional context should be provided to clarify that the project was not automatically subject to the EA Act, but that the proponent voluntarily agreed to subject the project to the EA Act. As well, section 2.1.1 notes that the project is following the individual EA process. It is the ministry’s understanding that the project would likely be subject to the MNRF’s Class EA for Resource Development and Stewardship Facilities, however this is not identified in section 2.1.1.	Proposed Action/Solution: Please add context to sections 1 and/or 2.1.1 about whether the project is subject to the Class EA process, and if so, if it is the proponent’s intent to satisfy the MNRF Class EA process through the Individual EA. Discussion with MNRF is encouraged to respond to this question. If the answer is yes, this should be clarified in the ToR, including reference to the proponent signing a voluntary agreement with MECP.	Additional context has been added to clarify that the Project was not automatically subject to the EA Act, but that the proponent voluntarily agreed to subject the Project to the EA Act, per Section 3.0.1 of the EA Act. Reference is made to the May 3, 2018 agreement between the Minister of the Environment, Conservation and Parks and Webequie First Nation in this regard.	Section 1.4
MECP-EA-3	Figure 1.1 (Page 2)	Figure 1.1 Symbology It appears that the airport symbology is missing from the map, despite it being listed in the legend. There are also plus signs (+) on the map but not clear what these refer to.	Proposed Action/Solution: Please add the airport symbology to the map and clarify what the plus sign symbology means.	As per the comment received, the map has been revised	Figure 1.1
MECP-EA-4	Section 1.4.1 Purpose of the Undertaking (Page 6)	Project Purpose Section 1.4.1 states that the EA will assess corridor alternatives and complete an effects assessment and evaluation of the selected preferred corridor. An effects assessment and evaluation of the alternatives also needs to be completed, in accordance with section 6.1(2)(c) and the Terms of Reference Code of Practice section 5.2.6.	Proposed Action/Solution: Please revise the purpose to reflect that the environmental effects of the alternatives will also be studied. If the level of detail in assessing the alternatives is expected to be less than the level of detail for assessing the preferred alternatives, this should be stated.	The ToR will be revised to reflect environmental effects of alternative methods to carrying out the Project will be studied further, but not “alternatives to the undertaking”, as this is deemed to have been adequately addressed in the ToR. There is new text stating that the level of detail in assessing the preferred alternative(s) is expected to be greater than the level of detail for assessing the broader group of alternative methods, which is not atypical, given that additional technical and consultation input may	Section 1.4.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

				be gathered/received once the preferred alternative method has been identified.	
MECP-EA-5	Section 2.1.2 IAA (Pages 10-12)	Federal EA Requirements This section goes into too much detail as to the steps for the federal EA process. It is unclear what relevance this level of detail has in the provincial ToR.	Proposed Action/Solution: Please reduce the level of detail in the federal EA steps – two paragraphs is likely appropriate.	The step-wise federal process under the Impact Assessment Act has been condensed. Some detail is provided to expand on the coordinated EA process graphic in Figure 2.1.	Section 2.1.2
MECP-EA-6	Section 2.1.3 Process for Fed-Prov Coordinated EA (Page 13)	Clarification – One Body of Documentation The statement in the first paragraph of 2.1.3 requires a minor clarification that the proponent will produce one body of documentation. The current wording states that the two governments will produce one body of documentation, which is incorrect.	Proposed Action/Solution: Please correct the following statement by adding the red underlined wording: For the Webequie Supply Road Project, the two levels of government have indicated a willingness to follow the coordinated EA process <u>to the extent possible</u> and <u>for the proponent to</u> produce one body of <u>EA</u> documentation.	As per the comment received, the document has been revised	Section 2.1.3
MECP-EA-7	Section 3.1 EA Principles (Page 18)	EA Principles The list of EA principles in section 3.1 is missing the identification of mitigation measures. The list includes “Consideration of alternatives to the undertaking,” but in section 3.2 it is proposed that the EA will be focused. The two bullets about alternatives could be combined into ‘consideration of alternatives.’ Throughout the EA process, the proponent must also keep in mind all of the EA and project management principles described in the ToR Code of Practice (sections 4.1 and 4.2) that are important for the ToR and EA process.	Proposed Action/Solution: Please revise section 3.1 to include the identification of mitigation measures as a principle. Consider combining the two bullets about alternatives.	As per the comment received, Section 3.1 of the document has been revised to include the identification of mitigation measures under the list of EA principles and combine the two bullets addressing consideration of alternatives.	Section 3.1
MECP-EA-8	Section 3.2 Indication of How EA is to be Prepared (Page 20)	Clarification of Focused EA The language requires clarification because it states on one hand that the EA will be prepared in accordance with sections 6(2)(c) and 6.1(3) – i.e. a focused EA – and on the other hand the EA will be prepared in accordance with 6.1(2)(b) – i.e. the generic requirements of an EA.	Proposed Action/Solution: Please revise this paragraph as such: ...and these will be carried forward in a focussed evaluation in the EA in accordance with EA Act subsections 6(2)(c) and 6.1(3) <u>and the Code of Practice</u> : as suggested by MECP in Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (January 2014) ¹ . ~~The focused EA will still be conducted to meet the requirements of subsection 6.1(2)(b) of the EA Act. Section 5 of this ToR provides the approach and analysis to the assessment of reasonable “alternatives to” the Project (including the “Do Nothing” option) and “alternative methods” of carry out the Project.~~	As per the comment received, the document has been revised to include the suggested language.	Section 3.2
MECP-EA-9	Section 3.2 Indication of How EA is to be Prepared (Page 20) Section 8 Assessment Method	List of EA Components Section 3.2 lays out what information will be included in the EA. Here it is noted that the EA will include an evaluation of alternative methods to identify a preferred alternative, followed by the identification of anticipated effects from the project, and commitments to mitigation and environmental protection measures. Minor revisions should be made to this list for clarity and to better align with EA requirements. Section 8 lays out the approach to the assessment and evaluation of effects at the EA stage, including a process figure (Figure 8.1). It is noted that the process provided in this section does not align with that laid out in section 3.2, as it does not include a separate evaluation of advantages and disadvantages to select the preferred alternatives for the EA stage.	Proposed Action/Solution: Please revise certain bullets in section 3.2 as follows: - A description of and a statement of the rationale for the undertaking <u>and alternative methods</u> ~~Alternative methods of carrying out the undertaking~~ - An evaluation of the <u>potential environmental effects</u>, advantages and disadvantages <u>of the undertaking and alternative methods</u> to the environment ~~as a result of implementing the alternative methods of carrying out the Project, including net effects associated with potential measures to mitigate potential adverse effects; net effects;~~ and identification of the preferred alternative method<u>s</u> (the Project) Revise section 8, including Figure 8.1, to align with the information laid out in section 3.2 of the Draft ToR. Section 8	As per the comment received, Section 3.2 of the ToR has been revised to include the suggested language. Section 8 and Figure 8.1 have been revised to align with the changes identified in Section 3.2.	Section 3.2 Section 8 Figure 8.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

		With the minor modifications detailed in this comment, the steps laid out in section 3.2 are in line with the ministry's expectations, whereas section 8 is missing information.	should include the process that will be used to determine the preferred alternatives.		
MECP-EA-10	Section 3.2 Indication of How EA is to be Prepared (Page 21)	Technical Studies: Climate Change, Visual and Human Health Consideration should be given to assessing impacts related to climate change (mitigation and adaptation), visual/aesthetics and human health.	Proposed Action/Solution: Please consider adding climate change (mitigation and adaptation), visual/aesthetics and human health to the list of technical studies. If these are already included in other topics, please indicate which ones.	Human health and climate change have been added to the list of technical studies. Visual/aesthetics will be examined in the EA, but no stand-alone technical study is proposed at this time.	Section 3.2
MECP-EA-11	Section 4.2 Components and Activities of the Project (Page 25)	Clarification of Temporary Infrastructure Section 4.2 lists supportive infrastructure as "storage and laydown yards, temporary access roads/trails and construction camps." It seems that storage yards and camps may also be temporary but this is not clear. It is important to have a clear understanding of the temporary and permanent components of the project.	Proposed Action/Solution: In the bullets listing supporting infrastructure, please clarify if storage/ laydown yards and construction camps will also be temporary.	Additional text has been added to clarify that some temporary supportive infrastructure components (e.g., temporary access roads, aggregate pits, etc.) may remain and be formalized for use during the operation phase of the Project.	Section 4.2
MECP-EA-12	Section 4.3 Project Phases (Page 26)	Decommissioning of Temporary Infrastructure It is not stated during what project phase the decommissioning of temporary infrastructure will occur. This should be added as an activity to the relevant project phase so that potential effects are assessed in the EA and to have a clear understanding of the temporary and permanent components of the project.	Proposed Action/Solution: Please add decommissioning and removal of temporary infrastructure to the relevant project phase in section 4.3.	Text has been added to Section 4.3.1 – Construction Phase to clarify that decommissioning and removal of temporary infrastructure will be undertaken during the construction phase of the Project.	Section 4.3.1
MECP-EA-13	Section 5.1.2.1 Alternative Methods Background (Pages 37- 40)	Noront's Eagle's Nest Project The ToR relies to an extent on Noront's ToR, which identified a preliminary road corridor, including a summary of the rationale for the selection of Noront's preferred road corridor. The draft EIS/EAR prepared by Noront is also referenced as an information source. It should be noted the ministry's notice of approval for the ToR for the Eagle's Nest Project included the requirement that Noront re-screen four road corridors. It should also be noted that the draft EIS/EAR for the Noront Eagle's Nest Mine Project was prepared in advance of the approval of the ToR and does not reflect the requirement to re-screen road corridors. The ministry's Environmental Assessment and Permissions Branch did not review the draft EIS/EAR and cannot comment on the quality of information or data presented within.	Proposed Action/Solution: The ToR should acknowledge that, even though the approved Noront ToR identified a preliminary corridor, the approval requires Noront to re-screen four road corridors before reaching a conclusion on its road corridor. Further, the proponent should take into consideration that the information presented in the EIS/EAR does not reflect this direction.	Information on the status of the Noront EA at the provincial level has been expanded to include that the ministry's notice of approval for the ToR for the Eagle's Nest Project included the requirement that Noront re-screen four road corridors.	Section 5.1.2.1 Table 5-1
MECP-EA-14	Table 5-1 Chronology (Pages 45- 46)	Noront's Eagle's Nest Project The chronological summary identifies that the Eagle's Nest Project is subject to CEAA/Ontario EA Act. This information is now incorrect as the federal EA for the Noront Eagle's Nest Project was terminated in August 2019.	Proposed Action/Solution: Please revise the chronological summary to reflect that the federal EA for the Noront Eagle's Nest Project has been terminated.	Table 5.1 of the ToR (chronological summary) has been revised to reflect that the federal EA for the Noront Eagle's Nest Project has been terminated.	Section 5.1.2.1 Table 5-1
MECP-EA-15	Section 5 Alternatives	Alternatives Assessment Sections 5.1 and 5.2 refer to "alternative concepts". This terminology is not consistent with the Act and MECP guidance material (i.e., the Codes of Practice) and may also be confusing for those reading the ToR.	Proposed Action/Solution: Please revise terminology in the ToR so that it is consistent with the Act (e.g., alternative methods instead of alternative concepts).	The ToR has been revised so that the term "alternative methods" is more prominent. However, reference to concepts is retained to distinguish the level of detail inherent in developing the alternative methods for screening (conceptual versus preliminary design level of detail). ToR text has been clarified by stating that all alternative methods are conceptual at this point, since limited design work has been conducted to date.	Section 5.1 Section 5.2
MECP-EA-16	Section 5.2 Initial Screening of Alternative Concepts (Page 60)	Level of Detail for Screening Factors While the level of detail and data sources are clear for the seven community screening factors in Table 5-2, the level of detail and data sources for the other factors listed on page 60 are not as clear. Table 5-2 provides a helpful level of detail for the reader to	Proposed Action/Solution: Please include additional details and data sources for each of the factors listed on page 60, similar to what was done in Table 5-2 for the seven community factors.	Text has been added after introducing the other broader environmental factors in the screening evaluation to state that data sources for the factors were derived from the Indigenous Knowledge database prepared by WFN, review of published secondary sources as cited in Section 6.1 and more specifically SNC-Lavalin professional knowledge and project experience with	Section 5.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

		understand the importance of each factor and the proponent's decision making process.		regards to the technical consideration factors related to constructability and cost.	
MECP-EA-17	Table 5-3 Comparative Analysis of Alternatives (Page 61)	Alternatives Assessment The table states that "local outfitters are active on lands to the west of Webequie First Nation, and therefore all the alternatives are considered equal in that no effects to outfitters are anticipated". It seems like a word may be missing. As framed it is not clear why effects are not anticipated.	Proposed Action/Solution: Please review and confirm the identified statement.	The text related to "local outfitters" in Table 5-3 has been revised to provide clarity.	Section 5.2 Table 5-3
MECP-EA-18	Section 5.2 Initial Screening of Alternative Concepts (Page 69)	Rationale for Road Alternative Being Carried Forward Three alternative concepts shown on figure 5.7 were screened using 20 factors. This screening concluded that Alternative 2B is more favourable over 1 and 2A, but only for 7 of the 20 factors. Alternative 1 scored a close 2nd, being favourable for 5 of 20, and there is no favourable alternative for 8 of the 20 factors. Based on this, it is not clear that 2B stood out as the most favourable corridor and that the other options should be eliminated. Then a new alternative was developed (on Figure 5.8) and is proposed to be carried forward into the EA, without any further screening in the ToR. The new alternative is supposedly a refinement of Alternative 2B but looks quite different from 2B. It is not clear whether this new alternative is still favourable over the original concepts. To support Webequie's proposal to bring forward the new alternative corridor on figure 5.8, it should be supported by rationale, for example an additional screening against the original alternative concepts could be undertaken.	Proposed Action/Solution: Please provide further rationale for the introduction of the alternative on Figure 5.8. For example, an additional screening using the same factors could be done. Sufficient rationale to focus the alternative methods is important at the ToR stage in order to provide greater confidence that the revised alternative is the most favourable to bring forward into the EA and that the other alternatives can be eliminated from further analysis.	Section 5.2 has been revised. The refinement of Alternative 2B that is presented on Figure 5.8 as the preliminary preferred corridor has now been named to Alternative 2C and compared to Alternative 2B using the same screening criteria/factors as presented in Table 5-3. Results of the analysis are presented in a new Table 5-4 to clearly show that Alternative 2C (preliminary preferred corridor) is favorable to Alternative 2B. Figure 5.8 has also been revised to spatially reflect all the alternative methods (1, 2, 2A, 2B and 2C) and has shown where applicable and permitted (i.e., Indigenous Knowledge) environmental sensitivities (valued components) considered in the screening.	Section 5.2
MECP-EA-19	Section 5 Alternatives	Consultation The ministry notes that the screening documented in the draft ToR includes consultation with Webequie community members. In addition, screening of alternatives should include consultation with government reviewers, Indigenous communities and interested persons on the criteria and weighting applied in the screening.	Proposed Action/Solution: The Final ToR must document how the proponent consulted government reviewers, Indigenous communities and interested persons on the criteria and weighting applied in the screening.	Consultation on the ToR, which included screening of alternatives is documented in Section 10.3. In addition, historical consultation with Webequie community members is described in Section 5 and Table 5-2 provides a chronological evolution of the road.	Section 5 Section 10.3
MECP-EA-20	Section 5.5 Supply Road Alternatives for the EA (Page 76)	Non-Road Corridor Alternatives Section 4.1 discusses elements to be included in the road design to mitigate environmental effects, including alternative sites for certain infrastructure components. These include alternative aggregate sites, waterbody crossing types, alternative sites for temporary laydown and storage areas, alternative sites for construction camps, and alternative access road locations. However, section 5.5, which outlines the alternatives to be carried forward in the EA, only indicates that road alignment alternatives will be assessed. This section should list all alternatives that will be assessed in the EA.	Proposed Action/Solution: In section 5.5 please list and describe all types of infrastructure that will be subject to an alternatives assessment and effects assessment in the EA. Please include the same list in section 8.0 on page 119.	A new section (Section 5.5) has been added to address Project Infrastructure Alternatives, and Section 5.6 of the ToR has been expanded to indicate that alternatives for the cited infrastructure elements (aggregate sites, waterbody crossings, sites for temporary laydown and storage areas, sites for construction camps, and access road locations) will be subjected to assessment during the EA.	Section 5.5 Section 5.6
MECP-EA-21	Section 6.1 Study Area (Page 78)	Study Areas Section 6.1 describes the approach that will be taken to identify study areas (project footprint, local study area, and regional study area) during the EA, including the development of discipline-specific LSAs and RSAs.	Proposed Action/Solution: Please provide maps of preliminary study areas in the ToR. Include the commitment to consult on the scope of the study areas during the EA.	Section 6.1 – "Study Areas" has been relocated to Section 8.0 "Approach to Assessment and Evaluation of Effects" A new Section 8.2 – "Study Area Definitions" has been included with revised text to that in Section 6.1. It is considered more appropriate to include Study Area definitions in Section 8 as it outlines the approach for	Section 6 Section 8 Section 8.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

		As stated in the Code of Practice for Preparing and Reviewing Terms of Reference, while the study areas may be further defined during the EA, the ToR should include a map of the study area. If specific study areas are not included in the ToR, the ministry strongly encourages the proponent to consult on the scope of study areas at the beginning of the EA phase.		describing existing environmental conditions and predicting direct and indirect effects from the Project, from a spatial perspective. Text in Section 6.0 has also been revised to reflect that the existing environmental conditions described in this section are applicable to the “project area” which captures all alternative methods and broader regional context in which the project is located. The word “Study Area” in this section has been replaced with “project area” throughout.	
MECP-EA-22	Section 6.2 Data Collection Methodology (Pages 80-87)	Field Studies It is not clear whether the field studies identified throughout section 6.2 will be done for all of the alternatives. This needs to be clear in the ToR in order to assess compliance of the EA with the ToR, if approved. Further, page 80 states that field work studies will focus on the identified preliminary preferred corridor, but page 87 appears to contradict this, stating that all information collected as part of the field program and obtained through IK will be used to determine the preferred corridor. There are also statements within the specific discipline sections that some field work will be done for the preferred corridor, some will be done for all alternatives, and for other disciplines it is unclear. Given that the two corridor alternatives in figure 5.11 are relatively similar and have overlapping segments, it seems to make sense for primary field work (as well as secondary data) to be collected for all of the alternatives being carried forward into the EA. Per the ministry's ToR Code of Practice, 2014, transparency in methodology and using best available data are key EA principles.	Proposed Action/Solution: Please clarify in the introduction to section 6.2 and throughout the discipline- specific sections whether primary field work will be collected for all of the alternatives to be carried forward into the EA.	Section 6 has been revised. A new Section 6.5 entitled “Data Collection Methods and Baseline Studies” has been added and clearly states where primary field work will be collected. Field work studies will focus on the identified preliminary preferred corridor (2 km wide corridor), as identified in Section 5.5, which includes the two (2) supply road alternative routes (i.e., Webequie community route and optimal geotechnical route, each 35 m in width) being carried forward in the EA for further examination and analysis. Field investigations will also focus on the areas where project related temporary or permanent supportive infrastructure such as aggregate pits/quarries, construction camps and access roads are proposed. Depending on the type of field study conducted (e.g., vegetation plots vs aerial Caribou surveys), the extent of coverage will vary. Typically, the most focused studies will occur in close proximity to the two alternative routes within the preliminary preferred corridor (2 km in width). The two alternative routes are coincident, or in close proximity to each other and depending on access constraints, data collected from one alternative may be extrapolated to the other (waterbody crossing by both alternatives).	Section 6.5
MECP-EA-23	Sections 6.3 Existing Environment Section 6.4 Natural, Socio- Economic (Pages 94, 96, 99, 105, 107, 108, 110)	Details in Existing Environment Regarding Field Work Sections 6.3 and 6.4 provide preliminary descriptions of the existing natural and socio-economic environments. There are details in these sections about conducting field work and data collection for the EA that should be included in section 6.2 data collection methodology. These details pertain to: • Vegetation field surveys • Rare plant species/communities field surveys • Aquatic investigations including biophysical habitat conditions and sensitivity, spawning habitat, species at risk, surface water quality and fish community • Species at risk field surveys and information sources • Air quality emission sources and IK • Assess commercial, recreational and industrial activities, including indicators and who will be consulted • Profiles of Indigenous communities and effects on population, demographics, education, employment and housing, including information sources • Human health and social issues assessments	Proposed Action/Solution: Please include these details in the relevant field studies/data collection methodology section of 6.2.	All reference to ecological field studies and data collection methods has been removed from Section 6.4. A new Section 6.5 entitled “Data Collection Methods and Baseline Studies” has been added to state that the scope and intensity of the field studies and that associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance.	Section 6.4 Section 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

		- Infrastructure, available housing and services - Cultural heritage resources and archaeological assessment work that will be conducted All information about the field studies and data collection methodology to be completed for the EA for the various disciplines should be in one location for ease of reference (i.e. section 6.2).			
MECP-EA-24	Sections 6.2, 6.3, 6.4 Data Collection and Existing Environment	Existing Environment Further to the comment above, it is noted that there are inconsistencies between where information is presented across environmental components. In particular, information about what and how data will be collected is interspersed across these sections, depending on the environmental component. For example, for the socio- economic environment, section 6.2.3 identified the methods that will be used to characterize the socio-economic environment, but does not include a description of what aspects will be characterized. Socio-economic environment is a very broad term; therefore it is not possible to comment on whether the proposed methods are appropriate without further information. Section 6.4, Socio-economic environment includes the methods that will be used to characterize specific aspects of the socio- economic environment, rather than describing the existing environmental conditions. In some places, potential effects are also discussed in section 6.4. It is important that information in the ToR is organized transparently, clearly and consistently to enable interested persons to understand and comment on the scope of studies that will be undertaken during the EA. During the EA phase, as the EA will be reviewed for concordance with the ToR, clarity of commitments in the appropriate sections is important to ensure that documentation can be reviewed efficiently.	Proposed Action/Solution: Please revise sections 6.2, 6.3, and 6.4, so that the level of information is consistent across environmental components. For example, all details relating the Data Collection Methodology should be presented in section 6.2. Sections 6.3 and 6.4 should be limited to a description of the existing environment, and should not identify which studies will be completed during the EA. Potential effects should be discussed separately in Section 7.	Refer to response to MECP-EA-22 and MECP-EA-23.	Section 6.2 Section 6.3 Section 6.4 Section 6.5
MECP-EA-25	Section 6.3 Natural Environment	Study Areas The description of the preliminary existing environment includes references to the Study Area (e.g., in 6.3.2, “The Study Area has many different types of waterbodies”) and region. This information cannot be put into context or reviewed without the definition of study area.	Proposed Action/Solution: Please include identification of the study area(s), region that were used to describe the existing environment.	Refer to response MECP-EA-21.	Section 6 Section 8 Section 8.2
MECP-EA-26	Section 6.3 Natural Environment	Existing Environment The results of some field studies completed by the proponent are included in this section. MECP views this information as preliminary to understand the existing environment, with more details to be provided in the EA.	Proposed Action/Solution: Please note that MECP will review the full details of those studies, including methods and results, during the EA phase.	As per the comment received, the following text has been added to Section 6.3 of the document: The description of the existing natural environment conditions in this section includes some preliminary results for the Webequie Supply Road as reported in the <i>Baseline Environmental and Geotechnical Studies Report - Webequie Community Supply Road (TPA1B) and Nibinamik-Webequie Community Road (TPA1A)</i> (2018). This study is considered preliminary and the full details of this study and supplemental studies, including field collection methodologies and results will be available for review during the EA phase of the Project.	Section 6.3
MECP-EA-27	Section 6.4.5 Infrastructure and Services (Page 108)	Communities Crossed by Proposed Road There is a statement on page 106 that “the proposed all- season road corridor will cross communities that may be able to provide waste management, municipal and community services, emergency services, police and many other ancillary services.”	Proposed Action/Solution: Please clarify in the appropriate ToR section (e.g., project background, existing socio-economic environment conditions) and on the figures which types and where the proposed road corridor crosses these existing types of infrastructure and	The ToR has been revised to clarify that the reference to other communities is in relation to the crossing of traditional territories of neighbouring First Nations, as opposed to the physical boundaries of their reserves. It is suggested that these communities may have an interest in, or be able to, assist in providing waste management,	Section 6.3.5



Webequie Supply Road
Response to Comments on Draft Terms of Reference

		Based on statements and figures in the ToR, the road is proposed to be in a very remote location that only connects the Webequie community to the mineral exploration area, and it is not clear where these other communities and services are located along the proposed corridor. The EA will need to assess any impacts to existing infrastructure and services.	services.	municipal and community services, emergency services, policing, and other ancillary services.	
MECP-EA-28	Section 7 Potential Effects	Potential Environmental Effects Potential effects are described differently for the natural, socio-economic, and cultural components of the environment. Mitigation measures are included for the natural environment, but not the others. While MECP notes this information is preliminary, the format and discussion of the environmental components should be consistent.	Proposed Action/Solution: Please provide a consistent format and discussion of potential effects across environmental components.	Section 7 has been revised to ensure a consistent format and discussion of potential effects for all environmental components.	Section 7
MECP-EA-29	Section 8 Approach to Assessment of Effects (Pages 119- 120)	Assessment Methodology Pages 119 and 120 require further clarification in the methodology steps and the graphic about how the alternatives will be assessed and when the preferred alternatives will be selected. At the EA stage, will all of the alternative methods that are under consideration be assessed for potential effects to the same level of detail? Or will a more detailed assessment of effects be done once the preferred alternative methods are selected? For instance, the ToR currently indicates that the proponent will conduct cumulative effects assessments for all of the alternatives being considered. The graphic in Figure 8.1 should be tailored to Webequie's EA for the proposed supply road.	Proposed Action/Solution: In section 8 please clarify the methodologies for the assessment of alternative methods, including when the selection of the preferred alternative methods will occur. Please revise Figure 8.1 accordingly and tailor the graphic to the Webequie project. As noted in comment 9, please also ensure there is alignment between the methodology described in section 8 and the list of items that the EA will include in section 3.2.	Section 8 has been revised to clarify the approach for the assessment of alternative methods, including when the selection of the preferred alternative methods will occur in the EA process. Figure 8.1 has been revised and tailored to the Webequie Supply Road project.	Section 8 Figure 8.1
MECP-EA-30	Section 8 Approach to Assessment of Effects	Assessment Methodology Section 8 describes the approach that will be taken to evaluate alternative methods during the EA, including preliminary criteria and indicators. The information presented is high level and does not provide an opportunity for technical review of the methodologies that will be applied to evaluate those specific criteria and indicators. For example, it is not identified if any modelling will be carried out. While it is appropriate to defer some detailed work planning to the EA phase, the ToR should identify the types of studies that will be undertaken, and include commitments for how technical reviewers, and other interested persons, will be consulted during the development of specific evaluation methodologies or technical workplans. It is strongly recommended that those opportunities for review occur prior to the completion of studies (e.g., prior to the submission of a draft or final EA document).	Proposed Action/Solution: Please identify studies that will be conducted to support the evaluation of criteria and indicators. It is strongly recommended to include commitments to develop workplans at the outset of the EA phase, including opportunities for technical review. Indicate how consultation on the ToR has informed the preliminary criteria and indicators. Please clarify when additional consultation on criteria and indicators will occur in order to finalize the list.	Section 3.2 of the ToR lists the technical investigations and assessments that will be part of the EA. A new section 6.5 – Data Collection Methods and Baseline Studies has been added to clearly identify the baseline studies that will be conducted to support the evaluation of criteria and indicators along with the stated objectives to use in evaluating alternatives and the environmental effects for all phases of the Project. Section 6.5 – “Data Collection Methods and Baseline Studies” now states a commitment to the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Section 8.3.1 has been revised for clarity to indicate that the preliminary criteria and indicators have been developed by the Webequie Project Team and includes input received from government agencies, the public and Indigenous communities from the engagement and consultation undertaken to date. Criteria and indicators will be finalized through consultation activities during early on-set of the EA.	Section 3.2 Section 6.5 Section 8.3.1
MECP-EA-31	Section 8 Approach to	Cumulative Effects Section 8 identifies that a cumulative effects assessment will be	Proposed Action/Solution: It is strongly recommended to include the commitment to	A new section 8.1 – Cumulative Effects had been added to generally describe the approach for the assessment. The section	Section 8.1



Webequie Supply Road
Response to Comments on Draft Terms of Reference

	Assessment of Effects	conducted on the net effects of the project in combination with other past, present, or reasonably foreseeable developments in the local and regional area. Further details are required for the ministry, other stakeholders and communities, to confirm the scope of the assessment is appropriate.	prepare a technical workplan for the cumulative effects assessment, including identification of which other developments will be assessed, the study areas for the assessment, and the methodology for assessing effects.	also includes a commitment to prepare a workplan for the cumulative effects assessment at the outset of the EA. The workplan will be provided to the MECP and IAAC for review and guidance and will be summarized and presented to the public and Indigenous communities, and others as part of the consultation and engagement activities for the Project.	
MECP-EA-32	Section 10.1.2 Duty to Consult (Pages 131-133)	MOU This section includes the proponent's responsibilities from the MOU that is currently being negotiated.	Proposed Action/Solution: In addition, please include a note that Ontario (MECP and Ontario) also have responsibilities related to the duty to consult that are detailed in the MOU. For transparency, suggest including the full MOU, once signed, as an appendix to the Record of Consultation.	As per the comment issued, the text has been revised.	Section 10.1.2
MECP-EA-33	Section 10.3.1 Indigenous Consultation To Date	Indigenous Consultation This section summarizes the activities, key comments, and concerns expressed by Indigenous communities. Table 10-3 includes a summary of the comments received and the responses provided to those comments. In addition, the summary should include identification of where comments are addressed in the ToR, including documentation of any modifications that were made to the ToR to address the comment, and any commitments for further study and/or consultation.	Proposed Action/Solution: Please revise table 10-3 to identify where comments are addressed in the ToR, including documentation of any modifications that were made to the ToR to address the comment, and any commitments for further study and/or consultation.	Table 10-3 is intended to present issues and concerns raised by Indigenous communities and responses provided by the WSR Project Team at meetings with Indigenous communities or correspondence received from Indigenous communities. This Table has been revised and now provides a summary of key issues and concerns expressed by Indigenous communities along with the Webequie Project Team responses, including references where changes to the ToR been made, if applicable.	Section 10.1.2 Table 10-3
MECP-EA-34	Section 10.3, and 10.3.3 (Page 148)	Public and Stakeholder Consultation Section 10.3 indicates that to date the Webequie Project team has implemented the ToR Consultation Plan. Section 10.3.3 summarizes the consultation completed with members of the public and stakeholders. It notes that other than notices, no formal activities/events have been conducted with members of the public. In its consultation plan for the preparation of the ToR, the proponent committed to holding open houses in Thunder Bay to provide a forum for the public and stakeholders to provide feedback on the identification of alternatives and evaluation criteria. It was noted in the plan that the results of these discussions would be included in the Draft ToR (see page 20 of the plan).	Proposed Action/Solution: Please clarify if open houses in Thunder Bay were held and revise statement in the ToR accordingly. The proponent must provide opportunities for members of the public and other stakeholders to provide feedback on the identification of alternatives and evaluation criteria (see comment #19).	As per the comment received, Section 10.3.3 has been revised.	Section 10.3.3
MECP-EA-35	Record of Consultation	Record of Consultation A record of consultation was not provided with the draft ToR. The ministry relies on the record to provide feedback on the sufficiency of the consultation completed by the proponent, including both statutory consultation responsibilities required in the Act, as well as procedural aspects related to the duty to consult.	Proposed Action/Solution: Please note that further gaps and actions may be identified related to consultation when the ministry reviews the record of consultation.	Noted.	
MECP-EA-36	Section 10.4 Consultation Activities During EA Study Tables 10-5, 10-6 and 10-7 (Pages 148-157)	Consultation for EA Milestones Pages 148-157 and Tables 10-5 to 10-7 include a list of milestones that Webequie will meet in order to complete the EA, consultation opportunities and EA milestones. These pages focus on consultation about the alternatives evaluation, incorporating Indigenous Knowledge and review of the completed EA document. There are several key milestones that should be added to the list, including defining study areas, consulting on and finalizing	Proposed Action/Solution: Please add a fulsome list of key EA milestones so that Indigenous communities, government agencies and the public are aware of key steps in the EA preparation and where they have an opportunity to provide input.	Additional key milestones have been added in Section 10.4 to better reflect and capture the steps in the EA process as presented in Figure 8.1.	Section 10.4

Webequie Supply Road
Response to Comments on Draft Terms of Reference

		criteria and indicators, consulting on and finalizing assessment methodology, evaluation of effects and identification of mitigation measures (i.e., key steps outlined in the EA process graphic, Figure 8.1). The ToR indicates that study areas, criteria/indicators and evaluation methods are preliminary and will be finalized during EA preparation. There should be opportunities for Indigenous communities, government agencies and the public to provide comments on these critical stages of the EA process.			

Table DD2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-IC-37	Section 1 (Page 1)	It is assumed that the Record of Consultation will be appended to the ToR – please indicate the appendix number containing the Record of Consultation whenever it is referenced in the main body of the ToR. The Record of Consultation may be a stand-alone document, but it should be included as part of the final ToR submission and summarized in Section 10. Please note that MECP expects the Record of Consultation and summary in the final ToR to reflect input on the draft ToR.	Proposed Action/Solution: Please include the appendix number when referencing the Record of Consultation.	A standalone supporting Record of Consultation (Exhibit 1) will accompany the final ToR. The RoC is referred to in Section 1 of the ToR.	Section 1
MECP-IC-38	Section 3.2 (Page 20)	It is stated that where conflicts between Indigenous Knowledge (IK) and western science arise, IK will be given priority and preference. While it is important to recognize the importance of IK, a proponent must consider both sources of information to make sure the approach taken is the most protective of the environment.	Proposed Action/Solution: Please consider revising how IK and western science will be considered together to make sure the approach taken is the most protective of the environment.	Text will be revised to reflect that both IK and western science will be considered together, and in the very rare instance (from our experience) where the two conflict, the approach taken will be the one that is most protective of the environment.	Section 3.2
MECP-IC-39	Section 3.2 (Page 21)	There may be a separate section about Indigenous Knowledge in the EA Report, but please note that MECP expects Indigenous Knowledge to be incorporated into all applicable sections of the ToR and EA Report.	Proposed Action/Solution: Please incorporate Indigenous Knowledge into all applicable sections of the ToR and EA Report.	Indigenous Knowledge will be incorporated into all applicable sections of the ToR and EA Report.	Various
MECP-IC-40	Section 5.2 Tables 5.2 and 5.3 (Pages 61-69)	Section 5.2 provides an example of information included in the ToR that was informed by consultation. It is not clear if input was obtained just from Webequie community members or members of other communities as well. Our expectation is that some input be sought from all relevant communities. It is also not clear if community members provided input on just the considerations/factors/criteria, or the results of the analysis as well.	Proposed Action/Solution: Please make clear in this section how input was obtained, from whom and on which aspects of the analysis. Please provide a summary in Section 5.2 or if this is summarized in Section 10, please provide a reference to it in Section 5.2.	Refer to response to MECP-EA-19.	Section 5.2 and Section 10.3
MECP-IC-41	Section 6.2 (Page 81)	It appears that the second paragraph on page 21 (starting with “Interact with”, right after the bulleted list) should be part of the preceding bulleted list.	Proposed Action/Solution: Please make the second paragraph on page 21 part of the bulleted list above it.	As per the comment received, the draft ToR has been revised. Section 6 has been revised and restructured. Section 6.2 content is now in Section 6.5.	Section 6.5
MECP-IC-42	Section 7.2.1 (Page 117)	It would be helpful for the reader to understand what effects on traditional/Indigenous land use will be considered in the EA, through a list of land uses/activities or examples. It should also be clarified if this section would encompass all potential impacts on Aboriginal and treaty rights (Table 8.1 on Page 124 lists Traditional Land and Resource Uses under Socio-economics and Aboriginal and Treaty Rights and Interests under Cultural	Proposed Action/Solution: Please clarify what is meant by traditional/ Indigenous land use by way of a list or examples of uses/activities that will be considered in the EA. Please indicate, similar to other components, what the potential effects on these uses/activities are, if applicable. Please make sure throughout the ToR the list of environmental factors is consistent. Please consider making	Section 7.2.1 has been revised to clarify what is meant by traditional/ Indigenous land use by way of a list or examples of uses/activities that will be considered in the EA.	Section 7.2.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		Environment). It is not clear if this is intended to be a sub-section of Socio-economics or a separate environmental factor. It would be helpful for the environmental factors to be consistent throughout the document (the list on page 21, for example). A reminder that Indigenous Knowledge and consultation should inform all applicable aspects of the ToR and EA Report.	Traditional/Indigenous land use a separate section rather than a subsection of socio- economics.		
MECP-IC-43	Section 10 (Page 128)	This section of the ToR should present the plan for engagement and consultation during the EA and summarize the input received during the development of the ToR. Please clarify the first sentence of the section. Please include the appendix number for the Record of Consultation, as applicable.	Proposed Action/Solution: Please revise the first sentence of this section to reflect that it presents the plan for engagement and consultation during the EA and summarizes the input received during development of the ToR. Please add an appendix number for the Record of Consultation.	As per the comment received, the document has been revised.	Section 10
MECP-IC-44	Section 10.1 (Page 131)	As previously identified: - It is not clear which MECP Code of Practice is referenced. - Ministry of the Environment, Conservation and Parks is misspelled. - The Crown delegates procedural aspects of consultation under the Constitution Act not the EA Act.	Proposed Action/Solution: Please clarify throughout which Code of Practice is referenced. Please also check for spellings of ministry names, etc. Please clarify under which law delegation occurs.	As per the comment received, the draft ToR has been revised to read the Ministry of the Environment, Conservation and Parks.	Section 10.1
MECP-IC-45	Section 10.3.1, Table 10-2 (Pages 137-138)	All 22 communities are identified as potentially affected. It may be clearer for the reader to identify them as potentially affected or interested, as per Section 10.2.1 (or to clarify in Section 10.2.1 that all 22 communities will be referred as potentially-affected throughout).	Proposed Action/Solution: Clarify potentially-affected and/or interested communities throughout.	As per the comment received, the Section 10.2.1 has been revised to the following: “For the purposes of the draft Terms of Reference, all twenty-two (22) communities will be referred to as potentially affected or interested”.	Section 10.2.1
MECP-IC-46	Section 10.3.1 Table 10-3 (Page 143)	It seems premature to discuss mitigation measures and preferred alternatives before identifying key comments and concerns received. It is also unclear why comments/concerns received in Table 10-3 include measures that will be used to mitigate the concerns. The comments/concerns raised column should be reserved for input from communities.	Proposed Action/Solution: Please reserve discussion of mitigation measures and preferred alternatives to an appropriate section of the ToR. Please only include input received from communities during development of the ToR in the comments/concerns received column of Table 10-3.	As per the comment received, Section 10.3.1 and Table 10.3 has been revised to remove discussion regarding mitigation measures.	Section 10.3.1 Table 10-3
MECP-IC-47	Section 10.3.1 Table 10-3 (Page 143-146)	In the Final ToR it would be useful for Table 10-3 to identify specifically how comments received informed the ToR, including the section number of the ToR where the response to the input is reflected. As per the Code of Practice: Consultation in Ontario’s Environmental Assessment Process (e.g., section 3.1.3), it is expected that some input on the ToR, including how consultation should be undertaken during the EA, be included in Table 10-3 or section 10.4.	Proposed Action/Solution: Please make sure that Table 10-3 identifies how input informed the ToR, including section numbers. Please include input on the consultation plan for the EA in Table 10-3 or Section 10.4.	As per the comment received, Table 10-3 has been revised. Refer to response to MECP-EA-33. Input received on the consultation plan for the EA has been documented in Section 10.4.	Section 10.3.1 Table 10-3 Section 10.4
MECP-IC-48	Section 10.4 (Pages 148-157)	It is unclear how input during development of the ToR informed the plan for consultation during the EA. It is also unclear if one plan will be executed for all communities, or if community-specific plans will be developed.	Proposed Action/Solution: Please indicate in this section (and/or Table 10-3) how input during development of the ToR informed the plan for consultation during the EA. Please also clarify if one plan will be executed for all communities, or if community-specific plans will be developed.	One Consultation Plan will be executed for all communities. As part of the Consultation Plan and through consultation activities, the WSR Project Team requests consultation protocol and procedures of Indigenous communities. The WSR Project Team will tailor activities and mechanisms in accordance with the consultation protocols and procedures of Indigenous communities. Section 10.4.1 has been revised for clarity.	Section 10.4.1
MECP-IC-49	Section 10.5 (Pages 157-	A reference to the appendix containing the Record of Consultation should be included.	Proposed Action/Solution: Please add a reference to the appendix containing the Record	As per the comment received, the document has been revised.	Section 10.5

Table DD2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
	158)	of Consultation for the Final ToR.		

Table DD3 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-AR – Adaption and Resilience Branch and Climate Change Policy Branch
(James Scott, Manger Adaptation Unit; Patrick Fancott, Manager Climate Change Policy; Pamela Lamba, Senior Policy/Program Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-AR-1	Pg. 60, 168 (Appendix)	The ToR seems to be lacking a comprehensive approach to climate change risk resiliency in considering impacts and risks associated with climate change when making decisions on transportation infrastructure investments for northern Ontario. Rationale: Changes in climate will be greatest in the Far North with temperature and precipitation changes already occurring most dramatically in the northernmost part of Ontario, which could significantly alter the forests, peatlands and wetlands that make this region an important carbon sink: - Warmer and longer summers combined with warmer and shorter winters may lead to the loss of permafrost, which will alter hydrology, vegetation composition and peatland carbon storage (Zhang et al 2008, McLaughlin and Webster 2013), and could lead to the deterioration of infrastructure including building foundations, pipelines, roads, dams, bridges and mining sites. - The thawing of permafrost will release methane and could make peatlands shift from a carbon sink to a carbon source. Pg. 24 - Design considerations are important to consider especially in a changing climate (i.e. how will the road be built to adapt to flooding and/or dealing with freeze-thaw conditions).	Proposed Action/Solution: Using the province's guide - Considering climate change in the environmental assessment process" as a resource; the proponent could include climate impacts on the project by assessing the vulnerability of the project to a changing climate and examining the impact of the project on the environment's adaptive capacity. The methodology used to assess the vulnerability/risks can be up to the proponent in consultation with FNs community. Results from the assessment, will help inform project decisions (i.e., design/maintenance).	The MECP guide to considering climate change in the environmental assessment process has been consulted and an approach to addressing climate change has been included in the ToR in Section 7.1.9 – Climate Change.	Section 7.1.9
MECP-AR-2	(Pages 63 and 115)	- The ToR provides an initial estimate of GHGs without any explanation for the estimates. - As the project is a road, there are inevitable GHG emissions. However, in several cases (pages 63 and 115) the ToR seems to suggest the project aligns with provincial objectives and goals to reduce emissions, which it does not since it is predicted to increase emissions. - While the project GHG emissions are small in comparison to overall provincial emissions, effort should be made to minimize these emissions.	Proposed Action/Solution: - The ToR should commit to the EA including a quantitative GHG emission prediction that includes explanation for the calculations – this commitment could be included in section 6.3.8 page 105. - The ToR should include preliminary mitigation measures for GHG emissions on page 115, with complete mitigation measures identified in the EA. The information that is on page 115 is already on page 63, so page 115 should instead include preliminary mitigation measures.	The preliminary estimate of GHG emissions will be updated for both the construction and operation phase in the EA using more accurate information. Calculations and methods based on the Ontario and IPCC guidelines will be documented. Mitigation measures for GHG emissions will be identified in the EA. These may include the optimization of transportation of materials needed for the construction, the use of cleaner emission machinery/equipment, and tree planting to offset generated emissions.	Section 7.1.9

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD4 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-CC –Climate Change – MNRF Peatlands Expert (Jim McLaughlin, Forest Soils Research Scientist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-CC-50	Sec 4 (Page 23)	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	Proposed Action/Solution: At a minimum and for Webequie's baseline collection for the ToR, I believe a review of the literature on road construction effects on carbon be undertaken for this potential EA. A fair amount of data already exists in the study region that the proponents need to evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. I also encourage the proponent to apply to ToR project, the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. I also believe a project should be undertaken to test the IPCC calculations against data collected along the length of the road network.	The preliminary estimate of GHG emissions during the construction of the supply road considers the deforestation required. The estimate will be updated in the EA using more accurate information on the construction project (more precise information on construction activities and equipment) and operation phase. A literature review will also be performed on road construction effects for the study region by reviewing existing data and reports. Calculations and methods based on the Ontario and IPCC guidelines will be documented as discussed in Section 7.1.9 – Climate Change of the ToR.	Section 7.1.9

Table DD5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-SW-1	Draft Terms of Reference (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	The table identifies that an Environmental Activity Sector Registry (EASR) would be required for water takings between 50,000 to 400,000 L/day; however, this is dependent upon the source and/or purpose of water taking. Further eligibility criteria are provided through the following link: https://www.ontario.ca/page/water-taking-user-guide-environmental-activity-and-sector-registry. Note - many road construction related water takings that qualify for an EASR include water takings for highway maintenance activities. EASRs may also be pursued for water takings related to construction site dewatering associated with groundwater and stormwater dewatering from a building excavation. EASRs may apply where the construction dewatering is of groundwater and stormwater (<u>not surface water</u>). An exemption from requirements of a PTTW or EASR may apply under some circumstances where water is removed without the use of a pump. Such activities may include the use of cofferdams or existing structures to passively divert water away from work areas. The criteria outlined in O. Reg. 64/16 must be met: https://www.ontario.ca/laws/regulation/R16064. Where criteria for an EASR or exemption does not apply, a Permit to Take Water (PTTW) will be required for water takings greater than 50,000 L/day.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: Dependent upon meeting specific criteria (e.g., water source, purpose, etc.) of the Water Taking EASR Regulation – O. Reg. 63/16, some takings between 50,000 and 400,000 L/day may qualify for registry (EASR), while other takings may require a PTTW. *Retain the portion regarding takings over 400,000 L/day requiring a PTTW. Exemptions from requiring an EASR and/or PTTW may apply so long as the criteria outlined in O. Reg. 64/16 is met.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-SW-2	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Dependent on the purpose of some water takings and water use, Environmental Compliance Approvals (ECA) will be needed for the treatment and discharge of wastewater generating. Information regarding ECA's can be found on the MECP website: https://www.ontario.ca/page/environmental-compliance-approval . The Ministry's Guide to Applying for an Environmental Compliance Approval can also be accessed online: https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0 . Generally, if discharge water from construction dewatering activities requires treatment via some type of containment/settling feature such as filter bags, settling basins, ponds, etc., an ECA is required.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: An ECA may be required for the discharge and treatment of wastewater generated from some water takings.	Table 2-2: Provincial Legislation, Permits and Other Authorizations will be revised as per proposed actions/solutions received from MECP.	Section 2.1.5 Table 2-2
MECP-SW-3	Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Page 21)	A list of detailed technical investigations and assessments to be undertaken and documented in the EAR/IS is included in this section. This list simply includes "Surface Water", but does not specify further. As with other investigations listed, examples of the types of Surface Water investigations should be identified.	Proposed Action/Solution: Update the list of detailed technical investigations and assessments to include the types of Surface Water investigations to be carried out: "Surface Water (i.e., water quality, water quantity, etc.)."	Surface water investigations will include both surface water quantity monitoring and quality sampling. Where practical, waterbodies measurements will include width, depth, water level and flow. Collected surface water samples will be submitted to an environmental laboratory for the analysis of general chemistry, metals and inorganic parameters. Field parameters including pH, temperature and dissolved oxygen can also be measured during the site visits. Surface water, including hydrology and water quality has been added to a new Section 6.5.2. – Data Collection Methods and Baseline Studies, which identifies those studies/investigations that will be conducted to support the EA.	Section 6.5.2
MECP-SW-4	Section 6.2.1 Biological Environment, Aquatic Habitat Surveys (Pages 83-84)	Additional representative baseline surface water quality data is required at water crossings along the road corridor. In addition to the in-situ parameters listed, representative samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, and total metals. These will provide appropriate baseline data from representative watercourses, for comparison with data collected during the project for assessment of impact.	Proposed Action/Solution: Revise Section 6.2.1, Biological Environment, Aquatic Habitat Surveys to add: Surface water samples must be collected from representative watercourse crossings along the proposed road corridor route to provide adequate baseline surface water quality. In addition to the in-situ water quality parameters to be sampled, samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, total metals. Best available water quality guidelines should be used respecting the assessment of the surface water results. In most cases sample results are to be compared against Provincial Water Quality Objectives; however, the Canadian Council of Ministers of the Environment (CCME) Canadian Water Quality Guideline for the Protection of Aquatic Life may be more appropriate, specifically for suspended sediment and turbidity.	Section 6.2.1, Biological Environment, Aquatic Habitat Surveys has been replaced with Section 6.2.5 and is limited describing existing fish and fish habitat in the project area. A new Section 6.5.2 – "Data Collection Methods and Baseline Studies" now states a commitment to the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., aquatic, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Surface water, including hydrology and water quality, has been added to Section 6.5 as studies/investigations that will be conducted to support the EA. As noted in response to MECP-SW-3 surface water investigations will include both surface water quantity monitoring and quality sampling. The noted water quality guidelines by the reviewer will be used with respect to the assessment of the surface water results.	Section 6.2.5 Section 6.5
MECP-SW-5	Section 6.2.2 Physical Environment (Page 84)	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list should expand upon "Surface water sampling" to identify water quality sampling and stream/river flow and level monitoring. Baseline surface water quality and watercourse flow and level data is required at road crossings along the road corridor route.	Proposed Action/Solution: Revise to identify "surface water quality sampling" and "watercourse flow and level monitoring" in the list of primary field methods for collection of data for the physical environment. *See Section 6.2.1 comments regarding surface water quality parameters to be assessed.	Section 6.2.2 that described the field methodologies for data collection for the physical environment has been removed and replaced with a new Section 6.5.2 – "Data Collection Methods and Baseline Studies", which includes the commitment to conduct surface water sampling.	Section 6.5.2
MECP-SW-6	Table 6-1: Published	The following on-line resources may be useful in the assessment of existing conditions and are recommended to be	Proposed Action/Solution: Include the following source of information in Table 6-1:	Noted: Sources have been added to Table 6.1	Section 6.2.3 Table 6-1

Table DD5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Sources of Information for Existing Conditions (Pages 85-87)	added to Table 6-1, for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network	Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network		
MECP-SW-7	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the “Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas” potential effects: This section should recognize that dewatering of this infrastructure may be necessary during construction, which can exacerbate erosion and sedimentation if wastewater is not dealt with accordingly. Mitigation measures are offered in the “Proposed Action/Solution:” column.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to also include the following Potential Effect: “Degradation of/alteration to surface water quality and flow, and/or fish habitat” Table 7-1 should also be revised to include the following Mitigation Measures: Water takings for dewatering laydown yards, construction camps, aggregate extraction areas will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW) as applicable. Treatment and discharge of wastewater may be guided by an ECA. Excavated materials will not be stored or stockpiled in areas near the surface water feature to minimize the potential for sediment laden runoff. Similarly, the stockpiling of required aggregates (sand, gravel, rock, crushed rock) for the construction of the road bed, temporary access roads and ancillary work areas, and construction and the installation of water body crossings must not be near surface water features for the same reason.	Table 7.1 has now been deleted and replaced with subsections that describe the preliminary potential environmental effects for each environmental component, including surface water (Section 7.1.3) and fish and fish habitat. Removal of Table 7.1 for effects to the natural environment has been removed to address MECP comment (MECP-EA-28) with suggested action to have a consistent format and discussion of potential effects across environmental components. Mitigation measures will be identified and described as part of the EA.	Section 7
MECP-SW-8	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the “Construction of the road, including earthworks (cut/fill) and permanent and temporary waterbody crossings” Mitigation Measures: Mitigation measures need to be based on proven and recognized best management practices, standard protocols for stream crossings, land clearing and/or working near water with machinery that are well understood and have been applied to road construction projects throughout northern Ontario. Proposed Best Management Practices (BMPs), standard protocols and good practices are listed in the “Proposed Action/Solution:” column.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include the following Mitigation Measures: Implement BMPs during the construction phase of the Project, ensuring the maintenance of appropriate riparian vegetation buffer strips along streams that intersect the road to attenuate runoff from the road, reduce sedimentation and erosion and provide shade cover thereby reducing stream temperature. Adhere to BMPs for road construction and operation and constructed in accordance with the Ministry of Natural	Refer to response to Item No. MECP-SW-7. Noted with respect to adherence road construction and operation guidelines; compliance with registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW), if applicable; and to Ontario Provincial Standard Specifications.	Section 7

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019				
Item No.	Draft ToR Section	Comment Received		ToR Section
		Resources and Forestry's (MNR's) Environmental Guidelines for Access Roads and Water Crossings (1995), Crown Land Bridge Management Guidelines (MNR 2008), Northern Land Use Guidelines – Access: Roads and Trails (INAC 2010) and Fish-Stream Crossing Guidebook (B.C. Ministry of Forests, Lands and Natural Resource Operations, B.C. Ministry of Environment and Fisheries and Oceans Canada 2012). Construction dewatering and other water takings will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW), as applicable. Treatment and discharge of wastewater may be guided by an ECA. Adhere to the following Ontario Provincial Standard Specifications be included to the requirements related to road, bridge and ancillary area construction: - Ontario Provincial Standard Specification (OPSS 805) – Construction Specifications for Temporary Erosion and Sediment Control Measures. - Ontario Provincial Standard Specification (OPSS 182) – General specifications for Environmental Protection for Construction in Waterbodies and on Waterbody Banks. - Ontario Provincial Standard Specification (OPSS 518) – Construction Specifications for Control of Water from Dewatering Operations. Adhere to Fisheries and Oceans Canada's (DFO's) Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (1998).		
MECP-SW-9	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the "Operations and maintenance, such as road repairs, vegetation clearing" Potential Effects: Ongoing operations and maintenance, including de-icing operations (e.g., application of sand and salt) during winter months can lead to further erosion and sedimentation and the addition of salts and other chemical constituents to area watercourses during the life of the road.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include: Project Component or Activity: "bridge and culvert repairs and replacements" "de-icing operations (e.g., application of sand and salt) during winter months" Potential Effects: "Increased rates of erosion and sedimentation from exposed land surface" and "Degradation of/alteration to surface water quality and flow and/or fish habitat"	Refer to response to Item No. MECP-SW-7. Noted
MECP-SW-10	Appendix B: List of Preliminary Evaluation Criteria and	In Appendix B, Surface Water Criterion, "surface water quantity" and "surface water levels" should be added to the list of indicators as these may be a more appropriate indicator in some situations (e.g., potential impacts to area lake or other slow moving system as a result of water diversion or taking).	Proposed Action/Solution: Revise Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Surface Water; Indicators, add: "Changes to surface water flow and levels"	Appendix B: List of Preliminary Evaluation Criteria and Indicators has been revised to include additional requested indicators for surface water.



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Indicators; Environment Factor: Natural Environment; Criterion: Surface Water (Page 4)		"Changes to surface water quantity"		

Table DD6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-GW-1	Draft Terms of Reference (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Water well installation will be required for construction camp water supply and groundwater monitoring activities in accordance with Ontario Regulation 903 under the Ontario Water Resources Act (1990).	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Well drilling for water supply and groundwater monitoring in accordance with Ontario Regulation 903 under Ontario Water Resources Act (1990).	As per the comments received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2
MECP-GW-2	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW) and discharge associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Environmental Compliance Approval under Environmental Protection Act (1990) and Ontario Water Resources Act (1990) – Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW), and discharge associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.	Table 2-2: Provincial Legislation, Permits and Other, will be revised as per proposed actions/solutions received from MECP. However, suggest we change the wording "will likely be required" to "may be required".	Section 2.1.5 Table 2-2
MECP-GW-3	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Aggregate source locations and types are not defined for the Project. It is noted that pits and quarries are not eligible for Environmental Activity and Sector Registration (EASR), and Permits To Take Water (PTTW) are required. The EASR for Water Taking for Construction Site Dewatering, states: "construction site" does not include a site at which any work or undertaking occurs that is associated with mine development, pits or quarries (O. Reg. 63/16: REGISTRATIONS UNDER PART II.2 OF THE ACT - WATER TAKING under Environmental Protection Act, R.S.O. 1990, c.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to state: Further consultation is required with the Ministry of the Environment, Conservation and Parks (MECP) regarding Permit To Take Water (PTTW) and the applicability of Environmental Activity and Sector Registration (EASR) for aggregate extraction operations associated with the Project.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table DD6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		E.19, https://www.ontario.ca/laws/regulation/160063).			
MECP-GW-4	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 L/day. Aggregate wash water systems contain “sewage”, as it is waste from an industrial process, and as such is “industrial waste” as defined in the Environmental Protection Act and Ontario Water Resources Act. Aggregate wash water systems are classified as “sewage works”, as defined in the Ontario Water Resources Act. Aggregate wash water systems are not exempted by any provision of the Ontario Water Resources Act or the approval exemption regulation (O. Reg. 525/98).	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Environmental Compliance Approval under Environmental Protection Act (1990) and Ontario Water Resources Act (1990) - Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 litres per day.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2
MECP-GW-5	Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Page 21)	Section 3.2 included a list of detailed technical investigations and assessments that will be undertaken and documented in the EA. “Geochemistry” was not included in this list. Considering that aggregate sources and locations are not yet defined for the Project and it is unknown where aggregate quarries/pits may be located, there is potential for Acid Rock Drainage and Metal Leaching (ARD/ML) from potential aggregate rock source materials. In the July 2019 Project Description for the Webequie Supply Road, the proponent committed to testing of aggregate and quarry materials for ARD/ML prior to use in construction: “Aggregate or quarry materials to be for tested [sic] acid rock drainage/metal leaching potential prior to use in construction.” (p. 15, Section 2.4 Emissions, Discharges and Waste, Webequie Supply Road Project Description, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/ p80183/131056E.p df]). Therefore, this commitment must be included and outlined in the Sept. 2019 Draft Terms of Reference.	Proposed Action/Solution: Include “Geochemistry” in the detailed technical investigations and assessments list under Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Sept. 2019 Draft Terms of Reference). Baseline geochemistry investigations must include the results and interpretation of Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials. The sample selection, collection, analytical testing and interpretation of results should be undertaken according to the following international guidelines: • Prediction Manual for Drainage Chemistry from Sulphidic Geologic Materials, MEND (Mine Environment Neutral Drainage Program) Report 1.20.1, December 2009 [http://mend-nedem.org/wp-content/uploads/ 1.20.1_PredictionManual.pdf]; • Global Acid Rock Drainage Guide, 2009. The International Network for Acid Prevention [http://www.gardguide. com/images/5/5f/TheGl obalAcidRockDrainageGuide.pdf]; • Price, W.A. and Errington, J.C., 1998. Guidelines for Metal Leaching and Acid Rock Drainage at Minesites in British Columbia, British Columbia Ministry of Energy and Mines, August 1998 [https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral- exploration-mining/documents/permitting/ml-ard_guidelines.pdf].	Section 3.2 Indication of How the Environmental Assessment is to be Prepared, will be revised as per the proposed actions/solutions received from MECP.	Section 3.2
MECP-GW-6	Section 4 Descriptions of the	The proponent has not adequately addressed the sourcing and extent of aggregate extraction operations, pits and quarries that will be required for construction of the road: and	Proposed Action/Solution: Section 4 Description of the Undertaking (Sept. 2019 Draft Terms of Reference) must contain a clear description of all		Section 5.5 Section 5.6

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table DD6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Undertaking; Section 5.1.2 Alternative Methods of Carrying Out the Undertaking, (Page 36-55) Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities.	has not included the aggregate source locations within the assessment of alternatives. The proponent identified the locations of potential aggregate sources within ~20 km of the proposed road corridor (see Figure 6.1 Webequie Supply Road, Alternative Routes and Project Area, Features/Sensitivities, Sept. 2019 Draft Terms of Reference). Based on the aggregate sources identified in Figure 6.1, it is apparent that source materials are limited along much of the road corridor, with available supply concentrated along the Muketei River near the Noront Resources Exploration Camp and north and southwest of the Winiskisis Channel area. The July 2019 Project Description for the Webequie Supply Road states: “The Webequie Project Team has not yet assessed either the capacity of potential aggregate sources..., or the annual aggregate resources requirements for construction and maintenance.” (p. 13, Table 2.1: Webequie Supply Road Project Components, Webequie Supply Road Project Description, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/p80183/131056E.p df]; and “...given the absence of any high relief and shallow groundwater in the region, several borrow areas and quarries will require further evaluation in the EA to determine their potential for use.” (p. 20, Section 3.2.2 Aggregate Source Locations and Access Roads, Webequie Supply Road Project Description, Webequie First Nation, July 2019).	proposed aggregate source locations and types (i.e., pits, quarries). Section 5.1.2 Alternative Methods of Carrying Out the Undertaking and Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment (Sept. 2019 Draft Terms of Reference) must include the preferred aggregate source locations and extent of aggregate extraction operations within the assessment of alternatives. A reasonable range of locally accessible aggregate source locations must be considered. Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities (Sept. 2019 Draft Terms of Reference) must differentiate the Potential Aggregate Sources based on extraction type (i.e., pit, quarry).	Although alternative methods of carrying out the Undertaking may be considered and assessed (screened) at the Terms of Reference stage for the purposes of proceeding with a focused EA, it is not atypical at the ToR stage to exclude outright identification of the preferred locations for sourcing construction materials, such as aggregate sources, due to the absence of substantive information at the ToR stage. Hence, the relatively uncertain status of this particular element in the draft ToR. A new section (Section 5.5) has been added to address Project Infrastructure Alternatives, and Section 5.6 of the ToR has been expanded to indicate that alternatives for infrastructure elements (including aggregate sites and related access road locations) will be subject to assessment during the EA.	
MECP-GW-7	Table 5-2 Webequie Community Based Considerations for Screening Alternative Concepts: Source Water (Page 59) Figure 6.1 Webequie Supply Road, Alternative Routes and Project Area, Features / Sensitivities.	In Table 5-2, Webequie First Nation identified a communal source of artesian groundwater (spring water) located ~10-15 km southeast of the community. The community requests that the road corridor be located a significant distance from the spring source. The spring source was not included in Figure 6.1, and it was unclear if the proposed road corridors are proximal to this area.	Proposed Action/Solution: It is recommended that the artesian groundwater source (spring) located ~10-15 km southeast of Webequie First Nation is identified in Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/Sensitivities (Sept. 2019 Draft Terms of Reference), and in the Environmental Assessment (EA). If the location of the spring water source is confidential to the community, the Ministry requests discussion with Webequie First Nation on how to respect the confidentiality of this information while protecting this resource from road construction or aggregate extraction activities associated with the Project.	Figure 6.1 has been modified to indicate the approximate location of the spring water source, and, in doing so, illustrate that the proposed preferred road corridor is not proximal to this location.	Section 6 Figure 6.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table DD6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-GW-8	Section 6.2.2 Physical Environment (Page 84)	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list does not include groundwater sampling, groundwater elevation or flow monitoring. Representative baseline groundwater quality and groundwater elevation data is required along the road corridor route and at proposed aggregate source locations (with the addition of groundwater flow data).	Proposed Action/Solution: Include “Groundwater sampling”, “Groundwater elevation monitoring”, and “Groundwater flow measurements” in the list of primary field methods for collection of data for the physical environment, as outlined in Section 6.2.2 Physical Environment (Sept. 2019 Draft Terms of Reference). Groundwater samples and groundwater elevation measurements must be collected in representative areas along the proposed road corridor route, at proposed aggregate source locations and construction camps to provide baseline groundwater quality and elevation data. Baseline groundwater flow measurements will also be required for proposed aggregate source locations. The identification of representative areas must consider: local hydrogeology and bedrock/overburden geology/geochemistry. Level loggers in monitoring wells are recommended to record seasonal groundwater elevation fluctuations.	Section 6.2.2 Physical Environment that list the primary field methods has been removed and replaced with Section 6.5, which includes the commitment to prepare and submit a groundwater workplan at the outset of the EA for MECP review and guidance on the detailed field methodologies to be used and specific data that will be collected for the purpose of the EA and any future monitoring during subsequent phases of the Project.	Section 6.5
MECP-GW-9	Table 6-1: Published Sources of Information for Existing Conditions, (Pages 85-87)	In Table 6-1, it is recommended that the following Ontario government resource is used for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D] Accessed on Sept. 25, 2019.	Proposed Action/Solution: Include the following source of information in Table 6-1: Published Sources of Information for Existing Conditions (Sept. 2019 Draft Terms of Reference): Ministry of the Environment, Conservation and Parks - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]	Table 6-1: Published Sources of Information for Existing Conditions, will be revised as per the proposed actions/solutions received from the MECP.	Section 6.2.3 Table 6-1
MECP-GW-10	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	In Table 7-1, the “Aggregate source extraction and production” Mitigation Measures should include: Monitoring of groundwater elevation, quality and flow conditions for adverse effects and with respect to applicable standards; and ARD/ML testing of potential aggregate rock source materials. See my Comment MECP-GW-5, above.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Aggregate source extraction and production; Mitigation Measures (Sept. 2019 Draft Terms of Reference), to include the following: • Monitor groundwater elevation, quality, and flow conditions for adverse effects and with respect to applicable standards. • Complete Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials prior to any use in construction. • Develop an Aggregate Material Geochemical Management Plan, for storage and handling of materials that are likely to result in acid rock drainage and/or metal leaching.	Refer to response to MECP-GW-5, MECP-GW-8, MECP-SW-7 and MECP-EA-28, as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components.	Section 7
MECP-GW-11	Table 7-1: Project Activities and Potential Effects on the	In Table 7-1, the “Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites” Potential Effects should include: impacts to groundwater quality; and Mitigation Measures should include: monitoring of groundwater quality for adverse	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites;	Refer to response to MECP-GW-10. Potential effects to groundwater quality have been addressed and described in Section 7.1.3.	Section 7.1.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Natural Environment (Pages 113-116)	effects and with respect to applicable standards. Construction camp sewage disposal using Large Subsurface Sewage Disposal Systems (LSSDS) will likely require groundwater quality monitoring. See Chapter 22 of the Ontario Design Guidelines for Sewage Works [https://www.ontario.ca/document/design-guidelines-sewage-works/large-subsurface-sewage-disposal-systems].	Potential Effects and Mitigation Measures (Sept. 2019 Draft Terms of Reference), to include: - Impacts to groundwater quality. - Monitor groundwater quality for adverse effects and with respect to applicable standards.		
MECP-GW-12	Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater (Page 5)	In Appendix B, under the Groundwater Criterion, “groundwater quality” should be incorporated into the Rationale for Selection of Indicators, since it is included in the list of indicators. In Appendix B, under the Groundwater Criterion, the following resource should be included under Data Source: MECP - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]	Proposed Action/Solution: Revise Appendix B : List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater; Rationale for Selection of Indicators (Sept. 2019 Draft Terms of Reference), as follows in bold : “Potential for short- and long-term effects on groundwater regime (flow/recharge interference, quality)” Include the following Data Source in Appendix B : List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater (Sept. 2019 Draft Terms of Reference): MECP - Data Catalogue	As per the comment received, the document has been revised.	Appendix B

Table DD7 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-OP – Ontario Parks – Northwest Zone (Katherine Onyshkewych, A/Senior Park Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-OP-1	Figure 4.1	Winisk Provincial Park boundary is not marked on this map. Defining the boundary (as done in figure 5.7) provides context of the development in relation to other landscape features/land uses (e.g., protected area), which is also used as justification of the preferred route selection within this document, on page 37, bullet 3 “no traversing of provincial parks”.	Proposed Action/Solution: Please make spatial reference to provincial parks (e.g., Winisk Provincial Park) on this map as well as all maps (where relevant) for all future phases throughout the EA process.	Provincial parks will be included on all relevant maps going forward. We note that the existing Figure 5.7 shows Winisk Provincial Park with boundary in the shade of green.	Various

Table DD8 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks		MECP-AQ – Air Quality (Guowang Qiu, Air Quality Analyst), October 21, 2019			
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-AQ-1		Air quality was listed as one of the evaluation criteria, and	Proposed Action/Solution:	Refer to response to MECP-EA-23.	Section 6.4



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD8 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks		MECP-AQ – Air Quality (Guowang Qiu, Air Quality Analyst), October 21, 2019				
Item No.	Draft ToR Section	Comment Received			Project Team Response	ToR Section
		potential effects of the Project on air quality will be assessed as indicated in the draft ToR. It is hard to provide detailed technical review on the draft ToR as no detailed information was provided. In addition, the air quality assessment should be conducted for construction and operation phases.	To identify any issues with the scope of air quality assessment for the proposed Project, it is recommended that an air quality work plan with technical details be developed in consultation with government agencies as early as possible.			Section 6.5

Table DD9 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks		MECP-WM – Waste Management (Craig Fowler, Senior Waste Engineer), October 21, 2019				
Item No.	Draft ToR Section	Comment Received			Project Team Response	ToR Section
MECP-WM-1	Table 7-1, (Page 114)	ToR identifies that storage, handling, and disposal of solid waste will be required; however, the details of such activities and the mitigation measures are vague. Also, it isn't clear if a Waste Approval will be sought from MECP based on how the project component/activity has been described. Table 2-2 (Page 15) does not identify that a Waste Disposal Site Approval would be required, it only speaks to the haulage of waste, which is not evaluated by the Waste Unit.	Proposed Action/Solution: A discussion of the waste types, generation rates, processing prior to off-site disposal, siting and storage requirements, and available capacity at MECP approved waste facilities that will be receiving the waste will need to form part of the permitting phase. It is expected that additional detail will be provided at this time should an approval from the Waste Unit be required. Action item: The ToR should clarify whether an Approval for a waste disposal site (transfer/processing/landfill) will be one of the approval applications made to the Province.			Waste types, generation rates, processing prior to off-site disposal, including whether an existing waste facility on federal/Webequie reserve lands has capacity or if a new waste facility is required will be examined in the EA, including identifying applicable approvals from the Province or Canada. As such, it is not possible at this time to state that Approval for a waste disposal site from the MECP is required. Section 7 has been revised to consistently present potential effects across all environmental components as requested by other MECP reviewer.

Table DD10 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-WW – Wastewater (Hitesh Vaja, Senior Wastewater Engineer), October 21, 2019						
Item No.	Draft ToR Section	Comment Received			Project Team Response	ToR Section
MECP-WW-1	Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous waste, generated at camp sites	On-site sewage works at the workers camp sites, even if temporary in use during the construction period, will require approval under s. 53 of the OWRA if the rated capacity of the works is over 10,000 L/d.	Proposed Action/Solution: Relevant approvals under s. 53 Ontario Water Resources Act be should be sought for the sewage works proposed prior to the establishment or construction.			A preliminary list of permits and approvals under provincial legislation that may be required for the Project is presented in Table 2-2, which includes the noted approvals for sewage works. Applicable approvals related to the Project will be secured, where applicable.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD10 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-WW – Wastewater (Hitesh Vaja, Senior Wastewater Engineer), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
	(Page 114)			

Table DD11 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PS – Pesticides Section – Northern Region (Madhi Ramadoss, Ph.D., Regional Pesticides Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-PS-1	Pesticides Section: Webequie Supply Road Project – Draft Terms of Reference	I reviewed the draft terms of reference for the proposed Webequie Supply Road Project as requested. My review was in the context of Pesticide use in vegetation clearing. In Chapter 7; Section 7.1, Page 113-Table 7-1 Project activities and potential effects on the natural environment outlines the vegetation clearing and grubbing, this includes removal of vegetation which is coniferous and deciduous trees. I understand from the mitigation section that, clearing of vegetation using manual and mechanical means and following BMP's. Hence this proposal does not have any use of pesticide use for clearing vegetation and does not require further comment from Pesticide section. In General, after establishing all season road, which becomes public works (right-of-way). Under Section 23 of Ontario Regulation 63/09 of Pesticides Act, pesticides are allowed for use to maintain safe condition of road, for example clear sight lines including signs and intersections and allow motorist to see animals at the roadside.	Noted.	

Table DD12 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks

MECP-LU – Land Use Planning – Northern Region (Carrie Hutchison, Environmental Assessment Coordinator), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-LU-1	NA	NA Proposed Action/Solution: This proposal is for development of a 107 km long, all-season roadway between Webequie First Nation and the McFaulds Lake area. The proposal occurs in the unorganized/ unincorporated portion of Ontario's far north. There are no municipal Official Plans which cover this area, or immediately neighbour it. The Far North Act and related Community-Based Land Use plans should be considered, and these are mentioned in the TOR. As such I have no specific recommendations for changes to the ToR at this time.	Noted.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PM-1	Section 7.1 Project Activities and Potential Effects on the Natural Environment Field surveys, staking and layout (Page 113)	Human controlled sediment into waterway may cause impairment to the natural environment. Erosion or sediment in waterway is classified as a spill to the natural environment. Instances of sediment to waterway is to be reported to the Spills Action Center (18002686060), forthwith. Clean up maybe required.	Proposed Action/Solution: Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.	Refer to MECP-EA-28 as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components.	Section 7
MECP-PM-2	Aggregate source extraction and production (Page 114)	Particulate (dust) and noise issues may have an adverse affect. An Environmental Compliance Approval (ECA) may be required for this activity depending on the process of extraction and refining of the aggregate. Ex. Crusher activity will require ECA for Air/Noise. Front End Loader may not require an ECA. If aggregate extraction is below the water table and water is to be removed (pumped), a Permit To Take Water (PTTW) may be required if takings are greater than 50,000 L per day. If water is contaminated (sediment), an Industrial sewage ECA may also be required for discharge of a contaminant other than water.	Proposed Action/Solution: Table 7-1 should include particular (dust) and noise as potential effects of aggregate extraction. Table 2-2 provincial permits list should include these potential ECA and PTTW permitting requirements for aggregate extraction and refining. Comments are also for awareness during permitting phase.	Refer to MECP-EA-28 as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components. As per the comment received, Table 2-2 has been revised.	Section 2.1.5 Table 2-2 Section 7
MECP-PM-3	Emissions, discharges and waste from Transport, handling and storage of fuel for equipment and vehicles (Page 114)	Release of contaminants may cause adverse effect to the natural environment. Instances of spills of contaminant is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility.	Proposed Action/Solution: Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.	Refer to response to MECP-PM-1.	Section 7
MECP-PM-4	Handling and disposal of waste oil, lubricants and other fluid products from the maintenance of equipment and vehicles (Page 114)	Waste is regulated in the EPA and Regulation 347. Registration with HWIN may be required for subject waste if field exemptions are not met. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect to the natural environment ex. Closed leak proof containers. Secondary containment. If storage of waste is greater than 90 days, a notice of Storage will be required to be submitted to the Director, if waste is stored for longer than 24 months approval for a Waste site maybe required.	Proposed Action/Solution: Please ensure the waste management plan will include details such as but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination. Comments are also for awareness during permitting phase.	Noted.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		A Waste plan to be addressed in the EA to include but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination.			
MECP-PM-5	Storage, handing and disposal of solid waste (Page 114)	Solid non-hazardous waste is regulated by the EPA. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect to the natural environment ex. Closed leak proof containers. Waste being hauled may required an approved Waste Management System (WMS) approved to haul waste derived at the site(s). All waste sent off site must be sent to an approved waste disposal site that can accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination, can the receiver manage the waste.		Noted.	
MECP-PM-6	Management and/or disposal of wastewater and sewage, including hazardous and nonhazardous, generated at camp sites (Page 114)	If the waste generated at the camp site is less than 10,000L per day, the District health Unit will be issuing the permits required. If the site generates more than 10,000L per day, an approval will be required under the OWRA for discharge of waste water, sewage generated at camps. More description required on the Hazardous Material that will be discharged from the site. Hazardous material, unless exempt, will require approvals under the EPA. Treated waste water and sewage under 10, 000L per day will not be regulated by the MECP unless creating an off site impact to the natural environment. If the above stated is greater than 10, 000L an ECA approval will be required by the MECP of Industrial/Private Sewage works. Any transported wastewater and sewage will require a WMS to haul such waste. All waste must be sent to an approved facility to accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination can the receiver manage the waste.		Noted.	
MECP-PM-7	Air emissions from movement and exhaust of	Fugitive dust created from the construction/maintenance of supply road may be regulated by the MECP. Off-site impacts may be regulated/abated/investigated by		Noted.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	equipment and vehicles (Page 115)	MECP, if people and the natural environment are adversely affected.			
MECP-PM-8	Noise emissions from equipment and vehicles (Page 115)	Noise emissions are regulated by the MECP. Ensure NPC guidelines are adhered for remote sites (class 3 rural). Noise Screening will be required. If screening for noise ECA cannot be met, an ECA for Noise (Air) will be required. Blasting (vibration) may also be required to be approved depending on Screening criteria results.	Proposed Action/Solution: Comment for awareness during permitting phase.	Noted.	
MECP-PM-9	Operations and maintenance, such as road repairs, vegetation clearing (Page 116)	Spills to the environment (fuels, liquids, sediment to waterway etc.) are regulated by the EPA. Fugitive dust control plan to minimize or eliminate adverse affects to human health and the environment. Culvert installation/replacement may require an approval if water takings exceed 50,000 L per day. Spills of contaminant(s) is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility. Fugitive dust control plan identifying controls to mitigate dust issues surrounding sensitive receptors along the road way. Environmental Activity and Sector Registry (EASR) or a PTTW will be required if more than 50, 000 L is taken for the installation. If Chemical Spraying for vegetation control is required, pesticide application approval, by MECP, will be required.	Proposed Action/Solution: Comment for awareness during permitting phase.	Noted.	

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PC-0	General	Re: Review of Draft Terms of Reference for Proposed Webequie Supply Road In conducting our review, Species at Risk Branch understands that the Draft Terms of Reference (September 2019) is high-level and not intended to provide the level of detail / specific information that would be required at the formal Environmental Assessment (EA) stage or to meet application requirements for permits and authorizations that would be needed to implement the project. That said, we have carried out our review with a view to both the EA and future regulatory authorizations in order to provide you with information that will help enable an efficient approach to project planning and preparation of applications for any necessary <i>Endangered Species Act</i> (ESA) authorizations.		Noted.	

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		Specifically, attention should be paid to the following requirements that form the basis of many of our ESA authorizations: • Minimize adverse effects – you must take reasonable steps to minimize the adverse effects of your activity on the species at risk and their habitat that are likely to be affected by your activity. ○ Ways to minimize the adverse effects of your activity on species at risk and their habitat may include modifying the: ▪ location of the activity ▪ geographic scale of the potential effects ▪ activity design (e.g. engineering and technological) ▪ timing of the activity ▪ duration and frequency of the effects ▪ approaches and timing for any site restoration or rehabilitation (such as doing progressive rehabilitation while other parts of the activity are still happening) ▪ general operational protocols • Consider reasonable alternatives – you will need to show the Ministry of the Environment, Conservation and Parks that you have considered reasonable alternatives to your activity. ○ Alternative approaches to your activity include: ▪ Changing the location of the activity ▪ Using alternative methods, equipment or technical designs ▪ Changing the timing of the activity to avoid times when the species is there or is most sensitive to disturbance ▪ Changing the geographic scale, duration and/or frequency of the potential adverse effects ▪ Adding or changing approaches and timing of site restoration or rehabilitation after the activity is done ○ When considering reasonable alternatives to your activity, you must: ▪ Consider at least one alternative that would completely avoid any adverse effects on species at risk ▪ Identify alternatives that you considered but did not think were reasonable because of biological, technical, social or economic limitations ▪ Explain why the approach you have chosen is the best alternative In addition, should an Overall Benefit Permit be required for the project, as determined through MECP's review and assessment of all the project details, the following requirement would also need to be considered: • Achieve overall benefit – providing an overall benefit to a species means undertaking actions that contribute to improving the circumstances for the species. It must include more than steps to minimize adverse effects on the species or habitats. ○ Achieving an overall benefit to a species may involve providing the species with a range of benefits, such as: ▪ increasing the number of individuals of the species living in the wild and capable of reproducing ▪ increasing the distribution of the species within its natural range ▪ increasing the viability or resilience of existing populations of the species ▪ slowing or reversing population declines by addressing key threats to the species' survival ▪ increasing the quality or amount of habitat for the species ○ Activities such as filling information gaps, education and outreach may contribute to an overall benefit plan for a species at risk. However, alone they are unlikely to meet the overall benefit requirement. ○ Recovery strategies and government response statements, where available provide information that can be used to form plans to achieve an overall benefit for species at risk. Further guidance on the level of information that would be required for assessing the need for an ESA authorization can be found in our "Information Gathering Form for activities that may affect species or habitats protected under the <i>Endangered Species Act</i>" as well as the accompanying guide found on our website: http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR&TAB=PROFILE&MIN=018&BRN=21&PRG=31		

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PC-1	General	Woodland Caribou has been renamed Caribou (Boreal population) in Ontario.	Proposed Action/Solution: Update the ToR to replace all references to “Woodland Caribou”, with the exception of referenced document titles, with “Caribou (Boreal population)”.	Noted. All reference in TOR to “Woodland Caribou”, other than referenced document titles, will be replaced with “Caribou (Boreal population)”.	Throughout
MECP-PC-2	General	Recommendation to prevent delays should ESA authorization be required.	Proposed Action/Solution: It is strongly recommended that the project be planned and the environmental assessment prepared with the requirements of the Endangered Species Act, 2007 (ESA) in mind. This can potentially facilitate the authorization process under the ESA, where authorization is required. In order to inform any future ESA authorization requirements, reasonable route/project alternatives should be assessed for impacts to all species at risk and their respective habitats, and at least one avoidance alternative should be included. Please refer to the MECP “Avoidance Alternatives Form” for activities that may require an overall benefit permit under clause 17(2)(c) of the Endangered Species Act” and accompanying guide for reference. (http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&ST R=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31)	Noted: To the extent possible EA field studies and documentation will be developed to facilitate future authorization under the ESA, if required.	
MECP-PC-3	General	Recommendation to prevent delays should ESA authorization be required.	Proposed Action/Solution: Public/Stakeholder/Indigenous consultation regarding the project and alternatives should include impacts to ALL species at risk and their respective habitats.	Project consultation activities regarding the Project and alternatives will include discussion of potential effects to all species at risk and their respective habitats.	
MECP-PC-4	Section 1.4.1 (Page 6)	ToR is unclear about the type of activities (road, infrastructure elements) or level of use of the road being assessed. This should be clearly stated in ToR and EA. Comments and advice provided by MECP could be different if the level of impact being addressed is not fully understood.	Proposed Action/Solution: EA alternatives should consider the impacts of the road when functioning as supply road for active mining activities and quantify this accordingly. Other “infrastructure elements” that have been planned for – MECP requests clarification if this will be included in this EA or if this would be addressed in another process.	As described in Section 4 of the ToR the EA will examine the Undertaking, which is a road corridor of 35 metres (m) in width to accommodate a permanent two (2)-lane gravel surface all-season road, which for clarity also includes temporary and/or permanent supportive infrastructure such as aggregate extraction and processing areas, construction camps and storage and laydown yards. As stated in the ToR the Project is intended to facilitate the movement of materials, supplies and people from the Webequie Airport to the area of existing mineral exploration activities and proposed mine developments in the McFaulds Lake area with the objective to provide employment and other economic development opportunities to Webequie First Nation.	Section 4
MECP-PC-5	Section 2.1.5 Table 2-2 (Page 17)	The information provided suggests that an authorization under the ESA will be through a s.17 permit. Authorization under the ESA should be evaluated based on the Project details, and in consultation with MECP.	Proposed Action/Solution: Update ToR to the following: “Authorization under the Endangered Species Act, 2007”	As per the comment received, the document has been revised.	Section 2.1.5 Table 2-2
MECP-PC-6	Section 4, pg. 22	“A corridor of 35 metres (m) in width, within the broader 2 km wide proposed preliminary corridor”. Request information on the amount and location of vegetation clearing once route is decided. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This information will allow MECP to provide more scoped advice on SAR and habitat, and better inform decisions to avoid impacts to species and habitat where	Proposed Action/Solution: MECP would like to request all areas where vegetation removal is required for any stage of the process (road, access roads, laydown areas and aggregate extraction areas etc.) be communicated when determined and MECP allowed time to provide more specific advice on SAR. Otherwise, we are unable to comment on the impact to some species or their habitat.	Noted: MECP will be provided with vegetation removal details for the Project as part of the EA, including impacts to SAR and/or their habitat to allow for more specific advice from MECP on avoidance, mitigation and whether an authorizations under the ESA will be required.	Section 4

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		possible, and where not possible, to potentially develop measures to avoid the requirement for an authorization.		
MECP-PC-7	Section 4.1 (Page 24)	SAR sensitive project planning/management - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This may allow for some avoidance measures and possibility of not requiring authorization for some species.	Proposed Action/Solution: If there is potential for the proponent to plan the timing of certain activities to avoid sensitive timing for Species at Risk, MECP would be very keen to provide advice on optimal design and timing considerations for the project team to consider.	Noted.
MECP-PC-8	Section 4.2 (Pages 25-26)	All activities should be considered for their potential SAR impacts. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will ensure that when the permitting application phase is reached we will not need to request further studies and risk set-backs to the project and that impacts can be properly assessed.	Proposed Action/Solution: MECP request that all activities, including prep work, are considered for impacts to SAR and their habitat and outlined in the EA. For example, the high-level list of activities associated with the broader project presented in section 4.2 are often the type of activities that impact SAR and their habitat.	Refer for response MECP-PC-4. All project components and activities will be examined in the EA, including in the context of potential effects to SAR.
MECP-PC-9	Section 4.3.1 (Page 26)	Proposal identifies that the detailed construction staging and sequencing of the Project will be determined in the detail design phase, however it does not define when this phase will occur.	Proposed Action/Solution: Update ToR to provide clarification regarding when the 'detail design phase' will occur? Will this be identified in the EA? This has implications for timing of approvals, as an appropriate level of detail of study, consideration of alternatives and mitigation have to be satisfied for authorizations under the ESA. The time required for additional level of study and planning to fulfill ESA requirements should be considered by the proponent.	Added text and figure to provide a high-level schedule for the project phases leading to commencement of operations has been added to the ToR (refer to Section 4.3.4). It is expected that the Detail Design phase (including detailed construction staging and sequencing of the Project) and obtaining the required permits, licenses, approvals and authorizations will occur over the course of approximately 10 months following approval of the EAR/IS.
MECP-PC-10	Section 4.3.1 (Page 27)	Earth and aggregate extraction and processing also have potential for negative impacts to SAR.	Proposed Action/Solution: Update ToR to reflect the following: "Earth and aggregate extraction, processing and hauling operations"	As per the comment received, the document has been revised.
MECP-PC-11	Section 4.3.1 (Page 27)	Information on "field surveys". Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will ensure that when the permitting application phase is reached the likelihood of MECP requiring further studies and risk set-backs to the project is reduced.	Proposed Action/Solution: MECP would like to request information: which "field surveys" are being planned? MECP would like to request input or review to Species at Risk Survey (SAR) methodology.	Refer to response to MECP-EA-23, which notes that a commitment in the ToR has been made to provide a workplan for SAR survey methodologies to the MECP for review and guidance at the outset of the EA.
MECP-PC-12	Section 4.3.2 (Page 27)	Potential ongoing disturbance and impacts to SAR of operation and maintenance - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will allow MECP to do a fulsome review of impact to SAR.	Proposed Action/Solution: Potential disturbance and impacts to SAR of operation and maintenance should be considered. Any solutions or mitigation measures made, should be included in the agreement for the operator of WSR.	Potential disturbance and impacts to SAR as a result of the operation and maintenance phase of the Project will be considered in the EA. Any solutions or mitigation measures identified for this phase of the Project will form part of the future commitments specified in the EA and would represent obligations for implementation by the operator of the WSR where applicable.
MECP-PC-13	Section 4.3.2 (Pages 27-28)	Details of road use controls - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. The use of road controls may change the amount of impact on SAR (positively or negatively). For this reason, MECP requires the information to do a fulsome review of the effects to SAR.	Proposed Action/Solution: The information about road controls will be important to some SAR and we would like to request more information on this. We would also like to request that SAR be taken into consideration when making this decision. For example: increased human activity and increased trapping in the areas now accessible by road will negatively affect Wolverine. Conversely, restrictions on amount or type of use may be reduce the impact to some species.	The Project team will provide further information on road controls and potential effects to SAR to MECP as part of the EA and will seek advice where applicable.
MECP-PC-14	Section 5.2 Table 5-2	Table 5-2 speaks to some, but not all, criterion and indicators by which we assess the current status of a caribou range and	Proposed Action/Solution:	Section 5.5.2, Table 5.2 has been revised to include further select habitat criteria and indicators related to "habitat protection" and

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	(Page 57 Woodland Caribou)	impacts of any proposed development alternatives. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for caribou should be considered. As per our Memo dated July 8, 2019, the following caribou-specific indicators should be included in an evaluation of alternatives: • Caribou (Habitat Protection) – Range Condition • Caribou (Species Protection) – Population Size Estimates at the Range Level ○ e.g., minimum animal count based on available information • Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level o Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) ○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – Nursery Areas Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – Winter Use Areas potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project	Update the ToR to reflect how these caribou-specific indicators were considered in the selection of the preliminary preferred corridor. Alternatively, if they were not all considered in the selection of the preliminary preferred corridor, provide explanation in ToR.	“species protection” for the screening evaluation of conceptual corridor alternatives. However, not all indicators are proposed as data is not available at this stage in the project development. All caribou-specific criteria and indicators will be applied for the analysis of alternatives to be carried forward in the EA and are presented in Appendix B of the ToR – List of Preliminary Evaluation Criteria and Indicators.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		○ Category 1: High Use Area – Travel Corridors potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ● Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g. vehicular collisions, increased hunting pressure) ● Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) ● Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g. light, sound, vibration, olfactory) within 10 km of the Project			
MECP-PC-15	Section 5.2 (Page 60)	This comment applies to the entire section 5.2, including Table 5-2 and Table 5-3: The criteria listed as Webequie Community Based Consideration for Screening Alternative Concepts (Table 5-2) and additional criteria inherent in the broader definition of the environment (page 60 and Table 5-3) do not consider all SAR within the study area, just caribou. The ‘Natural environment’ criteria (page 60 and Table 5-3) should acknowledge all species at risk and be used to screen alternative concepts. If impacts to any species at risk are	Proposed Action/Solution: Update the ToR to reflect how all SAR that may be present in the study area were considered in the selection of the preliminary preferred corridor. Alternatively, if all SAR were not considered in the selection of the preliminary preferred corridor, provide explanation in ToR.	Section 5.2 and Table 5-3 have been revised to include other SAR in the screening evaluation of the conceptual corridor alternatives, with indicator of potential direct or indirect impacts to species or their habitat. Specifically, this includes those species from the preliminary presence/absence determination the could potentially be found in the project area: Bald Eagle; Barn Swallow; Bank Swallow; Canada Warbler; Common Nighthawk; Rusty Blackbird Olive-sided Flycatcher; Wolverine; Little Brown Myotis and Lake Sturgeon.	Section 5.2 Table 5-2 Table 5-3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		identified, obtaining authorization under the ESA will require the evaluation of alternatives that consider all impacted those species at risk. This should include the following indicators for other SAR: - Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats - Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species			
MECP-PC-16	Table 5-3 (Page 64, Factor: Caribou Range Condition)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept utilizing currently disturbed habitat was relayed here for each. (e.g. Alternative Concept 1 – 52km will utilize currently disturbed/regenerating lands instead of intact forest; Alternative Concept 2 – 107 km will utilize	Proposed Action/Solution: Update the ToR to quantify results for each alternative concept.	Conceptual corridors were screened a high level, which resulted in the selection of the two corridor alternatives to move forward in the EA. “Disturbance” is not strictly associated with physically disturbed habitat and is difficult to quantify at this stage of assessment. Further study will be required to quantify this information and therefore will not be applied for comparison of the alternative concepts. Quantification of the level of habitat disturbance will be examined in the EA for the comparison and analysis of alternatives. No change to ToR proposed.	Section 5.2
MECP-PC-17	Table 5-3 (Page 64, Factor: Caribou Habitat Protection)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept crossing each habitat category type was relayed for each (e.g. Alternative Concept 1 – 0 km crossing Cat. 1 Nursery Habitat, 14 km crossing Cat. 1 Wintering Habitat, 40 km crossing Cat. 2 Habitat, 18 km crossing Cat. 3 habitat...etc.).	Proposed Action/Solution: Updated ToR to quantify results for each alternative concept.	Table 5-3 has been updated to reflect habitat category type affected by each of the conceptual corridor alternatives for the purposes of comparison.	Section 5.2 Table 5-3
MECP-PC-18	Table 5-3 (Page 64, Factor: Caribou Habitat Protection)	Clarify what is meant by “core” Caribou habitat and “known” Caribou habitat. As per the General Habitat Description for the species, the entire range is considered to be habitat for the species.	Proposed Action/Solution: Update ToR to clarify what is meant by “core” Caribou habitat and “known” Caribou habitat.	Table 5-3 of Section 5.2 will be updated to reflect habitat in terms of the General Habitat Description for the species. Alternative language, such as “candidate Category 1” or “candidate Wintering Areas” will be used to replace “core” caribou habitat.	Section 5.2 Table 5-3
MECP-PC-19	Table 5-3 (Page 65, Factor: Caribou Species Protection)	Sensory impacts within 10 km of each alternative should also be included here and assessed.	Proposed Action/Solution: Update ToR to include an assessment of potential sensory impacts to Caribou within 10 km of each alternative.	Sensory noise levels for construction and operation of the proposed supply road are not known at this time. A noise assessment study is proposed as part of the EA and will examine potential sensory impacts to Caribou for the alternatives being carried forward to the EA. However, this will not be examined as part of the screening of alternative conceptual corridors presented in the ToR.	
MECP-PC-20	Section 5.3 (Page 71)	Statement under rationale for the preferred corridor alternative that it “avoids existing caribou habitat east of Webequie by following a more linear north-south alignment, rather than a southeast alignment that would reduce road length, but does not fully avoid potential affects” does not reflect categorized habitat as per the General Habitat Description for Woodland Caribou (2013). While this preferred corridor may minimize impacts to known nursery areas (Category 1 habitat), it still bisects seasonal range (Category 2 habitat) with known caribou use.	Proposed Action/Solution: Update ToR to provide clarification that the preferred corridor alternative minimizes impacts to known nursery areas but does not avoid impacts to caribou habitat.	Section 5.3 of the ToR has been updated to provide clarification that the preferred corridor alternative minimizes impacts to known nursery areas but does not avoid impacts to caribou habitat.	Section 5.3
MECP-PC-21	Section 6.1 (Page 78, par. 1)	The example provided for species at risk (e.g., caribou ranges) is not sensitive information, and can/should be displayed on maps to provide context for caribou. SAR observations and	Proposed Action/Solution: Update ToR to remove the example of “caribou ranges” and replace it with “SAR observations”	Section 6.1 – “Study Areas” has been relocated to Section 8.0 “Approach to Assessment and Evaluation of Effects” A new Section 8.2 – “Study Area Definitions” has been included with revised text to that in Section 6.1. Reference to Caribou within this context has	Section 8 Section 8.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		collar locations are considered sensitive information and precise locations should not be displayed on maps.	been removed from the ToR. Also refer to response to MECP-EA-21.	
MECP-PC-22	Section 6.1 (Page 78, par. 6)	As described in first part of section 6.1, the Study Area will be broken up in to three components to capture the potential direct and indirect effects of the Project. However, in paragraph 6 it states that each component of the Project will be assessed within the context of LSA and RSA. This should also include the project footprint. Impact to SAR are measured at all three extents.	Proposed Action/Solution: Update ToR to include reference here to all three study area extents (i.e., footprint, LSA, RSA).	Section 8 Section 8.2
MECP-PC-23	Section 6.1 Caribou Study Area (Page 78, par. 8)	The description provided should include an impact analysis of the footprint, as well as the LSAs and RSAs. This would consider sub-range habitat features (e.g., category 1 habitat such as nursery areas and winter use areas) as per the General Habitat Description for the Forest-dwelling Woodland Caribou (<i>Rangifer tarandus caribou</i>) (2013) (GHD) and the Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014) (RMP). The reference to the “Ontario Caribou Conservation Policy” should reference Ontario’s Woodland Caribou Conservation Plan (2009) (CCP). This is Ontario’s government response statement legislated under the ESA (2007).	Proposed Action/Solution: Update ToR to reference the GHD and RMP. Update ToR to correct the reference to the CCP.	Section 8 Section 8.2
MECP-PC-24	Section 6.1 Caribou Study Area (Page 78, par. 8)	Species at Risk mandate has been transitioned the Ministry of the Environment, Conservation and Parks (MECP). As such, input should be provided to MECP regarding caribou (and all other species at risk), including ranges and necessary study areas for consideration in the environment effects analysis.	Proposed Action/Solution: Update ToR to reflect that input will be provided to MECP	Section 8 Section 8.2
MECP-PC-25	Section 6.1 (Page 80)	The study area for terrestrial biological effects for caribou has been outlined. Other species have been omitted. This should be addressed in the ToR.	Proposed Action/Solution: Wolverine should be considered on the same scale as caribou when assessing impacts as mentioned for Caribou in “CARIBOU STUDY AREA”	Section 8 Section 8.2
MECP-PC-26	Section 6.2.1 (Page 81)	In additional to the Winter Aerial Caribou Surveys and Summer Caribou Calving Surveys, deployment of radio satellite collars on caribou within proximity of the alternative corridors under consideration (e.g., LSA), that would enable tracking of caribou before/during/after construction, would provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use. Refuge from predation is the ultimate factor influencing caribou distribution and habitat use in the Boreal forest. One of the key threats to caribou is habitat fragmentation due to development activities, particularly those that increase and/or introduce linear features to the landscape. These types of disturbances increase predator efficiency which may have a detrimental effect on caribou populations within the LSA and RSA. Understanding how caribou respond to habitat fragmentation and increased predator access will be an important aspect to assessing the impacts of the Project.	Proposed Action/Solution: Consider the application of radio satellite collars as an effective monitoring tool that could provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use.	Section 6.2.1

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PC-27	Section 6.2.1 Winter Aerial Caribou Survey (Page 81)	More details are required to determine if the winter aerial survey conducted between Feb. 9-14, 2019 was sufficient to describe environmental baseline conditions. For example: - Length of transects - o For the survey to adequately cover the LSA, transects should have been a minimum of 20km long (10 km either side of the alternative corridors under consideration). - Weather conditions during flights - o The weather conditions during winter aerial flights are an important factor for consideration that influence visibility, observer sightability, etc. - General weather conditions through the winter (e.g., generally deep/shallow snow depths, temperatures, etc.) - o Caribou will exhibit behavioural responses to extreme weather conditions (e.g., exceptionally deep snow), which may provide a false representation of habitat use within the LSA - Time since last snowfall - o Fresh snow assists in determining whether indirection observations (e.g., tracks, etc.) are fresh vs old - Were indirect observations recorded (e.g., tracks, cratering, slushing, etc.)? - o Important information that can be used to infer extent and degree of use, when direction observations of caribou are not made - Was group structure (i.e., age and sex of observed animals) recorded? Considering the ToR does not indicate that additional winter aerial surveys will be conducted to inform the EA, these additional details are necessary for MECP SARB to conclude that this survey, as described in Section 6.2.1, was sufficient to describe environmental baseline conditions and that no additional surveys will be required, or alternatively to recommend additional surveys if the details support that conclusion.	Proposed Action/Solution: Update ToR to include additional detail. This will assist in determining whether additional winter aerial surveys are required.	All reference to field studies and data collection methods for Caribou has been removed from Section 6.2.1. A new Section 6.5 entitled “Data Collection Methods and Baseline Studies” has been added to state that the scope and intensity of the field studies and the associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Also refer to response to MECP-EA-21.	Section 6.5 Section 8
MECP-PC-28	Section 6.2.1 Summer Caribou Calving Study (Page 81)	The <i>Summer Caribou Calving Survey</i> section does not provide sufficient information on the number of surveys and/or areas that will be identified and surveyed.	Proposed Action/Solution: Update ToR to include details on the number of areas within the LSA for caribou (more details on LSA for caribou in following comment).	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-29	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	Indicates that suitable landscape features within the project footprint and LSA (i.e., within 1-2 km of the alternative corridors under consideration) will be identified for surveys. MECP would prefer that a representative sample of areas within 10 km of the alternative corridors under consideration be surveyed during the sensitive time period for caribou calving and rearing life functions (i.e., nursery areas). This aligns with	Proposed Action/Solution: Update ToR to identify that the LSA for caribou, in the context of this Project, are areas within 10 km of the alternative corridors under consideration; and that a representative sample of suitable areas for caribou within 10 km of the alternative corridors under consideration will be surveyed for nursery activity.	Refer to response to MECP-PC-27.	Section 6.5

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		direction provided in the <i>General Habitat Description for the Forest-dwelling Woodland Caribou (Rangifer tarandus caribou)</i> (2013) (GHD) and the General Best Management Practices outlined in the <i>Best Management Practices</i> with respect to high use areas (i.e., Category 1 habitat) that may be impacted by activities within 10 km. Understanding that survey effort in the Far North of Ontario has been limited during the sensitive time periods for caribou, it is particularly important that baseline studies focus on identifying additional areas of habitat that have demonstrated use by adult female caribou and/or their calves for the purpose of calving and/or rearing activity.			
MECP-PC-30	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	Indicates that an assessment of caribou refuge habitat using the Boreal Landscape Tool to establish candidate areas for the survey. Currently, data limitations prevent Ontario’s Landscape Tool (OLT) from being used in the Far North of Ontario to assess refuge and/or winter habitat. Consequently, this aspect of identifying suitable candidate areas for the survey is not possible.	Proposed Action/Solution: Update the ToR to remove this aspect of the proposal.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-31	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	The identification of candidate areas for the survey will need to be done using aerial photographs (as proposed). However, the methodology provided by MNRF and outlined in Ranta (1998) is directed at habitat components typical on the Boreal Shield, particularly further south where lakes (with islands and Peninsulas) are commonly used by caribou for calving/rearing. Understanding that the habitat components used by caribou for calving and rearing in the Hudson Bay/James Bay Lowlands may be different than those used on the Boreal Shield, some additional consideration will need to be given to other habitat components likely to be used by adult female caribou and their calves in the lowlands.	Proposed Action/Solution: Update ToR to include habitat components (in addition to islands and peninsulas) that are likely to be used by adult female caribou to calve and rear their young (e.g. treed fen/bog islands)	Refer to response to MECP-PC-27.	Section 6.5 Section 8
MECP-PC-32	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 2)	Proposal identifies the calving season as June 15 to August 15. Recognizing that the sensitive time period for caribou nursery activity is broadly identified as May 1 to September 15 (as per the GHD), this should be referenced. The GHD further subdivides this board time period into two separate periods, (1) May 1 to July 15 as the early part of the nursery time period which has very low tolerance to alteration, and (2) July 16 to September 15 as the later part of the nursery time period which has a low tolerance to alternation. As such, MECP would prefer surveys be conducted between July 15 to September 1, to avoid unintended stress on the cow/calf pair during the period where calves are less mobile and they have the least amount of tolerance to disturbance.	Proposed Action/Solution: Update ToR to indicate that summer caribou calving surveys will be conducted between July 15 to September 1 to avoid unintended stress on cow/calf pairs.	Refer to response to MECP-PC-27.	Section 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PC-33	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 2)	Proposal identifies low-level surveys will be conducted from a helicopter where the helicopter cannot land safely. MECP would not support low-level helicopter surveys. The likelihood of observing sign (e.g., tracks, pellets, beds, etc.) from a helicopter is low to nil. Furthermore, the risk of harassing the cow/calf pair with this approach is high. Additionally, areas that would accommodate safe landing of helicopters is likely not limiting in the lowlands. MECP would prefer a maximum distance from the candidate areas be identified for landing (e.g., 500 metres) in which personnel would walk into the candidate site to survey for caribou sign.	Proposed Action/Solution: Remove proposed low-level helicopter surveys (where the helicopter cannot land safely) from the ToR. Update ToR to indicate a reasonable maximum distance from the candidate areas in which a suitable location for safely landing the helicopter will be selected and personnel will walk in to the candidate site.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-34	Section 6.2.1 Bat Hibernaculum Screening (Page 82)	MECP advises the use of geological mapping to identify areas of potential hibernacula. In the desktop analyses as well as information pertaining to abandoned mines or mapped hibernacula. It would also be beneficial to modify the acoustic survey. This should be done as part of the EA. Without the additional information allowed by the recommended methodology it might be difficult to properly assess the impact and the species affected.	Proposed Action/Solution: To increase the possibility of properly identifying use of a feature and the species utilizing it, MECP advises the addition of video cameras (infrared or night vision) to the areas being surveyed. Additionally, an exit survey should be performed in the spring to verify the feature was used as a hibernaculum and not only a swarming site. If no swarming is observed, an exit survey will also serve as a second check that this feature is not being used and activity was not missed. A second option for exit would be a capture survey to provide even further information about the species present, their numbers, health, gender ratio etc. This may also be useful further into the project in order to assess impacts or lack of impact on these features.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-35	Section 6.2.1 Bat Acoustic Surveys (Page 82)	We would like to request that species of bats are not grouped, if the auto classifier cannot identify. Grouping species may hinder us from being able to properly comment on SAR and ESA. This should be done in the EA, in order to know if there will be any requirements under the ESA.	Proposed Action/Solution: MECP recommends that if the auto-classifier is unable to identify a high frequency call (potential SAR bat), manual ID by a qualified person should be utilized, if this is still not possible a category for unidentifiable calls can be made with the frequency ranges. MECP can provide a template for this data, which will aid in our review.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-36	Section 6.2.1 Breeding Birds (Page 83)	Outline of details of surveys such as number of stations and locations of surveys in the EA would be useful. This will allow us to be confident that the areas covered are sufficient enough to comment on any Species at Risk birds in the project area.	Proposed Action/Solution: Inclusion of the numbers and locations (including a map) of the survey stations.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-37	Section 6.2.1 Vegetation Surveys (Page 84)	Proposal identifies that vegetation surveys will be completed in the "Study Area as a whole". What is the 'Study Area' in the context of Vegetation Surveys? The preamble in section 6.1 identifies the Study Area will be broken into three components (i.e., project footprint, LSA and RSA). As described above, the LSA for caribou should be considered to be the area within 10 km of the alternative corridors under consideration, and the RSA would be the impacted caribou range(s).	Proposed Action/Solution: Update the ToR to clarify the extent of the Study Area where Vegetation Surveys will be conducted and used to extrapolate to similar un-sampled areas within the Study Area.	Refer to response to MECP-PC-27.	Section 6.5

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		Developing a detailed vegetation classification for the Study Area will be particularly important for assessing the Projects impact to caribou and other SAR.			
MECP-PC-38	Section 6.2.5 Table 6-1 (Page 85)	Additional published sources of information should be included for Boreal caribou: - MNRF: - Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014) - General Habitat Description for the Forest-dwelling Woodland Caribou (<i>Rangifer tarandus caribou</i>) (2013) - Integrated Range Assessment for Woodland Caribou and their Habitat: The Far North of Ontario 2013 (2014) - Best Management Practices for Aggregate Activities and Woodland Caribou in Ontario - State of the Woodland Caribou Resource Report (2014) - Woodland Caribou (<i>Rangifer tarandus caribou</i>) in the Far North of Ontario: Background information in support of land use planning (2014) - Wolverine Government Response Statement (2016) - Wolverine Recovery Strategy (2013) - MECP - General Habitat Description Mapping Product (spatial database) - Policy Guidance on Harm and Harass under the Endangered Species Act (2014) - Categorizing and Protecting Habitat under the Endangered Species Act (2012) - Endangered Species Act Submission Standards for Activity Review and 17(2)(c) Overall Benefit Permits (2012) - Other - eBird (The Cornell lab of Ornithology) - iNaturalist	Proposed Action/Solution: Update ToR to include additional sources of information.	Additional sources of information have been added to Section 6.5.1.	Section 6.5.1
MECP-PC-39	Section 6.3.3 (Page 90)	Wolverine records in 2011, 2012 need to be updated and carried out in the area of WSR. Request further information on studies planned for Wolverine. This should be outlined in the ToR.	Proposed Action/Solution: While carrying out caribou surveys, Wolverine surveys should also be done. In addition, a combination of camera traps and hair traps should be deployed in order to properly characterize the presence of wolverine, the gender ratio, identify by individual, likelihood of dens. Methodology can be found I Magoun <i>et al.</i> The Journal of Wildlife Management 75(3):731–739; 2011. In addition, GPS collaring of wolverine, would allow for proper analyses potential impacts, detailed habitat use, identification of den locations and help to inform mitigation, reduction of impacts and needs of the population. For reference a recent GPS survey was carried out in Red Lake by CWS.	Refer to response to MECP-PC-27. A discussion with MECP is welcomed to discuss how further targeted studies of Wolverine could contribute towards assessing impacts of the Project on this species.	Section 6.5
MECP-PC-40	Section 6.3.3 (Page 90)	A table summarizing the mammals recorded during the 2011-2012 surveys similar to Table 6-2 would be helpful.	Proposed Action/Solution: Update ToR to include a summary table of the 2011-2012 survey results.	Specific details of previous studies with respect to mammals will be provided in tabular form as part of the EA documentation. Section 6.3.3 is intended to provide a high-level overview of those species	Section 6.2.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			observed in the project area from the review of secondary source information and field work conducted in 2017.	
MECP-PC-41	Section 6.3.3 Mammals (Pages 90-91)	More detail on the surveys that were conducted in 2011-2012 and 2017 would be helpful (e.g., spatial coverage of surveys, time of year, etc.). This will assist in determining whether additional (SAR) surveys are required (i.e., to identify occupancy, distribution, etc.).	Proposed Action/Solution: Update ToR to include details on surveys that were conducted.	Section 6.2.3
MECP-PC-42	Section 6.3.3 (Page 91)	Proposal cites 5,000 to 7,000 caribou remain in Ontario. No citation provided. This makes it difficult to understand the confidence in that estimate.	Proposed Action/Solution: Update ToR with proper citation.	Section 6.2.3
MECP-PC-43	Section 6.3.4 Rare Plant Species and Communities (Page 96)	Proposal identifies that rare plant species and plant communities were not observed during the 2017 survey, but that further field surveys will be completed to support the EA. More information is required on the number of surveys, methodology, etc. to be able to comment on the sufficiency of the survey work to identify the presence of rare plant species and plant communities that may be impacted by the project.	Proposed Action/Solution: Update ToR to include details on proposed surveys that will be conducted to support the EA.	Section 6.5
MECP-PC-44	Section 6.3.6 (Page 99)	Replace "MNR" for "MECP"	Proposed Action/Solution: Due to the transition of ESA to MECP on April 1st, 2019, the ToR should be updated to be current.	Section 6.2.6
MECP-PC-45	Section 6.3.6 (Page 99)	Mention of targeted SAR surveys in 2019 – more information is requested in order to be able further advise on requirements of ESA. Surveys should be outlined in ToR and Results and any further studies in EA.	Proposed Action/Solution: Addition of the details of "targeted SAR surveys" which species will be targeted, what type of survey methodology is proposed, quantity of survey effort etc. Communication with MECP to allow advice in order to avoid further work.	Section 6.5
MECP-PC-46	Section 6.3.6 Species at Risk (Page 99)	In addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas - iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database	Proposed Action/Solution: Update ToR to include additional information sources.	Section 6.5.1
MECP-PC-47	Section 6.3.6 Table 6-4 (Pages 100-104)	All potential information sources should be reviewed to provide a complete list of species at risk potentially impacted by the Project. The following species are some, but may not be all, missing from this list in the ToR: - Northern Myotis (<i>Myotis septentrionalis</i>) (Endangered) - Bank Swallow (<i>Riparia riparia</i>) (Threatened) - Caribou (Eastern Migratory population) (<i>Rangifer tarandus</i>) (Special Concern)	Proposed Action/Solution: Update ToR to include additional species as being potentially present in the Study Area.	Section 6.2.6
MECP-PC-48	Section 6.3.6 Woodland Caribou Table 6-4 (Page 101)	The ToR indicates that the boreal population of caribou is listed as a species at risk in Ontario. However, as per O. Reg. 230/08: Species at Risk in Ontario List, Caribou (Eastern Migratory population) is listed as Special Concern in Ontario.	Proposed Action/Solution: Update ToR to clarify.	Section 6.2.6

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
				As was clarified in earlier comment (MEC-PC-1), the population in question with regards to this Project is the boreal population. According to Environment and Energy Web site (https://www.ontario.ca/page/caribou-eastern-migratory-population#section-3), "The Eastern Migratory population, listed as Special Concern, consists of four subpopulations: Cape Churchill, Southern Hudson Bay, Leaf River and George River. The Southern Hudson Bay subpopulation inhabits Ontario and is found along the coastal Manitoba-Ontario border, extending southeast to Cape Henrietta Maria" Further consultation with the MECP regarding the status of the population is welcome relative to the project area.	
MECP-PC-49	Section 7.1 Table 7-1 (Page 113)	All Project Component(s) or Activities have the potential to impact species at risk. However, species at risk have only been acknowledged under <i>Vegetation Clearing and Grubbing</i> and <i>Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas</i> .	Proposed Action/Solution: Update potential effects for each of the project components and activities to indicate that there are potential effects on species at risk.	Section 7 has been revised to ensure a consistent format and discussion of potential effects for all environmental components. A new Section 7.1.7 – Species at Risk has been added.	Section 7 Section 7.1.7
MECP-PC-50	Section 7.1 Table 7-1 (Page 113)	"Manage waste products generated from camps for disposal at licensed waste facility" - this is an activity which will, for example, negatively affect Wolverine. Refer to Wolverine Recovery strategy "the enhanced potential for conflicts tend to arise when Wolverine are attracted to the human domestic waste sources at these developments. For example, a number of Wolverine mortalities, relocations, and other incidents have been documented at the two operating diamond mines in Northwest Territories."	Proposed Action/Solution: Mitigation for proper waste disposal to reduce this potential threat and mitigation such as education to individuals on Wolverine would be important.	Refer to response to MECP-PC-49.	Section 7 Table 7-1
MECP-PC-51	Section 8.1.1 Evaluation Criteria and Indicators (Page 122)	In order to evaluate change in the indicators mentioned, a high detail of biological study will be required.	Proposed Action/Solution: More detail on how the change in indicators will be monitored. How surveys for each species will be carried out in order to quantify this.	Duly noted. How the change in indicators will be monitored will be examined in more detail in the EA. Also refer to response to MECP-PC-28.	
MECP-PC-52	Section 8.1.1 Table 8-1 (Page 123)	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in Table 8-1 (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation: - Caribou (Habitat Protection) – Range Condition - Caribou (Species Protection) – Population Size Estimates at the Range Level - e.g., minimum animal count based on available information	Proposed Action/Solution: Recommend this be updated in the ToR and addressed/evaluated during the preparation of the EA to facilitate ESA authorizations, where they may be required. Update Table 8-1 in the ToR to include all SAR that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou.	Refer to response to MECP-PC-15. Table 8.1 is intended to provide the reader with examples of criteria and indicators to evaluate alternatives and effects of the Project. The criteria and indicators listed in Appendix B of the ToR are a preliminary list based on those identified by the Webequie Project Team from the consultation undertaken to date with Indigenous communities, agencies, the public and stakeholders. Criteria and indicators will be finalized at the outset of the EA through further consultation. The requested indicators for Caribou have been added to the ToR – Appendix B.	Section 8.3.1 Table 3-1 Appendix B



Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		• Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level ○ Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) ○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – <i>Nursery Areas</i> Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted		

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project • Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g., vehicular collisions, increased hunting pressure) • Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g., light, sound, vibration, olfactory) within 10 km of the Project • Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species			
MECP-PC-53	Appendix B Natural Environment (Page 2)	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in Appendix B (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation: • Caribou (Habitat Protection) – Range Condition • Caribou (Species Protection) – Population Size Estimates at the Range Level ○ e.g., minimum animal count based on available information • Caribou (Species Protection) – Population Trend Estimates at the Range Level • Caribou (Habitat Protection) – Cumulative Disturbance at Range Level	Proposed Action/Solution: Recommend this be updated in the ToR and addressed/evaluated during the preparation of the EA to facilitate ESA authorizations, where they may be required. Update Appendix B in the ToR to include all SAR (criterion) that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou.	Refer to response to MECP-PC-52.	Appendix B

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019				
Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		○ Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) ○ Alignment with existing disturbance ○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – Nursery Areas Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted		

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table DD14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project and increased potential for spread of disease (e.g., brainworm) • Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g., vehicular collisions, increased hunting pressure) • Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g., light, sound, vibration, olfactory) within 10 km of the Project • Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats • Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species			
MECP-PC-54	Appendix B Natural Environment (Page 2)	As per Comment 25, in addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas - iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database	Proposed Action/Solution: Update ToR to include additional information sources.	Refer to response to MECP-PC-46.	Appendix B

Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
ENDM-1	Section 1.3 (Page 3)	<i>Project Background and Context</i> While it is a good idea to provide context and background on how the proponent got to its current proposed project, this section seems to repeat the content of section 5.1.2.1 Background and Context (p. 36-47).	Suggested Solution: List the various studies in section 1.3 (with a 1-2-line description) with a note to refer to section 5.1.2.1 for details and then provide any additional details from section 1.3 in section 5.1.2.1.	Section 1.3 has been retained essentially in its current form, while Section 5.1.2.1 has been relocated to Appendix A in order that the reader may transition more quickly from consideration of Alternatives to the Undertaking” to the development and screening of Alternative Methods of Carrying Out the Undertaking.	Appendix A
ENDM-2	Section 1.3 (Page 3) Section 5.1.2.1 (Page 36)	<i>Noront Resources Eagle’s Nest Mine Access Road (2013)</i> It should be noted that that Noront’s EIS/EA was a very preliminary draft that Noront had prepared and circulated in advance of an approved provincial ToR . It was incomplete and could not be reviewed by Ontario as there wasn’t an approved ToR. Only the federal government provided comments. Ontario did provide some technical expertise to support the federal government’s review. The proponent should be very cautious about how it uses the information in that draft document. Proponent should also exercise caution in how it articulates the current status of Noront’s project. It is true that Noront has put its EA on hold until there is more certainty about an all-season road to the RoF, but there is no knowledge of what is or will be included in their provincial EA for their mine project. As noted below in No. 3, the federal EA for the Noront project has been terminated, so the status of a coordinated federal-provincial EA for Noront’s project is not known at this time.	Suggested Solution: Revise paragraph to more accurately reflect the context around Noront’s preliminary draft EA and the current status of their project.	ToR text has been revised to clarify the current status of Noront EA and the requirements imposed on Noront by Ontario when/if the EA recommences, including the need to re-screen four (4) road corridors.	Sections 1.3 and 5.1.2.1
ENDM-3	Section 1.3 (Page 3) Section 5.1.2.1 (Pages 36, 45) Section 5.1.2.3 (Page 54)	<i>“At present the Noront EIS/EA is on hold until there is more certainty about a potential all-season road to be developed by others”</i> This sentence is partially incorrect. The provincial EA is on hold, but the federal EA was terminated when the IAA came into force.	Suggested wording: “The Provincial EA is currently on hold until there is more certainty about a potential all-season road to be developed by others. As part of the transition to the new Impact Assessment Act, on August 28, 2019 the Impact Assessment Agency of Canada issued a Notice of Termination of the federal EA for the Eagle’s Nest Project.”	As per the comments received, the document has been revised to reflect that the federal EA of the Noront proposal for the Eagle’s Nest Mine under the <i>Canadian Environmental Assessment Act</i> , 2012 has been terminated.	Sections 1.3 and 5.1.2.1
ENDM-4	Section 1.3 (Page 4)	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System (2011)</i> Par. 1, line 2 – From this study... Not clear that you are referring to the study in the title of the section.	Suggested Solution: Name the study to which the proponent is referring in the sentence.	As per the comment received, the text of the document has been revised to the following: “As part of the Black Thor Chromite Mine study, Cliffs developed an Integrated Transportation System (ITS)...”	Section 1.3
ENDM-5	Section 1.3 (Page 4)	<i>Winter Road Realignment Study (2008)</i> Line 1: On behalf of four First Nations... It should be noted that the list of First Nations following, there are five First Nations listed. For the other studies listed, there is a paragraph that speaks to Webequie’s perspective about the contribution of the study to the thought process in the ToR. Is there a reason why this is not included here? Even if this study was not useful, would that not be worthy of stating from Webequie’s perspective.	Proposed Action/Solution The number of First Nations in the list need to align with the number cited right before the list. Include a sentence on “From Webequie’s perspective...”.	The ToR text in Section 1.3 has been modified.	Section 1.3
ENDM-6	Section 1.4.2 (Page 7, par. 3)	<i>“The proposed section of all-season road between Nakina and Marten Falls First Nation is referred to as the Marten Falls</i>	Suggested wording: “Marten Falls First Nation is currently leading a coordinated	Text in Section 1.4.2 has been revised to include the suggested language.	Section 1.4.2

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		<i>Community Access Road project, which is subject to Ontario's Environmental Assessment Act. Marten Falls First Nation is also from a feasibility perspective, and as a separate project, examining an all-season road from their community to the Ring of Fire mineralized area. Collectively, these two projects are commonly referred to as the north-south corridor between the provincial road network to the mineralized area near McFaulds Lake. These studies by Marten Falls are ongoing in parallel to the Webequie Supply Road EA.</i> As per Marten Falls First Nation's Initial Project Description, the Marten Falls Community Access Road is a connection from Marten Falls First Nation to Painter Lake Road, not Nakina.	federal-provincial environmental assessment process for the Marten Falls Community Access Road, which would connect Marten Falls First Nation to the provincial highway network via a connection to Painter Lake Road. This environmental assessment is ongoing at the same time as the Webequie Supply Road EA".		
ENDM-7	Section 2.1 (Page 10)	2.1. Regulatory Framework The Ontario EA regulatory framework is described in a few short paragraphs, while the description of the Impact Assessment Act is nearly 2.5 pages in length and details every step in the process when you are describing processes in a draft ToR but are not describing the Ontario process in detail.	Suggested Solution: - State that you began under CEAA 2012 - New IAA came into effect on Aug 28/19, were not far enough along to stay under CEAA 2012 - Transitioning to new IAA - Where you currently are in the process and the date by which you should know if a federal IA will be required.	A step-wise description of the federal Impact Assessment process has been condensed and included in Section 2.1.2	Section 2.1.2
ENDM-8	Section 2.1.3 (Page 14)	Figure 2.1 Coordinated Webequie-Federal-Provincial EA Process This Figure is based on a joint federal-provincial chart provided by MECPO and IAAC. Has the proponent discussed with MECP and IAAC the changes it has made to its chart?	Proposed Solution: Check with MECP and IAAC about changes made to the chart.	MECP and IAAC have had the opportunity to review the material presented in Figure 2-1 and have not offered any comments or suggestions for modifications to the graphic.	Section 2.1.3
ENDM-9	Section 3.1 (Page 18)	3.1 Environmental Assessment Principles What is the source of these principles? If the source is the Codes of Practice, then the source should be cited, and the principles stated as they are in the Code. We know that these principles, if they are from the Code will meet the requirements of the provincial EAA, but will they meet the IAA requirements.	Suggested Solution: Provide appropriate citation and use the same wording as the source. See if there are additional principles in the IAA that should be included if the proponent is going to state the principles will meet both the federal and provincial regulatory requirements.	The appropriate citations have been added and language in this section has been revised to reflect MECP suggestions and IAA Regulations (refer also to Response MECP-EA-7). The cited principles are considered to reflect the essence of the new <i>Impact Assessment Act</i> ; the Impact Assessment Agency of Canada has not offered any comments or suggestions for modification to the principles as stated.	Section 3.1
ENDM-10	Section 4.1.1 Figure 4.2 (Page 25)	Question: typical x-section design doesn't appear to account for any excavation below OG. Is that correct? Earlier versions of typical x-sections have been seen (i.e., from MTO) included an average variable depth earth ex for either a firm base (where appropriate) or for grade. Just thinking from a foundations perspective.	Proposed Action/Solution: Perhaps provide rationale or point to where an explanation can be found. Maybe not an issue for the ToR as this really is an engineering matter.	The Webequie Supply Road will require both cut and fill below and above the original ground (OG). As clarification, earlier versions of the typical road cross-section that appeared in the draft ToR were not shared with MTO. Preliminary engineering road design details will be discussed with MTO are part of the EA.	Section 4.1.1
ENDM-11	Section 5.1.1 (Pages 29-35)	Alternatives to the Undertaking It is not clear what method was used to review and screen the alternatives 'to'. Were criteria developed to screen the alternatives 'to' or were the only criteria 'advantages' and 'disadvantages'? If so, is that sufficient to screen out a number of alternatives 'to'? Was there any consultation on the screening of alternatives?	Suggested Solution: Provide clarity on the method used to screen alternatives 'to' including criteria that were used and the rationale for criteria. Demonstrate any consultations that were had on the alternatives 'to' assessment and whether the results of any consultations were considered in the screening process.	The screening of "alternatives to" was done on the basis of relative advantages and disadvantages, which is consistent with the intent of the MECP <i>Code of Practice for Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario</i> . The ToR identifies the main characteristics of each option that were considered salient to addressing the purpose of the undertaking. In short, as discussed, there were no compelling reasons to give serious consideration to any alternative to the all-season road. Initial consultation on assessing "alternatives to" was limited to discussions within the Webequie First Nation. Other study	Section 5.1.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			participants have had the opportunity to review and comment on the assessment as part of the draft ToR review process.	
ENDM-12	Section 5.1.2.1 (Page 37, last par.)	<i>“As noted previously, the EIS/EAR for Noront’s Eagle’s Nest Mine project is on hold and, when reactivated, will exclude consideration of an all-season road connection to the provincial highway network, as it has been assumed that this will be developed by others based on the Province of Ontario’s pledges of funding for infrastructure (mainly roads) in the Ring of Fire area.”</i> This sentence appears to be very definitive on what will happen (see bolded parts). Suggest softening the language to be more hypothetical. Suggest removing the reference about the Province’s commitment of funding for infrastructure as the current government has not publicly announced a funding commitment for Ring of Fire infrastructure.	Suggested wording: “If Norton chooses to re-commence environmental assessments for the Eagle’s Nest Mine project, it may not include consideration of an all-season road connection to the provincial highway network given that there are already ongoing environmental assessments for all-season road projects in the Ring of Fire area.”	Appendix A
ENDM-13	Section 5.1.2.1 (Page 39, par.3)	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System</i> <i>Prior to the sale, Cliffs had conducted a number of studies as part of its Environmental Impact Statement and Environmental Assessment Process.</i> The way it is written implies that Cliffs was much farther along in its EA process than it actually was. There was no approved ToR, nor was there an EIS/EA prepared.	Suggested Wording: Prior to the sale, Cliffs had conducted a number of studies as part of its coordinated federal-provincial EA process.	Appendix A
ENDM-14	Section 5.1.2.1 (Page 42, par. 3)	<i>All-Season Community Road Study (2016)</i> <i>Following community engagement and multi-criteria assessment, a preferred corridor was identified for further study.</i> In going back to the study to verify the statement, the conclusions state that: There is no clear answer about whether there should be a road (p. 132) There was no consensus on a preferred corridor option (p. 133) No option stands out as a most preferred (p. 136) One of the recommendations is to identify a preferred alternative (p. 141). Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how it has contributed to the current proposal.	Suggested Solution: Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how that may change “From the Webequie First Nation perspective...” for that particular study.	Appendix A
ENDM-15	Section 5.1.2.1 (Pages 45-46) Section 5.5 (Page 76, Segment 2)	<i>Table 5-1: Chronological Summary... Noront Eagle’s Nest Mine</i> <i>Draft EIS/EAR: Submitted December 2013 (response issued by federal agencies; no comprehensive formal response issued by provincial agencies.</i> Since this was a draft, it was not a formal part of the process. Noront circulated a draft EIS/EA on its own and did so in advance of an approved provincial ToR which is why Ontario	Suggested Wording: Draft EIS/EA: circulated by Noront December 2013. Comments received from federal government agencies. Ontario could not provide comments because there was no approved Terms of Reference for the provincial EA, although some technical support was provided to the federal government.	Section 5.1.2.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		could not provide a response. Need to accurately reflect. Status: EA has been paused. Noront will apply to modify its ToR when work (by others) on an all-season road connection between the mine site and the provincial highway is sufficiently advanced. Should not be pre-determining the outcome of what Noront will do.	Suggested Wording: Status: EA has been paused. Noront will enter into discussions with MECP about how to proceed when it is ready to restart its EA process, which is likely to occur once work on an all-season road connection is sufficiently advanced.		
ENDM-16	Section 5.1.2.3 (Page 50)	<i>“WFN is also exploring the feasibility of entering into a public private partnership to implement the Project, similar to the arrangement for constructing other comparable Northern and Indigenous undertakings (e.g., Tłıchų All-Season Road in NWT).”</i> Given that it is not yet decided who will lead the construction of the road, suggest not discussing any specific options yet.	Suggested wording: “WFN continues to have discussions with the Province on roles and responsibilities with respect to construction of the WSR”.	The document has been revised to include the following language: “WFN is the proponent of the WSR Environmental Assessment. The proponent of road construction will be determined later in the process. WFN continues to have discussions with the Province on roles and responsibilities with respect to ownership and construction of the WSR.”	Section 5.1.2.3
ENDM-17	Section 5.1.2.3 (Page 52) Section 8.1 (Page 121, par. 5)	<i>Supply Road Alternative Concepts</i> Par 1: who made up the East-West Group (not to be confused with the East-West coalition) and how is it different from the WFN Local Working Group. Webequie used a unique approach in developing its alternative route concepts by relying on Indigenous knowledge first, before applying conventional approaches. This unique approach should somehow be emphasized more here and in other places within the document (Sec. 8.1, p. 121). Par. 3: ...that adopted a community-based land use planning approach for infrastructure development... Would be helpful to explain this a bit more to provide clarity.	Suggested Solution: Provide clarification of what these groups were: • Provide some more details about the unique approach taken by Webequie in developing the alternative route concepts either here or at the beginning of Sec. 5.2 • Include • Provide more clarity on this approach and how it informed the approach outlined in the ToR.	Additional text has been provided at the beginning of Section 5.2 to provide further clarity.	Section 5.2
ENDM-18	Section 5.2 (Page 57)	<i>Initial Screening of WSR Corridor Alternative Concepts</i> Please provide additional detail about the consultation with WFN community members to convey all of the work that went into the screening process.	Suggested Solution: See EMDM-17 above.	Additional text has been provided at the beginning of Section 5.2.	Section 5.2
ENDM-19	Section 5.2 (Pages 61-68)	<i>Table 5.3</i> May be useful to explain why advantages/disadvantages was used to compare the different alternative concepts against the various criteria.	Suggested Solution: Provide rationale for using advantages and disadvantages to compare the different alternative concepts.	In accordance with the elements outlined in the Simplified Generic Assessment and Evaluation Process presented in the MECP <i>Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario</i> and <i>Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario</i> , the assessment of the initial alternative methods adopted the following approach: “Evaluate alternative methods (potential effects, impact management, net effects, advantages/disadvantages)” – emphasis added – at a screening level.	Section 5.2
ENDM-20	Section 6.2 (Page 80)	Duly Noted: to the extent possible all project activities related to the project will be examined in relation to their potential impacts to SAR populations, followed by recommendations to facilitate future ESA permitting requirements.	Suggested Solution: Indicate that dated information will be reviewed and updated as required.	The document has been revised.	Section 6.5
ENDM-21	Section 6.2.1 (Page 84)	Question: under Veg Surveys; why not sample age of trees over 10m? Does not age-class of a stand contribute as a factor in determining appropriateness of potential wildlife habitat? Or is the visual assessment enough of an indicator?	Suggested Solution: Please provide a response.	Visual assessment of vegetation along with supportive field surveys are deemed adequate for determining potential effects to wildlife habitat, including species at risk, as usage is more dependent on size class and height/cover than actual age of trees. Detailed field	Sections 6.5

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
				work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	
ENDM-22	Section 6.2.3 (Page 85)	<i>Socio-Economic Environment</i> May be helpful to include the communities that may be potentially affected by the project and what aspects of the component would be considered. Should be more than an inventory of physical assets in the community and economic opportunities.	Suggested Solution: Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of a project can create impacts in the socio-economic component.	It is acknowledged that Webequie has familial relationships with neighboring indigenous communities in Section 10.2. Through consultation activities, the WSR Project Team will try to obtain this information from neighboring communities. If information is provided and permission is granted by the communities, information will be used in the EA. Therefore, further information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion will be discussed in the EA.	Sections 6.3 and 10.2
ENDM-23	Section 6.2.5 (Page 86)	<i>Table 6-1: Published Sources of Information</i> Noront Resources Ltd: Eagle's Nest Project – Federal/Provincial Environmental Impact Statement/Environmental Assessment Report (2013). The way it is listed, gives it more status than it actually had.	Suggested Solution: Add in preliminary draft.	The document has been revised.	Section 6.5.1
ENDM-24	Section 6.3 (Page 87) Section 12 (Page 161)	<i>6.3 Natural Environment</i> Information collected for the EA may also be used by WFN to obtain other permits, approvals and/or licences that may be required to proceed to construction. May want to state that you will be collecting information for the EA to a level of detail that would be sufficient for future permits.	Suggested Solution: Provide clarity about whether the proponent intends to coordinate any permitting requirements with EA requirements. If so, detailed discussions would be required with appropriate ministries.	Duly Noted. To the extent possible all data collection activities related to the Project will be designed with consideration to capture potential permits, approvals and/or licenses requirements under provincial and federal legislation. Detailed field work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	Sections 6.2 and 6.5
ENDM-25	Section 6.3.1 (Page 88)	Comment: paragraph 4 last line references the term regosolic. It took time to find a definition that could be applied to this project; but would hazard that this is a specialized technical term familiar to those in the business but will go over the heads of most of your audience, never mind translating it into OjiCree, etc....	Suggest expressing this concept in clearer terms.	The term "Regosolic" has been replaced with: "Low lying areas consist of organic soils, and (regosolic) soils with limited development (i.e., less than 5 cm thick) due to erosion of the landscape or hillslopes with high water runoff or wind".	Section 6.2.1
ENDM-26	Section 6.3.3 (Page 90)	<i>Mammals</i> <i>During the Noront Eagle's Nest Mine EA, winter tracking surveys were conducted in 2011 and 2012....</i> Note also that these surveys were undertaken some time ago and may be dated.	Suggested Wording: During the preparation of the Noront Eagle's Nest Mine EA, in advance of an approved ToR winter tracking surveys were conducted in 2011 and 2012....	The document has been revised, as suggested.	Section 6.2.3
ENDM-27	Section 6.4.1 (Page 106)	<i>Regional Planning Initiatives</i> Par. 2: just flagging that this may have to be updated prior to formal submission.	Suggested Solution: Work with MNRF and monitor until ready to formally submit ToR.	The draft ToR has been revised to add clarifications on the status of the proposal to repeal the <i>Far North Act</i> and address potential authorizations under the Act to address comments provided by MNRF. The Project Team will continue to track these matters with MNRF in order to provide the most current information in the final ToR.	Section 6.3.1
ENDM-28	Section 6.4.1 (Page 107)	<i>Provincial Policy Statements</i> Par. 1: Are there any PPS that are relevant to this proposed project. If so, you may want to mention any relevant ones.	Suggested Solution: Include any relevant PPS, if appropriate.	As per the comment received, the text has been revised to the following:	Section 6.3.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
				“Any PPS that are relevant to this project will be incorporated into the planning and design for this project.”	
ENDM-29	Section 6.4.3 (Page 107)	<i>Population, Demographics and Community Profile</i> Par. 1: A socio-economic assessment should be more than an inventory of physical assets in a community (e.g. # of houses). Should include kinship, familial relationships with other communities, community stability, cohesion as communities can react differently to a proposed project based on some of the relationships and how close the community is. Par. 2: may want to include the provincial average against which to measure where the community sits. Par. 2: This is due in part because of communities transitioning away from traditional manufacturing, agricultural based industries and resource development creating economic pressures. Not sure that this applies to remote northern Indigenous communities.	Suggested Solution: • Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of a project can create impacts in the socio-economic component. If making changes, include in Appendix B p. 7 • Include provincial averages • Provide clarification on traditional manufacturing and agricultural based industries.	Refer to response to ENDM-22. Section 6.4.3 (now Section 6.3.3) has been revised to include provincial averages and includes clarification on traditional manufacturing and agricultural-based industries.	Section 6.3.3
ENDM-30	Section 6.4.5 (Page 108)	<i>Infrastructure and Services</i> <i>In addition to this, the Project may also have the potential to interact with communities and services such as police and fire stations, hospitals, schools, churches, and other religious buildings, local businesses, and residential areas.</i> The list of infrastructure and services appears to have a southern bias. Can the list be adjusted to better reflect the reality of remote Indigenous communities? Should be a list of services that are available within the particular community and how the services are used by community members?	Suggested Solution: Adjust the language to better reflect the reality of remote Indigenous communities.	The document has been revised.	Section 6.3.5
ENDM-31	Section 7.1 (Page 113)	<i>Natural Environment: Table 7.1 Project Activities and Potential Effects on the Natural Environment</i> May be useful to identify the phase of the project (construction, operations, maintenance) to which the impacts may apply. It will help indicate short-term and longer-term impacts.	Suggested Solution: Include the phase to which the impacts apply in Table 7.1.	Section 7 has been revised and Table 7.1 removed from the ToR. Table 7.1 has now been replaced with subsections that describe the preliminary potential environmental effects for each environmental component. This change is intended to address the comment from the MECP (MECP-EA-28) to have consistent format and discussion of potential effects across all environmental components.	Section 7.1
ENDM-32	Section 7.1 Table 7-1 (Page 115)	Question: it is noted in the Noise Emissions row that there are no mitigation measures listed. Are there no generic/standard mitigation measures for this potential impact (i.e. maintenance of mufflers, minimize idling, design charge loading and blast patterns to cap peak particle velocity, etc.)?	Suggested Solution: Consider adding mitigation measures.	Refer to response ENDM-31. Mitigation measures will be identified and described as part of the EA.	Section 7
ENDM-33	Section 7.2 (Page 116-117)	<i>Socio-Economic Environment</i> Par. 1: Line 2: should add in families/clans in the various units of social order. Par. 1: Line 4: suggest changing mitigation/remedial measures to impact management measures Table 7-2: Positive Effects/Benefits: the positive social effect is actually more economic. Are there any other positive social effects? Table 7-2 Negative Effects: bullet 2: can you provide examples of social issues.	Suggested Solution: Suggest making changes to language at appropriate places.	Refer to response to ENDM-31. The document has been revised.	Section 7.2
ENDM-34	Section 7.2 Table 7-2	Comment: Under negative economic effects, 1st bullet; the WSR does not connect to the existing provincial network but	Suggested Solution: For consideration; perhaps adjust wording to reflect that the	The document has been revised.	Section, 7.2, Table 7-2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	(Page 117)	rather connects 2 remote seasonally accessible locations. As such, the community should not lose its remote status as a result of this specific project.	potential loss of isolation transfer payments would not become a tangible negative effect unless this WSR is connected to a network that ultimately connects to the existing provincial network.		
ENDM-35	Section 7.2.1 (Page 117, Par. 2)	<i>Effects on Traditional/Indigenous Land Use</i> <i>At present sixteen (16) of these Indigenous communities may be affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.</i> Add in additional language to be more precise.	Suggested wording: At present sixteen (16) of these Indigenous communities may have Aboriginal or treaty rights that may be adversely affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.	The document has been revised to include suggested text.	Section 7.2.1
ENDM-36	Section 8 (Page 119, par. 3)	<i>Approach to Assessment and Evaluation of Effects The assessment will be based on the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)</i> Won't the assessment be based on the approved ToR as well?	Suggested Wording: The assessment will be based on the approved Terms of Reference , the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)	The document has been revised to include the suggested added text.	Section 8
ENDM-37	Section 8.1.1 (Pages 122-125)	<i>Table 8-1: Select Preliminary Criteria and Indicators for Evaluation</i> Socio-economic: There are very few criteria and indicators specific to social and impacts on individuals, families and other relationships etc. proposed for the evaluation. Should consider changes to familial relationships, and changes to community cohesion, stability etc. in all of the communities that will be profiled.	Suggested Solution: Consider adding in additional criteria to provide better indication of the health of the community including changes to relationships, community cohesion, stability etc.	The criteria and indicators in Section 8.2 (now 8.3.1) are intended to provide the reader with examples for the evaluation of alternatives and effects of the Project, with more socio-economic criteria and indicators and presented in Appendix B of the ToR. Note the criteria and indicators listed in Appendix B are a preliminary list based on those identified by the Webequie Project Team from the consultation undertaken to date with Indigenous communities, agencies, the public and stakeholders. Criteria and indicators will be finalized at the outset of the EA through further consultation.	Section 8.3.1
ENDM-38	Section 10.1.1 (Page 128)	a) Section 10.1.1 – “Indigenous Communities Consultation” title. Is this just for proponent led consultation?	Suggested Solution: a) Suggest adding “Webequie-led Indigenous Communities Consultation”.	The document has been revised to include the suggested added text.	Section 10.1.1
ENDM-39	Section 10.1.2 (Page 131)	a) See adjacent column for suggested changes for clarity and accuracy. b) The second paragraph says: “Material from the executed MOU will be included in the final ToR” – do we know what material is being proposed for inclusion?	Suggested Solution: It is the Crown’s constitutional duty to determine whether a Duty to Consult has been triggered by a Project and, if so, identify the Indigenous communities to be engaged and the appropriate consultation to be undertaken with those communities. As the Webequie Supply Road Project falls under the jurisdiction of both the provincial Environmental Assessment Act (EA Act), and the federal Impact Assessment Act, both federal and provincial ministries and agencies represent the Crown. The Crown can delegate some procedural aspects of the duty to consult to project proponents. Project proponents are obliged under the EA Act to consult with all interested parties, including Indigenous communities. To ensure engagement and consultation with Indigenous communities is meaningful, it is important to recognize that Indigenous communities have varying rights and interests in respect of the Project; consequently, they may request different approaches to consultation and engagement, as well as accommodation, where appropriate, to mitigate impacts to their rights and	The ToR has been revised to incorporate the suggested text changes.	Section 10.1.2

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			interests. In addition, the “public” consultation process is also open to ~~the~~ Indigenous communities. The Ministry of the Environmental, Conservation and Parks (MECP) and Ministry of Energy, Northern Development and Mines (ENDM), on behalf of the Ontario Government, have formally delegated some procedural aspects of consultation required under the EA Act to ~~the~~ Webequie First Nation, as proponent. A Memorandum of Understanding (MOU) between MECP, ENDM and Webequie First Nation, setting out how roles and responsibilities related to the Duty to Consult will be shared ~~amongst the three parties~~ between the Crown and the proponent, is in the process of being finalized. Material from the executed MOU will be included in the final ToR. As established in the draft MOU, Webequie First Nation’s roles and responsibilities include the following: b) – addressed in suggested wording above.		
ENDM-40	Section 10.1.2 (Page 131, Par.1)	“The Crown can delegate some aspects of the duty to consult to project proponents.” Should specify that the aspects that can be delegated are procedural.	Suggested wording: “The Crown can delegate some procedural aspects of the duty to consult to project proponents.”	The document has been revised to include the suggested wording.	Section 10.1.2
ENDM-41	Section 10.2.1 (Page 134)	Second paragraph says “The list provided by MECP reflects the Crown’s understanding of communities whose Aboriginal and/or treaty rights may be...”.	Suggested Solution: Think it should say “The list provided by MECP reflects the Crown’s understanding of communities whose established or asserted Aboriginal or treaty rights may be...”.	The document has been revised to include the suggested wording.	Section 10.2.1
ENDM-42	Section 10.2.1 (Page 135)	<i>Identification of Indigenous Communities</i> <i>1st sentence: Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests</i> May want to add that the proponent would be open to engage interested communities if they are interested.	Suggested Wording: Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests. WFN would be open to engage interested communities should they wish to engage more frequently.	The document has been revised to include the suggested wording.	Section 10.2.1
ENDM-43	Section 10.2.1 (Page 135)	“Based on these factors, the Indigenous communities to be offered the deepest and most frequent engagement/consultation, include:”.	Suggested Solution: It may be helpful to provide details on what “frequent” engagement/ consultation means. For ex. Is “frequent” engagement/consultation communication every 2-3 weeks? Same goes with “less frequent”.	Webequie intends to conduct engagement with all Indigenous communities, organizations, groups, etc that are interested in participating in the EA. Due to the factors identified in Section 10.2.1, more intensive consultation/engagement will occur in the form of various mechanisms/techniques, such as: use of focus groups with different community member groups (i.e. elders, land users, knowledge keepers, youth, etc). Text in Section 10.2.1 has been revised for clarity.	Section 10.2.1
ENDM-44	Section 10.2.2.1 (Page 136)	Last Paragraph says: “The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them before they compromise the EA process;”.	Suggested Solution: Delete “before they compromise the EA process”. The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them ~~before they~~	The ToR has been revised to include the suggested wording.	Section 10.2.2.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			~~compromise the EA process;~~	
ENDM-45	Section 10.3 (Page 137)	The sentence under the title refers to the “Terms of Reference Consultation Plan” – The reader likely doesn’t know what this is. Is it publicly available so it can be referred to?	-	Text in Section 10.3 has been revised for clarity.
ENDM-46	Section 10.3.1 (Pages 138-143)	<i>Table 10-2: Overview of Activities and Events Conducted with Potentially Affected Indigenous Communities to Date</i> Assume that the table will be updated before formal submission. Appears that there are still some key communities that have not yet been visited. Assume this will still happen before ToR submission. p. 138: Webequie First Nation: may want to add that they are a potentially affected community and that is why they are included under their name in the left-hand column. p. 140: KI – was there not a meeting with KI. Should be included.	Suggested Solutions: Add in additional information as suggested.	Additional information as suggested has been included in Table 10-2.
ENDM-47	Section 10.3.1 (Pages 138-143)	a) Table 10-2 general comment – consider grouping the communities in accordance with consultation assessment so that it’s easier to compare what consultation activities have been done for communities with similar levels of consultation. b) Check dates of meetings and letters referred to in 2018. Some may be 2019.	Suggested Solutions: Add in additional information as suggested.	Table 10-2 is grouped by Indigenous communities alphabetically for ease of reference. Dates of meetings and letters have been confirmed and changed, where applicable.
ENDM-48	Section 10.3.1 (Pages 143-146)	Table 10-3: Key Comments and Concerns Expressed by Indigenous Groups/Community Members p. 145 KI: did they not have any comments when they were visited. Please update.	Suggested Solutions: Add in additional information as suggested.	Additional information has been included in Table 10-3.
ENDM-49	Section 10.3.1 (Pages 143-146)	a) Table 10-3 – some of the things in the column “Comments/Concerns Reviewed from Indigenous Communities/Groups” may not be in the correct column, and instead should likely be in the “Responses Provided to Indigenous Communities” b) Table 10-3 – Certain responses in this table also seem like they need follow up. I.e. for Attawapiskat the response says “...to discuss further”.	Suggested Solutions: a) For example, in the Comments/Concerns for Webequie First Nation it says: ...Impacts to traditional uses of the land will be minimized through corridor definition and construction methods. Similarly, impacts to cultural and historic areas will largely be mitigated through road alignment refinement. This seems more like a response than a comment. b) Please provide more detail on how that response was provided and what if any follow up has been done.	Table 10-3 has been revised accordingly to address comment and include further details where applicable.
ENDM-50	Section 10.3.2 (Page 147)	<i>Government Review Team and Municipal Involvement to Date</i> Par. 1: include government before agency Why is the proponent including activities pre-dating the ToR phase – provide rationale. Provincial government: please make sure the correct acronyms are used for ministry names. Include the bi-weekly calls, meetings to discuss aspects of ToR development etc. in the methods of consultation to date.	Suggested Solutions: Add in additional information as suggested.	Section 10.3.2 has been revised to include the suggested information.
ENDM-51	Section 10.3.3 (Page 148)	<i>Public and Stakeholder Involvement to Date</i> Par. 3: was there not a public OH in Thunder Bay October 8/9?	Suggested Solution: Include updates in final submission of ToR.	Section 10.3.3 has been updated to capture all public stakeholder consultation to date.
ENDM-52	Section 10.4.1.1 (Page 152)	Second paragraph says that “WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.” Despite best efforts, this may not always be possible.	Suggested Wording: “Where possible, WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.”	The document has been revised to include the suggested wording.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
ENDM-53	Section 10.4.3 (Page 156)	<i>Table 10-7: EA Consultation Milestones Notice of Commencement of EA: Circulate Notice of Commencement of ToR</i>	Suggested Wording: Circulate Notice of Commencement of EA .	Table 10-7 has been revised to include the suggested wording. .	Section 10.4.3
ENDM-54	Section 10.5 (Page 157)	Second Paragraph says: "The Record of Consultation is a self-standing document that supports the EA study. It will document all Indigenous, government agency..."	Suggested change to delete the word agency: "The Record of Consultation is a self-standing document that supports the EA study. It will document all Indigenous, government agency ..."	The document has been revised to include the suggested wording.	Section 10.5
ENDM-55	General	Throughout the document it refers to "federal and provincial agencies". This is misleading as on the provincial side it's not an agency.	Suggested Solution: Change to "federal and provincial ministries and agencies".	The document has been revised throughout to include the suggested wording.	Throughout
ENDM-56	General	Socio-Economic Environment: Include the review and reference to current Comprehensive Community Plans/Economic Development Plans for alignment.	Suggested Solution: Identify opportunities for businesses and current assets that could provide local opportunities, finally a Skills inventory and Training development for opportunities that could present themselves for the community and members.	Comprehensive Community Plans (CCPs) of Indigenous communities will be reviewed as part of the socio-economic baseline study. The EA will identify opportunities for businesses and current assets for local opportunities. No change to the ToR is proposed.	
ENDM-57	Section 1 (Page 1, throughout)	Additional spacing put before sentences: "Based on the scaling and complexity..."	Suggested Solution: Remove additional spacing before sentences.	Noted.	Throughout
ENDM-58	Section 1.2 (Page 3)	No telephone number listed under "Webequie Supply Road" contact info for the proponent.	Suggested Solution: Instead of leaving it blank, you can write "See individual contact information with associated phone numbers below", or remove "Telephone" category under Webequie Supply Road.	The document has been revised.	Section 1.2
ENDM-59	Section 1.4 (Page 4) Section 5.1.2 (Page 40, throughout)	Editorial, ensure clarity: Under the Winter Re-alignment Study, first line; references 4 communities in the text but lists 5 in the parenthesis.	Suggested Solution: Adjust as appropriate.	The document has been revised.	Section 1.4
ENDM-60	Section 1.3 (Pages 3-5)	No rationale for the order of the studies listed. The studies are 2013, 2011, 2008, 2016, then 2017.	Suggested Solution: Before listing the studies, provide a rationale for why they are listed as such. Perhaps list in chronological order, or of order of importance/relevance to the project.	The document has been revised to present the studies in chronological order.	Section 1.3
ENDM-61	(Pages 4, 36, throughout)	Semantics: Note references to the "Pickle Lake Road (previously Hwy 808)". Not sure if this is a local reference, but the gravel road starting at the end of Hwy 599 at Pickle Lake/Central Patricia heading north and west is named the "NORT Road (formerly Hwy 808)" in the MTO data worked with in the past. In some cases, it has been referenced as the NORT North Road in order to differentiate it from the NORT Nungesser Road over by Red Lake. Sometimes Hwy 599 itself is referred to as the Pickle Lake Road.	Suggested Solution: Verifying the official name to avoid confusion.	The document has been revised to provide clarity.	Throughout
ENDM-62	Section 1.5 (Page 9)	"Regulatory Framework for the Project (Section 2)" might be better organized by reversing the sentence to say "Section 2 – Regulatory Framework for the Project"	Suggested Solution: Change "Regulatory Framework for the Project (Section 2)" to say "Section 2 – Regulatory Framework for the Project" – make changes to the entire list on page 9.	The document has been revised, as suggested.	Section 1.5
ENDM-63	Section 2.1.1	Inconsistent use of "Ontario Minister of the Environment,	Suggested Solution:	The document has been revised to provide consistency.	Section 2.1.1

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	(Page 10)	Conservation and Parks” and “Minister of the Environment, Conservation and Parks” and “Ontario Environmental Assessment Act” and “Environmental Assessment Act”	Add “Ontario” before “Minister of the Environment, Conservation and Parks” and “Environmental Assessment Act” consistently. *There is a need to look through the entire document to ensure consistency.		
ENDM-64	Section 2.1.2 (Page 10)	Typo: 5 th line; the term “right of way” is missing the “w”.	Suggested Solution: Add the “w”.	The document has been revised to address.	Section 2.1.1
ENDM-65	Section 2.1.2 (Page 10)	Typo: last line; there is a lone right parenthesis on the word “Act”.	Suggested Solution: Remove the parenthesis.		Section 2.1.1
ENDM-66	Section 2.1.2 (Page 11)	“Indigenous jurisdictions ” – is it better to say “Indigenous governments”	Suggested Solution: Change “Indigenous jurisdictions ” to “Indigenous governments ”.	The document has been revised to address.	Section 2.1.1
ENDM-67	Section 2.1.2 (Page 11)	Should be a webpage link to the IAA registry.	Suggested Solution: Add webpage link to IAA registry.	The document has been revised to address.	Section 2.1.1
ENDM-68	(Page 13)	In two instances, the term “Tailored Impact Assessment Guidelines” was used instead of the correct term “Tailored Impact Statement Guidelines”	Suggested Solution: Use the correct name.	The document has been revised to address.	Section 2.1.1
ENDM-69	Section 3.2 (Page 18)	Lengthen “The Act” to “The Environmental Assessment Act” for clarity.	Suggested Solution: Lengthen “The Act” to “The Environmental Assessment Act”.	The document has been revised.	Section 3.2
ENDM-70	Section 3.2 (Page 20)	“will include.”	Suggested Solution: Should be “will include.”	The document has been revised.	Section 3.2
ENDM-71	Section 5.1.1.6 (Page 35)	Editorial, grammar: 3 rd line; there is an unnecessary “an” between “new” and “all-season”.	Suggested Solution: Remove the unnecessary “an”.	The document has been revised.	Section 5.1.1.6
ENDM-72	Section 5.2 (Pages 57-59)	Tables should have black lines that separate the columns and rows to look better organized and separate content from one another.	Suggested Solution: Add black lines in the tables Additional tables throughout document: 61-68, 113-116, 123-125, 138–147, 149-151, 154-157	This is the standard SNC-Lavalin table template. This format is used in all documents prepared by SNC-Lavalin.	
ENDM-73	Section 5.3 (Page 71)	Typo: 3 rd bullet “... but does not full avoid potential...” missing the “y” on fully.	Suggested Solution: Add the “y”.	The document has been revised.	Section 5.3
ENDM-74	Section 6.1 (Page 78)	Typo: 3 rd line. there is a lone right parenthesis on the word “jurisdiction”.	Suggested Solution: Remove the parenthesis.	The document has been revised.	Section 6.1
ENDM-75	Section 6.3.3 (Page 91)	Typo: Acronym in paragraph 2 line 5 references RSA: is this supposed to be ESA?	Suggested Solution: Either change to ESA or define what RSA is.	The document has been revised and text regarding RSA is now in Section 8.1.	Section 8.1
ENDM-76	Section 6.3.4 (Page 94)	Grammar: second last paragraph, last line. “...species list for Study Area” missing a “the” before “Study Area”.	Suggested Solution: Insert a “the”.	The document has been revised and text regarding RSA is now in Section 8.1.	Section 8.1
ENDM-77	Section 6.3.5 (Page 98)	Grammar: second paragraph 1 st line, “...riffle habitats for during the spring period spawning..” reads awkwardly.	Suggested Solution: Remove either “for” or “during” and perhaps flip the positions of “period” and “spawning”.	Section has been deleted and reworked in the ToR.	
ENDM-78	Section 6.4.4 (Page 108)	Typo: 2 nd line: “...many healthy and well-being issues...” the “y” on health is unnecessary.	Suggested Solution: Remove the “y”.	As per the comment received, the document has been revised.	Section 6.3.4
ENDM-79	Section 7.2 (Page 117)	“May facilitate more outsiders coming into community...” is listed under Negative Economic Impacts, but it seems like an environmental impact.	Suggested Solution: Remove from under Negative Economic Impacts and create new category called “Negative Environmental Impacts”.	The document has been revised.	Section 7.2
ENDM-80	Section 7.2.1 (Page 117)	“The MECP has provided a list of twenty-two (22)...” – other ministries in addition to MECP worked on identifying this list.	Suggested Solution: On page 134, the statement reads: “ In coordination with other provincial government agencies , Ontario (MECP) identified a list of twenty-two (22) Indigenous communities...”. The first part of this sentence should be	The document has been revised.	Section 7.2.1

**Table EE – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			consistent with the sentence on page 117.		
ENDM-81	Section 8 (Page 119)	"The assessment will be based on the Ministry of the Environment and Climate Change ..."	Suggested Solution: MOECC's new ministry name "MECP" should be mentioned in this sentence.	The document has been revised.	Section 8.1
ENDM-82	Section 8.1.1 Table 8-1 (Page 123)	Typo: 3 rd row of the table. Missing the "r" on "flycatcher".	Suggested Solution: Add the "r".	The document has been revised.	Section 8.3.1
ENDM-83	Section 10.1.2 (Page 131)	"...is in the process of being finalize ."	Suggested Solution: "...is in the process of being finalized ."	The document has been revised.	Section 10.2.1
ENDM-84	(Page 131)	" <i>The Crown can delegate some aspects of the duty to consult to project proponents.</i> " Should specify that the aspects that can be delegated are procedural.	Suggested wording: "The Crown can delegate some procedural aspects of the duty to consult to project proponents."	The document has been revised.	Section 10.2.1
ENDM-85	Section 10.2.1 (Page 135)	"Based on these factors, the Indigenous communities to be offered the deepest and most frequent engagement/consultation, include:"	Suggested Solution: It may be helpful to provide details on what "frequent" engagement/ consultation means. For ex. Is "frequent" engagement/consultation communication every 2-3 weeks? Same goes with "less frequent".	Webequie intends to conduct engagement with all Indigenous communities, organizations, groups, etc that are interested in participating in the EA. Due to the factors identified in Section 10.2.1, more intensive consultation/engagement will occur in the form of various mechanisms/techniques, such as: use of focus groups with different community member groups (i.e. elders, land users, knowledge keepers, youth, etc). Section 10.2.1 has been revised for clarity.	Section 10.2.1
ENDM-86	Section 10.2.3 (Page 137)	Typo: unnecessary return between the 2 nd and 3 rd bullet, splitting the single thought.	Suggested Solution: Merge into 1 bullet.	The document has been revised.	Section 10.2.3.
ENDM-87	Section 10.3.2 Table 10-4 (Page 147)	Naming convention: noted the old names for CEAA, MNDM and MOECC. Should be updated to IAA, ENDM and MECP respectively?	Suggested Solution: Update to current name, as is consistent with other occurrences within the rest of the document.	The document has been revised.	Section 10.3.2
ENDM-88	Section 10.3.2 (Page 148)	Naming convention: 2 nd paragraph, 2 nd line.	Suggested Solution: Update to current name, as is consistent with other occurrences within the rest of the document.	The document has been revised.	Section 10.3.2
ENDM-89	Section 11.1 (Page 160)	Grammar: Line 2 missing an "an" ahead of "...open and respectful process,...".	Suggested Solution: Add the "an".	The document has been revised.	Section 11.1
ENDM-90	Section 12 (Page 161)	Typo: 3 rd line; missing the "i" on "is"	Suggested Solution: Add the "i".	The document has been revised.	Section 12
ENDM-91	Appendix B	Naming convention: noted throughout the table that our ministry is identified as MENDM – should just be ENDM.	Suggested Solution: Adjust MENDM to ENDM throughout	The document has been revised.	Appendix B

Comment #	Reference to ToR	Comments & Rationale	Proposed Action/Solution
		and increased potential for spread of disease (e.g. brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g. light, sound, vibration, olfactory) within 10 km of the Project • Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats • Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species	
55.	Appendix B / pg 2 / Natural Environment (Con't)	As per Comment 25, in addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas - iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database	Update ToR to include additional information sources.

Nicki Boucher

Commenter Signature

November 13, 2019

Date



Webequie Supply Road
Response to Comments on Final Terms of Reference

Table FF – Comments Received from Indigenous Services Canada
ISC Ontario Region, Environmental Assessment Services (Dr. Julieta Werner, Sr. Environment Officer) October 14, 2020

Item No.	ToR Section	Comment Received	Project Team Response
ISC-1	General	Information regarding Aboriginal and Treaty Rights and Interests resides with Crown Indigenous Relations and Northern Affairs (CIRNAC), not with Indigenous Services Canada.	Noted. The reference to ISC as an information source for matters related to Aboriginal and Treaty Rights and Interests under Cultural Environment in Appendix B (List of Preliminary Evaluation Criteria and Indicators) will be changed to CIRNAC in future EA documentation as the criteria are refined.
ISC-2	General	ISC would also like to note that some baseline information (e.g. labour market, employment, housing, etc.) resides with the First Nation.	Noted. The Project Team intends to use the socio-economic survey as a means of accessing such information at the First Nation community level.



Table GG – Comments Received from Ontario Ministry of Indigenous Affairs
MIA Indigenous Relations and Ministry Partnerships Branch (Manna Sainju, Advisor) October 19, 2020

Item No.	ToR Section	Comment Received	Proposed Action/Solution	Project Team Response
MIA-1	Section 10.4.1.1 Page 174-175	This section notes that Indigenous knowledge is considered to be of cultural, spiritual, historical and community significance. It goes on to say the project team will respect the sensitive and confidential nature of Indigenous knowledge. However, the section does not identify how the information will be stored, protected.	Recommend identifying a process of how sensitive Indigenous knowledge/data will be used, stored and protected and sharing the details of this process with communities when they undertake consultation. Also, recommend identifying whether Indigenous knowledge collected during the project will be subject to the Data Sharing Agreement with the Crown.	It is envisioned as part of the EA phase that Data Sharing Agreements for Indigenous Knowledge (IK) between Webequie First Nation (the proponent) and other First Nations will be secured. It is recognized that each community may have its own protocols and procedures to be followed in transferring IK to outside parties such as WFN and the Project Team. The Project Team will ensure that related protocols are respected and will work with each community to understand how the information will be transferred, securely stored, and applied. The Project Team will seek guidance from communities as to how the information will be used and published and this will be reflected in the Data Sharing Agreements. Details on IK, including Data Sharing Agreements, will be discussed in the EA documentation.

Table G-1: Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MHSTCI-1	Section 2.1 Regulatory Framework Table 2-2 Provincial Legislation, Permits and Other Authorizations	MHSTCI reviews technical cultural heritage studies such as archaeological assessment reports, cultural heritage existing conditions reports and heritage impact assessment reports. Once an archaeological assessment is reviewed, the ministry provides the archaeologist with a letter indicating that the report has been entered into the Ontario Public Register of Archaeological Reports. The entry should also include reference to the Standards and Guidelines for Conservation of Provincial Heritage Properties, which applies to properties owned or controlled by the provincial Crown or a public body prescribed under Ontario Regulation 157/10. Therefore, under the column “Permit/Act”, the entry should read: Part III.1 (Standards and Guidelines for Conservation of Provincial Heritage Properties) Ontario Heritage Act, Part VI (Archaeological Resources) Standards and Guidelines for Consultant Archaeologists Under the column “Corresponding Applicability to the Project”, the entry should read: “Letters for archaeological and other cultural heritage assessment(s) as part of environmental assessment and OHA due diligence.”	As per the comment received from the MHSTCI, Table 2.2 has been revised.	Section 2.1.5 Table 2-2
MHSTCI-2	Section 4 Description of the Undertaking Section 4.2 Components and Activities of the Project	Please note that all the activities listed in this section require technical cultural heritage studies early in the EA process to identify any known or potential cultural heritage resources plus appropriate mitigative measures.	The environmental field surveys and other investigations to support the road design and EA are deemed to include archaeological and cultural heritage elements.	Section 4.2
MHSTCI-3	Section 5 Description of and Rationale for Alternatives Section 5.2 Initial Screening... Alternative Concepts	This entry appears to speak only to registered archaeological sites and can be misinterpreted as omitting areas of archaeological potential, built heritage resources and cultural heritage landscapes. It should be clear to the general reader that all types of cultural heritage resources should be identified and protected. The entry should read: “Effects on cultural heritage resources within the study area will be assessed. Cultural heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes (both known and potential). Effects on sacred and spiritual sites identified by Indigenous communities that have been combined with Webequie community consideration of culturally significant features.” A separate entry should be made for burial sites as the Funeral, Burial and Cremation Services Act may apply and the Registrar, Burials of the Ministry of Government and Consumer Services (MGCS) might become involved.	As per the comment received, Section 5.2 has been revised to more clearly differentiate between registered archaeological sites and areas of archaeological potential, and has added a discrete reference to the Funeral, Burial and Cremation Services Act under cultural environment considerations.	Section 5.2 Table 5-2
MHSTCI-4	Table 5-3 Summary Comparative Analysis... Alternative Concepts	The project team might want to consider undertaking a combined Stage 1-2 archaeological assessment for the entire study area during the pre-planning phase, as it may prove more cost-effective. The entry titled “Culturally significant features” should be renamed “Burial sites” and the entry should also reflect the possibility that the Funeral, Burial and Cremation Services Act may apply. A new section entitled “Built heritage resources/ Cultural heritage landscapes” should be created, with the appropriate discussion regarding advantages and disadvantages for each alternative concept. It should be made clear that this section includes sacred and spiritual sites.	The Culturally Significant Features Category has been renamed to Burial Sites. A Built Heritage Resources/Cultural Heritage Landscapes factor has been created in Table 5-3 for the comparative analysis of alternatives.	Section 5.2 Table 5-3
MHSTCI-5	Section 6 Existing Environment Section 6.2.4	1st paragraph – MHSTCI recommends that a sentence be included to indicate that this data will be used to assist with and inform the technical cultural heritage studies. 2nd paragraph - MHSTCI recommends making the last sentence into a separate paragraph, to avoid misinterpretation that an archaeologist will undertake the determination of known and potential built heritage resources and cultural heritage	As per the comment received, the following revisions have been made: • First paragraph has been revised • Second paragraph has been revised based on the comments	Section 7.3

Table G-1: Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
	Cultural Environment	landscapes. This work should be conducted by a qualified person with recent and relevant experience. The new paragraph should read: “A Cultural Heritage Existing Conditions and Preliminary Impact Assessment report will be undertaken to identify any known or potential built heritage resources and cultural heritage landscapes in the study area, identify preliminary potential project-specific impacts and recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes. The report will be undertaken by a qualified person with recent and relevant experience in consultation with the Indigenous communities.” This section should also specify the boundaries of the study area to be assessed for cultural heritage resources. MHSTCI recommends that the definition of study area be consistent with MTO’s practice as per Section 4.1 of the Environmental Guide for Built Heritage and Cultural Heritage Landscape (MTO, 2007), which states: The study area is defined as all lands to be affected adversely either through displacement and/or disruption by the proposed highway design and construction within the existing and proposed highway Right-of-Way (ROW) and the off-route zones adjacent or abutting the existing ROW. In practice, the Study Area has three zones: 1. A ROW study zone comprises lands to be cleared and developed for the proposed highway right-of-way. Built heritage resources are displaced (through loss or removal). Cultural heritage landscapes are displaced (through loss) or disrupted through the introduction of new highway related resources. 2. A 25-metre study zone is located on either side of the ROW and has potential for associated land clearance. The effects for built heritage resources are displacement (loss or removal), or disruption through isolation of built heritage resources retained adjacent to a new highway when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. The effects to cultural heritage landscapes are displacement (loss), or disruption through the isolation of cultural heritage landscapes retained adjacent to a new highway when visually set apart from the former settings and the introduction of physical, visual, audible or atmospheric elements not in keeping with the character or setting. 3. A 25- to 250-metre study zone on either side of the ROW comprising an area where land clearance is unlikely to occur, however, where impacts to built heritage resources and cultural heritage landscapes may be experienced. The effects for built heritage resources and cultural heritage landscapes is disruption through isolation when visually set apart from the former setting and the introduction of physical, visual, audible or atmospheric elements not in keeping the character or setting		
MHSTCI-6	Section 6.5.1 Cultural Heritage Resources	Please remove “for approval”, as MHSTCI does not approve reports; MHSTCI issues letters confirming it has reviewed reports (see comment above for Table 2-2). Also remove “and a stand alone”, since it could be misinterpreted as the initial archaeological assessment not relating to subsequent archaeological assessment reports, should they be required. The first paragraph should read: “A Stage 1 Archaeological Assessment will be conducted in 2019 to identify and confirm areas of archaeological potential. The findings from this assessment will be documented in the EA and all archaeological assessment report(s) will be submitted to the Ministry of Tourism, Culture and Sport as per the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists”.	As per the comment received, the following changes have been made: • The wording “for approval” has been removed; • The wording “stand alone” has been removed; • The 1st paragraph has been revised	Section 6.4.1
MHSTCI-7	Section 7 Potential Environmental Effects Section 7.3 Cultural Environment	Regarding the 4th bullet, please note that not all spiritual or sacred sites are archaeological in nature. This needs to be reflected either as a separate entry or noted clearly within the built heritage resources/cultural heritage landscapes entry. Regarding the 5th bullet, please add “known and potential” in front of “built heritage resources” and remove “/visual”, so that the reference remains consistent to the terminology used throughout the report (i.e., cultural heritage landscapes). Please note that the term ‘cultural heritage landscape’ is defined in the Provincial Policy Statement and the Standards and Guidelines for Conservation of Provincial Heritage Properties. Therefore, the 5th bullet should read: “Effects to known or potential built heritage resources (e.g. old hunting or trapping camps) and/or cultural heritage landscapes.” Any investigation of and for built heritage resources and cultural heritage landscapes is a separate undertaking, to be conducted by a qualified person(s).	As per the comment received the following changes have been made to the document: • The 4th bullet has been revised to remove reference to cultural, spiritual or sacred sites. • The 5th bullet has been revised; Paragraph regarding contents of archaeological assessment report have been revised. For greater clarity, text has been revised to reflect that the assessment of built heritage resources and cultural heritage landscapes will be documented in Cultural Heritage	Section 7.3

Table G-1: Comments Received from the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries
MHSTCI – Heritage Planning Unit (Katherine Kirzati, Heritage Planner), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		Regarding the contents of an archaeological assessment (2nd paragraph), although historical and cultural references provided the context, an archaeological assessment report focuses only on the archaeology component. When investigation the study area for built heritage resources and cultural heritage landscapes, historical and cultural components are typically addressed in the Cultural Heritage Existing Conditions and Preliminary Impact Assessment report. Please clarify why an AMP for this undertaking is being proposed. As a Stage 1 (or a combined Stage1-2) archaeological assessment will be undertaken, it may not be appropriate to develop an Archaeological Management Plan (AMP). MHSTCI can provide additional advice for those paragraphs. Regarding the last paragraph on typical contingency measures, MHSTCI recommends that the following be included: - Notifying MHSTCI if any archaeological resources are impacted by the EA work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists. - If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act. MHSTCI also recommends that a paragraph discussing typical mitigation measures be included prior to the contingency measures section (similar to Table 7-1); MHSTCI can provide additional advice on this.	Assessment Report, including the identification of potential impacts and measures to avoid or mitigate potential negative impacts. Reference to the need for an AMP has been removed. Suggested typical contingency measures have been added.	
MHSTCI-8	Section 8 Approach to Assessment and Evaluation of Effects Table 8-1 Select Preliminary Criteria and Indicators for Evaluation	Please note that the terms 'built heritage resources' and 'cultural heritage landscapes' are defined in the Provincial Policy Statement and the Standards and Guidelines for Conservation of Provincial Heritage Properties. Both terms acknowledge that those resources may or may not be associated with Indigenous communities. The entry should read: "Number and type of known or potential built heritage resources and/or cultural heritage landscapes." A new entry should be made with respect to burial sites in relation to the Funeral, Burial and Cremation Services Act.	As per the comment received, Table 8-1 has been revised for greater clarity and includes a new entry with respect to burial sites.	Section 8.3.1 Table 8-1
MHSTCI-9	Appendix B List or Preliminary Evaluation Criteria and Indicators	For archaeological resources, the entry for the Indicators column should be: "artifacts, archaeological sites and marine archaeological sites, as defined in the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act." Include a separate entry for burial sites and the application of the Funeral, Burial and Cremation Services Act (as per comments above). For Built Heritage Resources and Cultural Heritage Landscapes, the Indicators column should read: "Number and type of known and potential built heritage resources and/or cultural heritage landscapes; as identified by a community, including an Indigenous community."	As per the comment received, the text in Appendix B related to cultural heritage resources has been revised.	Appendix B

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-1	Section 1.4.1 Purpose & Description of the Undertaking (Page 6)	The goals and objectives do not reflect the use of the road (or a portion thereof) for purposes beyond a supply road. To suggest the Webequie supply road will be limited to servicing the mining area is misleading. Several studies and even the Noront Eagle's Nest Mine proposal had the east-west leg of the Webequie Supply Road coincident as a transportation corridor. Updating the project description by including reasonably foreseeable uses will inform related EA analysis such as identifying potential effects and road design considerations including safety/travel demand concerns. Further rationale is MNRF interests in minimizing the number of linear corridors that are developed in the region by acknowledging the multiple purposes beyond a supply road. This in turn may yield benefits such as: minimizing potential negative effects associated with individual linear developments and the cumulative effects that may result from multiple corridors; promoting the efficient use of / maximum benefit from the use of land and resources; supporting the interests of First Nation communities in road and other infrastructure development opportunities in the region, and sustainably using public funds and resources in the development and ongoing maintenance of major infrastructure in the region.	Proposed Action/Solution: The recommended action is to revise the purpose and description of the undertaking to acknowledge other reasonably foreseeable uses, and to accordingly, update related information / sections in the TOR. For example, information requiring updating would be the preliminary design criteria for the Webequie Supply Road that applies a relatively low Annual Average Daily Traffic (AADT) volume of less than 500 vehicles which likely does not account for estimated haul truck traffic from mines – particularly for the east-west segment of the proposed supply road. Gaining this understanding would subsequently inform other aspects of the EA.	The Webequie Supply Road, as currently envisaged by Webequie First Nation, will be limited to servicing mining interests in the McFaulds Lake area. The references to the Noront transportation corridor in the area are for historic context only. The revised ToR clarifies the status of the Noront proposals and related EA work (no status; paused at the provincial level and terminated at the federal level; and not expected to include an all-season road link to the provincial highway network if and when reinitiated). In Table 5-1, the Draft ToR also makes it clear that it was WFN that assumed the responsibility for identifying a preferred alignment through their traditional territory for Noront. Further, in identifying the road corridor options being carried forward to the EA phase (Section 5.5), the revised ToR states that although Segment 3 (the east-west section across the James Bay Lowlands area) is coincident with the routing previously developed by Noront in consultation with WFN to serve the Eagle's Nest mine, this Webequie Supply Road segment should be considered as a separate project from the Noront road. WFN's objectives and vision are aligned with MNRF interests in minimizing the number of linear corridors that are developed in the region by acknowledging the possible multiple purposes beyond a supply road. The other "reasonable foreseeable uses" are identified on Page 7 of the Draft ToR ("Although WFN is seeking approval for the development of a supply road, the basic corridor (35 m right-of-way width) that will be subject to environmental assessment will be wide enough to accommodate future communications (e.g., broadband fibre optic line) and low voltage power distribution lines, if and when connection is established to the provincial highway and electricity grid system."). Envisaged "other" uses do not include being a link in a direct connection from the mine developments in the McFaulds Lake area to the provincial highway network, or an industrial road for hauling mineral ores or mine products. Thus, the projected traffic volumes to not warrant revision.	Section 1.4.1
MNRF-2	Section 1.4.2 Rationale for the Undertaking Figure 4.1 (Pages 7, 22, 23)	The ToR identifies both a 35m corridor for the road right-of-way (p. 7) and a 2km wide proposed preliminary corridor (p. 22). The Project Team could consider having the ToR more clearly identify that the 35m right of way will be developed within the 2km wide corridor. Clear identification of the 2km wide corridor in the document and maps will ensure clarity, allow for flexibility and help avoid the need for EA amendments due to potential deviations in the 35m right of way that could be encountered in the construction phase. Should be addressed at ToR phase.	Proposed Action/Solution: Suggest revising the document and maps to show a 2km wide corridor in which the 35m right-of-way will be developed.	The revised ToR provides requested clarification in Section 5.1.2.3 (Alternative Methods of Carrying Out the Undertaking) – "Each of the corridors under consideration is approximately 2 km in width, within which the supply road (35 m right-of-way), as depicted by the respective coloured lines, is located along the centreline of the corridor." The revised ToR adds clarification (text) with respect to the basic definition of the areas for which baseline information will be collected and the environmental assessment conducted (including general dimensioning of the Project Footprint, the Local Study Area, and the Regional Study Area). It also describes the challenges with attempting to graphically depict study area bands around the centerlines due the variability of study areas for different Valued Components.	Section 5.1.2.3
MNRF-3	Section 2.1.5 Other Relevant Provincial	Any Far North Act authorization cannot be issued until all EA components are met and approved.	Proposed Action/Solution:	The Project Team confirmed that this comment is referencing the approval of an exception under Section 12(2) of the <i>Far North Act</i> , and the timing relative to the approval of the EA and subsequent permitting and approvals.	Section 2.1.5

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Legislation and Permits (Page 15)		Suggest the inclusion of the order of events/authorizations, such as EA, then authorization under Far North Act, then permitting and approvals.	MNRF also confirmed that approval of a CBLUP or acceptance of a Draft CBLUP, as well as the issuance of a Minister's Order designating a planning area, can happen at any time. However, the issuance and approval of a Minister's Order permitting development under the Act (for sections 12(2), 12(5b), 12(5f), or 12(6)) or a Lieutenant Governor in Council order under section 12(4), cannot occur until after the EA is approved, and must occur before the issuance of other permits and approvals (such as work permits under the <i>Public Lands Act</i>). The Project Team understands that, as a general approach, no permits under any legislation will be sought or provided until EA approval is secured, and agrees that it would be preferable to have the CBLUP in at least draft form prior to the approval of the EA so that there is no delay in proceeding with an Order permitting development under the <i>Far North Act</i>. The bullet for this item has been revised to clarify the order of events/authorizations under the <i>Far North Act</i> and include a note regarding the current proposal to amend or repeal various provisions of the Act, which is under consideration by the Ontario Government.	
MNRF-4	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	"Land Use Permits • Necessary for temporary access roads, temporary laydown areas, work camps, and/or spoil areas" Occupational authority is not necessarily needed for an access road. It is very unlikely that this type of tenure authorization would be used for this project as Land Use Permit should suffice.	Proposed Action/Solution: Revise table by removing Licence of Occupation from the list.	As per the comment received, the table has been revised.	Section 2.1.5, Table 2-2
MNRF-5	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	Majority of works would be authorized under a work permit (Public Lands Act). This is not identified.	Proposed Action/Solution: Revise.	As per the comment received, the table has been revised to the following: The majority of the Project components would require a Work Permit under the Act	Section 2.1.5, Table 2-2
MNRF-6	Section 2.1.5 Other Relevant Provincial Legislation and Permits (Page 16)	Under Far North Act, a proposal to repeal the act was made. This was only a proposal and it cannot be said that is currently occurring. This impacts the need for the project to acquire authorization under the Act.	Proposed Action/Solution: There is currently a proposal to repeal the Far North Act, which is under consideration by the Ontario Government".	As per the comment received, the table has been revised to include the following note: "There is currently a proposal to repeal the Far North Act, which is under consideration by the Ontario Government".	Section 2.1.5, Table 2-2
MNRF-7	Section 2.1.4 Other Relevant Provincial Legislation and Permits (Page 15)	As migratory birds are mentioned on page 123 as an evaluation criterion, Migratory Birds Convention Act should be included and listed under the jurisdiction of Environment and Climate Change Canada (ECCC).	Proposed Action/Solution: Please confirm with ECCC for the additional listing in the table of the Migratory Birds Convention Act.	Table 2-1 in Section 2.1.4 addresses those potential applicable permitting requirements for the Project. We acknowledge that migratory birds fall under the jurisdiction of ECCC and the MBCA. However, the types of permits issued under the Act, such as those for causing known damage or danger to species of migratory birds (e.g., intentionally scare or kill; or relocate birds), are not envisioned for the Project. As such, we have excluded permits under the MBCA as being required for the Project, which is consistent with the guidance (Permitting Plan) received from the Impact Assessment Agency of Canada for the Project.	Section 2.1.4

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNR – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-8	Section 3.2 Indication of How the EA is to be Prepared (Page 20)	Where conflicts between IK information and western science information arise, who will determine what is the best information and/or how to apply it to the EA (ex, impact assessment, mitigation options, impacts on caribou)?	Proposed Action/Solution: Suggest there be a dispute resolution process developed to help. All information should be used and reported on in the EA.	Prior to dispute resolution, the WSR Project Team will consider all information (Indigenous Knowledge and Western science) and will ensure that environmental effects are addressed. The dispute resolution process will be avoided to the greatest extent possible through engagement and iterative assessment.	
MNRF-9	Section 3.2 Indication of How the EA is to be Prepared (Page 21)	In consideration of potential authorization options under the Far North Act, the list of investigations and assessments may want to include additional items to facilitate and expediate Far North Act authorization after the completion of the EA. These may be items that aren't specifically required in the EA but would be needed for certain FNA authorizations.	Proposed Action/Solution: Include reference to SAR, more around biodiversity, candidate ANSI's (natural heritage areas); habitat fragmentation, carbon sequestration; social and economic interest of Ontario.	Noted. Species at Risk has been added as a discrete element to the list of detailed technical investigations and assessments that will be undertaken and documented in the EAR/IS. Candidate ANSI's (natural heritage areas); habitat fragmentation, carbon sequestration; social and economic interest of Ontario are included in other existing or added elements in the cited list (Vegetation and Wetlands, Wildlife, Climate Change, Socio-Economic Environment).	Section 3.2
MNRF-10	Section 4 Description of the Undertaking (Page 23 Map)	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications on GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	Proposed Action/Solution: At minimum, the review of literature on road construction effects on carbon be undertaken for this potential EA. Data exist in the study region that the client should review and evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. The client is encouraged to apply the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. It is further recommended the project should test the IPCC calculations against data collected along the length of road network.	The Project Team is committed to including a carbon and GHG evaluation as part of the EA. An additional subsection (7.1.9 Climate Change) has been added to the ToR section addressing potential environmental effects. This will include assessment methods and calculations based on the <i>International Panel on Climate Change Guidelines for National Greenhouse Gas Inventories</i> .	Sections 4 and 7.1.9
MNRF-11	Section 4.1.1 Preliminary Design and Criteria (Page 24)	"The road will be gravel surfaced, including shoulders, with material from aggregate source areas that have suitable sand and gravel deposits (e.g., eskers)."	Proposed Action/Solution: Consideration toward Natural Heritage Features such as eskers when determining aggregate sources and preferred route for road location. As guidance, please review: - Provincial Policy Statement - Natural Heritage Reference Manual	Noted. Consideration will be given to Natural Heritage Features when determining aggregate sources and the preferred route.	Section 4.1.1
MNRF-12	Section 4.2 Components and Activities of the Project (Page 26)	Development of aggregate extraction and production/processing areas as a component of the project.	Proposed Action/Solution: Options for sourcing aggregates, including the development of new aggregate sites needs to be part of the EA; otherwise, additional EA requirements may apply prior to MNRF issuing permits for new sites. The potential impacts and proposed mitigations of various alternatives for sourcing aggregates should be addressed in the EA. This is a critical point for this EA for reasons stated elsewhere in the comments. The EA should emphasize that any development of aggregate extraction areas can only begin after sites have approved Aggregate Permits in place. It should be noted that the processing of these permit applications can take 6 months or longer.	As per the comment received, the text in Section 4.2 has been revised to include the following: Once an Aggregate Permit has been secured (which can take 6 months or more), the development of aggregate extraction and production (crushing/processing) areas including the transport and delivery of materials from source areas to the road ROW may proceed. The need for the EA to include consideration of aggregate production and processing areas has been recognized in the discussion of alternative aggregate sources (Section 5.5.2) and alternative methods carried forward for environmental assessment (Section 5.5).	Section 5.5
MNRF-13	Section 5.1.2.3	CBLUP is a joint process between Webequie and Ontario. The planning area has not been designated.	Proposed Action/Solution:	As per the comment received, the document has been revised.	Section 5.1.2.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Community Based Land Use Plan (Page 47)		Please include reference to the joint community-based land use planning process. Add the word “potential” before “designation of a Webequie Planning Area”. Reword “leading” on last line to: “undertaking a joint...”		
MNRF-14	Section 5.1.2.3 Community Based Land Use Plan (Page 47-48)	Good to see the Webequie CBLUP identified in the document. However, it is unclear how some of the information regarding the CBLUP is relevant to alternative scoping. The CBLUP exercise is significant because it provided Webequie a way of considering alternatives by way of existing information and interests regarding linear corridors. Should be addressed at ToR phase.	Proposed Action/Solution: Consider revising the information provided on the CBLUP to more specifically focus in on how the planning exercise involved review and consideration of known linear infrastructure corridor proposals, concepts and interests which are relevant to the WSR alternative routing exercise.	Draft CBLUP information on land use designations is important in understanding the relationship between the WFN community and surrounding lands. This information has been retained, but some of it has been relocated to Section 6.3.6 Land and Resource Use.	Sections 5.1.2.3 and 6.3.6
MNRF-15	Section 5.1.2.3 Community Based Land Use Plan (Page 48)	This section does not identify that Marten Falls is also planning for this area and is included in their Terms of Reference for the Marten Falls CBLUP area of interest.	Proposed Action/Solution: Acknowledge the overlapping areas of interest between Webequie and Marten Falls. Ongoing discussions will be needed to finalize both CBLUP direction.	These comments have been addressed in Section 5.1.2.3 and Section 6.3.6, including recognition that further discussions between Webequie and Marten Falls will be required prior to either CBLUP being finalized.	Sections 5.1.2.3 and 6.3.6
MNRF-16	Section 5.1.2.3 Design Considerations and Criteria (Page 49-50)	The summary on pg. 49-50 highlights the all-season road is technically feasible and uses proven technology that is also economically feasible. MNRF does not possess expertise in (or experience with) current technologies for road construction through peatlands, nor of the nature, severity or extent of potential impacts of all-weather roads to peatlands and peatland function in this part of Ontario. This uncertainty about feasibility, potential effects and how they may be managed may pose a challenge to MNRF in making authorization decisions related to the proposed road.	Proposed Action/Solution: Providing information on appropriate roadbuilding techniques, and a detailed accounting of potential effects and associated mitigations is suggested. Peatlands/wetlands in the Far North are important on local through to global scales. The proposal notes the length of road corridor that will cross through peatlands for each of the alternatives considered. However, it does not describe the potential impacts of an all-weather road on peatland/wetland functions nor how these may be minimized. This should include, for example, identification of concentrated areas of peat that function as carbon sinks; measures that can be taken to sustain normal hydrological flow and related ecosystem services such as flood protection; impacts to biological functions of wetlands in providing wildlife habitat; working with watershed and sub-watershed boundaries to inform routing; and consideration of the potential impacts of the road and existing activities in the region to peatlands/wetlands.	Road design features and techniques to mitigate potential effects to peatlands will be examined as part of the EA for the Project, including the evaluation of the alternatives methods of carrying out the project.	Section 5.1.2.3
MNRF-17	Section 5.1.2.3 Design Considerations and Criteria (Page 51)	The acronym PAI is taken to mean ‘Planning Area of Interest’. The Webequie PAI is not finalized and includes an area of overlap with the Marten Falls PAI. Further dialogue is required to determine which First Nation will lead planning for this area. PAIs/Planning Areas do not in and of themselves define the kind of role Webequie will have in the management of the road. It should be identified there is overlap with Marten Fall’s PAI, not just with territories, as with Neskantaga. Should be addressed at ToR phase.	Proposed Action/Solution: Suggest revising to include a more general reference to the fact that Webequie has been engaged in a CBLUP exercise for the area including the road and has considered how roads and other developments in this area can proceed in an environmentally responsible manner, considering a range of community and provincial values brought forward through the planning process.	The ToR text has been revised to recognize the overlaps in both traditional territories and planning areas of interest.	Section 5.1.2.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-18	Section 5.1.2.3 Supply Road Alternative Concepts (Page 52-53)	All land use designations (e.g., General Use Area, Enhanced Management Area) identified in the Draft CBLUP are 'Draft' and subject to further revision. Should be addressed at ToR phase.	Proposed Action/Solution: The document should include this as a qualifying statement where appropriate.	Although use of the term "draft" accompanying all references to the WFN CBLUP is deemed to convey the message that the current land use designations are subject to revision, the suggested qualifying statement has been added in the description of the CBLUP process and content.	Section 5.1.2.3
MNRF-19	Section 5.1.2.3 Supply Road Alternative Concepts (Pages 52-54)	Though the current draft of the CBLUP does state that planning direction for the shared area will not be provided at the draft plan stage, given current timelines for completion of both the Webequie CBLUP and the Marten Falls CBLUP, this issue will need to be determined sooner rather than later.	Proposed Action/Solution: Suggest rewording to "Determination of how to proceed with zoning in this area will need to occur". Please reword wherever this is found in the document.	The suggested language has been added to the CBLUP discussion where there is reference to overlapping Planning Areas of Interest.	Section 5.1.2.3
MNRF-20	Section 5.1.2.3 Supply Road Alternative Concepts (Pages 53-54)	References to Neskantaga and Marten Falls shared and traditional areas as well as the Three Nation process may represent the perspective of Webequie and Ontario in CBLUP but not necessarily that of Neskantaga, Marten Falls or other additional First Nations who are not identified here as having shared/traditional use in the area. The information does not appear to be relevant to alternatives. Shared area and planning understandings are the subject of ongoing dialogue between Webequie and other communities and are potentially sensitive in nature. Should be addressed at ToR phase.	Proposed Action/Solution: Suggest removing the information after this sentence: "The current Draft Webequie First Nation CBLUP (March 2019) recognizes that there is shared territory with other First Nations within the lands that Webequie has identified as its proposed planning area, including areas shared with Neskantaga and Marten Falls that would be occupied by the Webequie Supply Road corridor."	The subject information is a statement of fact and deemed to be pertinent to recognition and consideration of known asserted treaty rights, which has a bearing on the development of, and consultation on, alternative supply road corridors, as well as the identification of potential impacts to Indigenous peoples (i.e., which First Nations may be most directly affected by the Project). There are other sections of the ToR that identify asserted rights by additional First Nations, including Attawapiskat First Nation, Weenusk (Peawanuck) First Nation and Kasabonika Lake First Nation (refer to Section 7.2.1 Effects on Traditional/Indigenous Land Use). Therefore, the information has been retained as originally drafted. The statements have been relocated to Section 6.3.6 Land and Resource Use.	Sections 5.1.2.3, 6.3.6, 7.2.1
MNRF-21	Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment (Pages 56, 76)	In consideration of potential authorization options under the Far North Act, the identification of alternatives and the selection of the preferred route will need to clearly identify where adjustments to routing have been made in response to consultation/ecological/cultural values. This may not be specifically required in the EA but would be needed for certain FNA authorizations.		Noted for future identification of required authorizations. No action required for ToR at this time.	
MNRF-22	Alternative Maps (Pages 56, 73, 75)		Proposed Action/Solution: Please provide clarity in the text regarding which alternatives will be included for assessment. Varying maps shown on page 56 and 73 - 75.	The graphic on Draft ToR Page 56 (now Figure 5.3) shows the alternative supply road corridors that were initially subjected to a screening, as described in Section 5.2 of the ToR. The graphic on Draft ToR Page 70 (now Figure 5.4) shows the preliminary corridor preferred by the Webequie community. The graphic on Draft ToR Page 73 (now Figure 5.5) shows the alternatives subject to a geotechnical (soil and terrain) assessment, with the preferred option from a geotechnical perspective presented in relation to the preliminary community preferred corridor in the graphic on Draft ToR Page 75 (now Figure 5.6). Both of these supply road alternatives being carried forward for environmental assessment. These same alternatives are presented in a segmented fashion (which will facilitate the comparative assessment and the ability to combine segments from the two different options) in the graphic on Draft ToR Page 77 (now Figure 5.8). The text has been revised in Section 5.6 to provide clarity on the road alternatives carried forward. In addition, text has been added to address other alternative methods (options for other project infrastructure) to be included in the environmental assessment.	Sections 5.2 and 5.6

Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MNRF-23	Section 5.2 Initial Screening of Webequie Supply Road Corridor Alternative Concepts (Page 57)	An assessment of the Ozhiski Woodland Caribou Range should be provided as alternative options may impact overlapping areas of the 2 adjacent Ozhiski and Missisa caribou ranges. MNRF worked with the client during development of winter caribou aerial surveys prior to MECP involvement under the ESA. It is recommended that rationale provided by MNRF to the client (prior to April 1, 2019), to include survey efforts west of Webequie in the Ozhiski Range be carried forward and discussed in the ToR for inclusion in the EA.	Proposed Action/Solution: Please discuss with MECP, as an update to Table 5-2 is warranted to reflect impacts to multiple caribou ranges.	MECP has been consulted and Table 5-2 has been updated to include select other recommended criteria and indicators for Caribou, including citing ranges for Caribou in the comparison of the corridor alternatives.	Section 5.2, Table 5-2
MNRF-24	Section 5.2 Initial Screening of Webequie Supply Road Corridor Alternative Concepts (Page 57)	When describing considerations for screening alternative concepts. There's mention of "assessment of advantages and disadvantages against the following factors" and "developing evaluation criteria against which alternative road corridor concepts were screened during the Terms of Reference phase". It is uncertain in the Terms of Reference how the factors outlined in Table 5-2 were determined (i.e. guidance and definitions) and the indicators used to evaluate advantages/disadvantages of these criteria to determine screening of alternatives.	Proposed Action/Solution: Please clarify or further define understanding of criterion and what types of values are considered within "Natural or Built Features". The ToR needs to clearly identify the criteria and associated indicators that will be used to evaluate effects and alternatives in the EA. MNRF suggests the ToR for the proposed undertaking reflect the Natural Heritage Reference Manual, 2014 with consideration toward Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features. These values should be considered/assessed throughout the Environmental Assessment process.	Section 5.2, Table 5-2 have been revised to provide clarity on the understanding of criterion related to natural or built features within the context of cultural heritage resources. Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features and other values will be considered and assessed as part of the EA.	Section 5.2, Table 5-2
MNRF-25	Section 5.4.1 and 5.4.1.1 Figure 6.1 Initial Geotechnical Assessment – Terrain Mapping (Pages 71, 72, 79)	Map shows "Potential Aggregate Sources"; however, many of these do not correspond to the MTO "First Right of Refusal" (FRR) sites which were approved for this section on March 25/19. Further to this, many of the approved sites are not shown on this map. Several of the potential sites identified on this map fall in shoreline reserves, over-top waterbodies or in areas with no access to the proposed road routes. These issues need to be corrected at the earliest stage possible.	Proposed Action/Solution: Approved MTO FRR aggregate sites must be shown on this map in the EA.	Noted. MTO FRR aggregate sites will be shown on future map/figures as part of the EA.	Section 5.4.1
MNRF-26	Section 6.2.1 Biological Environment (Page 81)	The list of items to be assessed in this section does not align with the list on page 21.	Proposed Action/Solution: Please match the assessment techniques for the items on page 21, include all items in this section. Please include the impacts, both positive and negative, in the assessment, as well as at the various spatial scales.	Section 6 has been revised. A new Section 6.5 entitled "Data Collection Methods and Baseline Studies" has been added to state that the scope and intensity of the field studies and that associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Preliminary potential effects of the Project on the natural environment are discussed in Section 7 of the ToR.	Sections 6.2 and 6.5
MNRF-27	Published Sources of Information (Page 85)	Additional resources from: Catalogue of natural resource scientific and technical publications. Search a list of the scientific and technical publications issued since	Proposed Action/Solution: Some selected publications that may be of interest: Wester, M.C. et al. 2018. The Ecosystems of Ontario, Part 2: Ecodistricts. Ontario Ministry of Natural Resources and Forestry, Science and	Noted. The reference documents listed have been reviewed and added to the list of sources in Section 6.5.1.	Section 6.5.1

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		2004 see Catalogue-natural-resource-scientific-and-technical publications • To request a publication issued by the Ministry of Natural Resources and Forestry, or if you have a question related to MNRF scientific and technical publications, please contact us by email with the title of the publication. For journal articles, please contact the journal publisher directly. • For MNRF climate change publications see MNRF Climate Change Publications • Information about Ontario's species of conservation concern, plant communities, wildlife concentration areas and natural areas see https://www.ontario.ca/page/get-natural-heritageinformation • Decision support tools are also available: OFAT (Ontario Flow Assessment Tool) is used by water professionals in the public and private sectors and academia to better understand water flow in Ontario. It is also used by the general public for educational or general interest purposes. https://www.ontario.ca/page/watershed-flowassessment-tool	Research Branch, Peterborough, ON. Science and Research Technical Report TR-26. 474 p. + appendices Cataloguenatural-resource-scientific-andtechnical-publications - Ontario Ministry of Natural Resources and Forestry. 2019. Far North Information Knowledge Management Plan Progress Report 2008-2018. Ontario Ministry of Natural Resources and Forestry, Far North Branch, Peterborough, ON. 80p. contact: farnorthfeedback@ontario.ca - Riley, J. 2011. Wetlands of the Hudson Bay Lowland: An Ontario Overview. Nature Conservancy of Canada, Toronto ON 156 pp. ISBN 978-1-897386-27-9 link - Marshall, T.R. and Jones, N.E. 2011. Aquatic ecosystems of the Far North of Ontario state of knowledge. Ontario Ministry of Natural Resources.43 p.+ appends. ISBN 978-1-4435-6512-7 Catalogue-natural-resourcescientific-and-technical-publications - Metcalfe, R.A. et al., 2013. Aquatic Ecosystem Assessments for Rivers. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp.link		
MNRF-28	Section 6.2.5 Table 6-1, Published sources of information (Page 86-87)	Missing source information: MNRF Natural Heritage Reference Manual (NHRM), 2014.	Proposed Action/Solution: Please add MNRF Natural Heritage Reference Manual (2014) to the list of published sources of information for existing conditions in Table 6-1. The Natural Heritage Reference Manual can be referenced in conjunction with the Significant Wildlife Habitat Technical Guide (SWHTG) 2000, which are not mandatory for the EA, but provide clear guidance. The NHRM outlines evaluation processes of habitat and other natural heritage features. The SWHTG offers guidance to evaluate and identify the significance of wildlife habitat.	The MNRF Natural Heritage Reference Manual (2014) has been added to the list of published sources of information for existing conditions in Section 6.5.1.	Section 6.5.1
MNRF-29	Section 6.3.3 Terrestrial Wildlife Habitat (Page 93)	A reference is included in the Waterfowl Stopover and Staging section (MNRF 2017b), which is an incorrect reference.	Proposed Action/Solution: Please update the reference list to include MNRF 2017a and MNRF 2017b with the correct information.	The reference list has been updated accordingly.	Section 6.2.3
MNRF-30	Section 6.4.1 Regional Planning Initiatives (Pages 105-106)	Further details around the authorization under the Far North Act is required.	Proposed Action/Solution: Please add additional description around 12(2) order, including that it involves concurrent planning and development, and the additional conditions that will need to be met prior to the issuance of the Order.	Additional provisions from the FNA have been added to clarify the conditions under which an exception may be granted.	Section 6.3.1
MNRF-31	Section 6.4.1 Regional Planning Initiatives (Page 1.6)	The section on authorization under the Far North Act suggests that a 12(4) order is related to a 12(2) order.	Proposed Action/Solution: Suggest rewording to "Alternately, Section 12(4) of the Act allows an activity to be granted an exception if the Lieutenant Governor....".	The suggested revision regarding Section 12(4) has been made. The footnote has been removed and the Project Team will monitor the status of the proposal to repeal the FNA.	Section 6.3.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			Also, after stating that the application for a 12(2) was accepted, please note that additional conditions will need to be met to receive this exception. Remove footnote #3 re: Far North Act proposal. As this is only a proposal and a commitment to proceed has not occurred, this is speculation at this point and may serve to suggest that further authorization is not required. If the Act is not repealed, supporting information may be needed to support an authorization under the Act. It is recommended that this information is collected early in the process, rather than hold up issuance of approvals and permitting after the completion of the EA.		
MNRF-32	Section 6.4.1 Regional Planning Initiatives (Page 106)	Requirements under the Far North Act should be clarified because it could be perceived that simply providing an application under section 12.2 is sufficient. There are other requirements in the subsection that would also have to be met before the Minister could consider making an order.	Proposed Action/Solution: The proposed solution (shown in bold) is suggested to the Far North Act description on pg 106: "...However, s. 12(2) of the Act includes provisions for exemption from this stipulation through the issuance of an exception order by the Minister of Natural Resources and Forestry.... The application was accepted by the Minister on March 2, 2018. In addition to this application, other requirements under section 12.2 must be met before the Minister could consider making an Order.	The suggested wording has been added to the discussion of FNA Section 12(2).	Section 6.3.1
MNRF-33	Section 6.4.3 Population, Demographics, and Community Profile (Page 108)	Will the First Nation communities identified have an opportunity to inform or prepare the community profiles? Could be addressed at EA phase.	Proposed Action/Solution: Consider offering this opportunity through the EA consultation process.	Through consultation activities during the EA phase, Indigenous communities will have the opportunity to inform or provide input to the community profiles. If information is not provided by Indigenous communities, community profiles will be developed through desktop research using information sources such as Statistics Canada, First Nation websites, etc.	
MNRF-34	Section 6.4.6 Land and Resource Use (Page 109)	Section identifies mining tenure but does not identify MNRF values in the area.	Proposed Action/Solution: Look into existing values.	MNRF values in the area will be identified and examined in the EA in consultation with the MNRF.	Section 6.3.6
MNRF-35	Section 6.4.6 Land and Resource Use (Page 109)		Proposed Action/Solution: Add the word "joint" before "Community Based Land Use Plan". Italicize "Far North Act"	The document has been revised.	Section 6.3.6
MNRF-36	Section 8.1 Identification and Evaluation of Alternatives (Page 122)	"Therefore, it is proposed that, in addition to the initial alternatives and with the benefit of additional engagement and consultation, the EA will further identify and evaluate routing alignment alternatives within the preferred corridor, including alternatives that optimize constructability and cost, as well as other alternative infrastructure designs (e.g., culverts or bridges at waterbody crossings) and siting with respect to temporary or permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites."	Proposed Action/Solution: MNRF supports the completion of alternatives analysis for ancillary infrastructure components and/or activities involved in the Project. This approach will ensure good project planning and that all activities that are part of the Project are evaluated and consulted on through the EA and will not require completion of further EA alternatives processes / requirements at the time of MNRF permitting {Note: Project components that are not evaluated as part of the EA but require dispositions of Crown land / resources may be subject to additional EA requirements}. Providing this information in the EA process will also help to enable flexibility in project	Noted. Appropriate related language has been added to relevant sections of the ToR (Sections 5.6 and 8.2) to indicate that the environmental assessment will include temporary and permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites.	Sections 5.6 and 8.2



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNRF – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			implementation (e.g., method, location, style, implementation) if/as required.		
MNRF-37	Table 8.1 Evaluation Criteria and Indicators (Pages 123-125)	The importance of water – whether it be for source water protection or hydrological function is highlighted in the draft TOR; however, preliminary criteria and indicators do not address water quality, quantity and related hydrological processes at the watershed or subwatershed (catchment) levels.	Proposed Action/Solution: The Study Area has many different types of waterbodies, including streams, rivers, lakes, ponds and wetlands). There is also a vast network of smaller connected headwater streams, ponds and lakes. Explicitly identifying criterion and indicators to address the importance of hydrological related features and functions is recommended – especially in light of project effects summarized in Table 7.1 pg 113-116. Available references may be of assistance such as: Metcalfe, R.A. et al., 2013. Aquatic Ecosystem Assessments for Rivers. Science and Research Branch, Ministry of Natural Resources, Peterborough, Ontario. 210 pp. link. In addition, expert knowledge from a hydrogeologist and MNRF researchers (e.g., Jim McLaughlin) advancing hydrology – peatland studies in the Far North is encouraged. While no specifics are provided in this submission, MNRF welcomes a discussion with MECP and ENDM to explore what (if any) role this project could play in advancing baseline information and long-term environmental monitoring for the Ring of Fire in partnership with First Nations communities.	Noted. The preliminary list of criteria and indicators for the EA to address the importance of hydrological related features and functions is presented in Appendix B of the ToR.	Appendix B
MNRF-38	Table 8.1 Evaluation Criteria and Indicators (Pages 123-125)	The client acknowledges the importance of identifying and securing the aggregate materials that will be required for road construction and maintenance. MNRF shares the view that the availability of suitable and sufficient amounts of aggregate for the project will be a major consideration in route selection and overall feasibility. Transparency for aggregate sources are required at the TOR stage, because of the wetland dominated landscape with limited sources. The associated potential effects in obtaining sufficient volume to construct and maintain the proposed road should be identified because sources will likely need to be accessed outside the defined local study area resulting in additional roads.	Proposed Action/Solution: Detailed information about the type and volume of aggregate needed to implement the project and that exists in the project area (i.e. specific sources) will need to be presented, along with an assessment of environmental impacts of new aggregate extraction operations that are proposed and how these will be mitigated. The assessment approach to evaluating potential effects for aggregates is weak (Table 8.1 pgs. 123-125) because it is based solely on number of hectares extracted. Attention should be given to developing criterion and indicators under the Natural Environment (as well as under the heading socio-economic) that reflect the potential ecological and hydrologic effects associated with construction and maintenance of the proposed road. In addition, indicators based on area for other criterion listed in Table 8.1 are considered inadequate in effects monitoring because ecological composition, structure and function are not accounted for, and thus, provide limited insights in mitigating and addressing cumulative effects for range of stressors. The proponent is encouraged to develop indicators that are sensitive to ecological changes at the project, local and regional levels.	The assessment approach to evaluating potential effects of aggregate extraction and processing areas, including developing criterion and indicators to reflect the potential ecological and hydrologic effects, will be examined further in the EA.	Section 8
MNRF-39	Section 10.1.1.3	Text does not identify what specifically is being consulted on. Including permitting/approvals items could streamline	Proposed Action/Solution:	Section 10.1.1.3 describes the requirements of applicable legislation, policies and guidelines for the consultation process. Details are provided in	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G-2: Comments Received from the Ontario Ministry of Natural Resources and Forestry
MNR – Nipigon District – Geraldton Field Office (Dave Barker, Resources Management Supervisor), October 16, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Requirements of Applicable Legislation, Policies and Guidelines (Page 131)	the process and reduce the need for duplication at the completion of the EA.	Please include details around what is being discussed in consultation. Is it routing? The EA? Does it include the permitting/approvals phase of the project?	Section 10.3 regarding the consultation activities and input received during the Terms of Reference Phase. Section 10.4 provides details as to consultation activities throughout the Environmental Assessment Phase and what will be consulted on.	
MNRF-40	Section 10.3.1 Activities and Key Comments and Concerns Expressed by Community Members to Date (Page 143-144)	The last two sentences in the table identifying Webequie comments/concerns would seem to be valid responses and/or mitigative measures to address the stated community concerns. Can be addressed at ToR phase.	Proposed Action/Solution: Revise 'Responses Provided' to indicate that impacts have been mitigated through definition and refinement with the direct involvement of Webequie people.	As per the comment received, the text has been revised.	Section 10.3.1
MNRF-41	Section 10.4.2.1 Government Review Team (Page 152)	A data share agreement has been provided between the Webequie project team and the Crown.	Proposed Action/Solution: Please describe how Crown provided data and data collected for the project will be used and shared amongst organizations.	As per the comment received, the text has been revised.	Section 10.4.2.1
MNRF-42	Section 10.5 Record of Consultation (Page 158)	It would be helpful if the consultation record database included a column to indicate whether the concern has been addressed and any follow-up action concluded. Should be addressed at EA phase.	Proposed Action/Solution: Consider revising the last bullet: "Identification of issues raised or discussed, any follow-up action or undertaking and status of the issue (e.g., outstanding, addressed/concluded)"	As per the comment received, the text has been revised.	Section 10.5
MNRF-43	Section 12 Other Permits and Approvals (Page 161)	To the extent possible, the proponent and agencies should be identifying and discussing permits and approvals throughout the EA process and maintaining a record of consultation with Indigenous communities in respect of permits and approvals so that some level of consultation has been carried out on specific permitting requirements by Notice of Completion. This may help the agencies when consulting and/or considering consultation obligations for subsequent permitting and approvals process and could potentially expedite the timeframe between EA completion and issuance of permits and approvals. Should be addressed at ToR phase.	Proposed Action/Solution: Suggested addition: "WFN and the agencies will make efforts to discuss applicable permits/approvals with potentially affected Indigenous communities through the EA. Depending on the status of consultation efforts through the EA process, additional consultation on permits and approvals may be required following the completion of the EA."	As per the comment received, the text has been revised.	Section 12
MNRF-44	Appendix B (Page 7)	Socio-Economic Environment for both "Mineral & Aggregate Resources" and "Recreational Activities" list possible potential effects (e.g., Potential for increased access for non-Indigenous recreation).	Proposed Action/Solution: In the EA, will there be consideration of the potential aggregate sites to be available for construction of access roads to non-Indigenous facilities? (e.g. to tourism camps, outfitters, etc.?)	Aggregate resources will be used for supply road construction and operations/maintenance, as first priorities. Webequie First Nation will consider sharing resources with others on the basis of availability and community support for the other proposed project(s).	Appendix B

Table G3: Comments Received from the Ministry of Transportation of Ontario
MTO – Provincial Highways Management Division (Jennifer Fisk, Senior Business Consultant), October 16, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MTO-1	Section 4.1.1 Design Considerations and Criteria (Pages 24-25)	The design standards are based on a 100 km/h design speed with a posted speed of 80 km/h; Typically, the design and posted speed for similar roadways (i.e. secondary highways) is 80 km/h. The return storm periods for the roadside ditches and culvert watercourse crossings appear to exceed MTO standards for this type of road. It is unclear how the roadway platform of 11m was established. What lane and shoulder widths are proposed?	Initially the road was classified to be a local arterial undivided road however its functionality has been reviewed and revised to rural collector undivided (RCU) road after additional data became available. A design speed of 100 km/h. and 80 km/h. posted speed limit is being retained at this time with the acknowledgment that the design speed standard of 80 km/h. exceeds that specified for a rural collector road (i.e., secondary highway). Similar to the above response, the design criteria for drainage outlined below (associated with RCU) has been adopted and is reflected in the ToR. Roadside ditches will be sized to accommodate a minimum 10-year Minor System Design Flow, and a minimum 100-year Major System Design Flow (MTO Drainage Standards SD-1, SD-9). Crossing culverts will be sized to accommodate a minimum 25-year return period design flow for structures with a total span less than or equal to 6.0 m, and a minimum 50-year return period design flow for structures with a total span greater than 6.0 m (MTO Drainage Standards WC-1, WC-7). A minimum culvert diameter or rise of 600 mm will be provided for circular, elliptical or arch culverts. A minimum 900 mm rise will be provided for box culverts (MTO Drainage Standards WC-8). The cross section has been revised to show the lane and shoulder widths clearly.	Section 4.1.1
MTO-2	Section 4.3.1 Construction Phase (Page 26)	There is often some grey area with regards to some pre-construction activities needing permits/licences/ authorizations/ clearances prior to be being executed. It is suggested that these activities be clearly laid out and where reasonable, be included in the applications for these permits/licences/authorizations/ clearances so as to avoid potential delays.	Noted. Pre-construction permitting will be addressed during the detail design phase for the Project. This preliminary design phase will only seek to identify the permitting requirements in preparation for detail design.	Section 4.3.1
MTO-3	Section 4.3.2 Operation and Maintenance Phases: Winter Maintenance Activities (Page 27)	Consider land requirements for snowplow turnarounds, storage, salt and sand storage facilities.	Snow plow turnarounds will be considered once a preferred road alignment has been established as part of the EA. No changes to the ToR are proposed.	Section 4.3.1
MTO-4	Section 4.3.2 Operation and Maintenance Phases (Page 28)	Suggest adding “type of vehicles permitted on road” to the list of “road control elements” as this would likely be of interest to the public and could impact feedback on the acceptability of the undertaking.	The roadway is being designed to accommodate conventional highway traffic as described in the Highway Traffic Act (HTA). It is assumed that the road will not be used for heavy haul mining vehicles other than what is permitted under the HTA oversize load provisions. No changes to the ToR are proposed.	Section 4.3.2
MTO-5	Section 7.1 Natural Environment (Page 112)	Predicted impacts on animals from collisions with vehicles have not been identified as part of “project activities and potential effects on the natural environment.”	Predicated effects to wildlife and wildlife habitat from the supply road, including the potential for direct mortality to wildlife from vehicle collisions, will be examined in the EA and is identified as a potential effect in the ToR.	Section 7.1.4
MTO-6		Consider including more information on road design (e.g., route, structures, etc.) when alternatives are being evaluated and how impacts would be predicted without some design information.	Additional information will be provided as the road design evolves and will be applied to those alternatives proposed to be carried forward in the EA for further examination.	
MTO-7		The purpose and scope of the cumulative effects assessment should be a subject for discussion in the development of the Terms of Reference.	A new section has been added to the ToR to discuss cumulative effects. As part of the EA, Webequie First Nation will identify and assess the project's cumulative effects using the approaches described provincial and federal guidance documents, such as the <i>Operational Policy Statement: Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2015b); and <i>Interim Technical Guidance for Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2018b). A	Section 8.1



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G3: Comments Received from the Ministry of Transportation of Ontario
MTO – Provincial Highways Management Division (Jennifer Fisk, Senior Business Consultant), October 16, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			technical work plan for the cumulative effects assessment will be prepared at the outset of the EA, including identification of which other developments will be assessed and the methodology for assessing effects.	

**Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-EA-1	Throughout	Terminology – Undertaking and Project Throughout the ToR, both “Undertaking” and “Project” are used. It is not clear how the proponent is interpreting the differences between these terms. Undertaking has a specific definition under the EAA.	Proposed Action/Solution: Please review the ToR to ensure either “undertaking” or “project” is used consistently throughout, including use of capitals.	Within the three meanings of “undertaking” in the Environmental Assessment Act (“EAA”, “the Act”), the Project Team considers the Webequie Supply Road Project (“the Project”) to be an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity of a person or persons other than an enterprise or activity by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies, or by a municipality or municipalities, where an agreement has been entered into under Section 3.0.1 of the EAA to have the Act apply to the enterprise, activity, proposal, plan or program (in this case, the May 2018 voluntary agreement between MECP and WFN to have the Act apply to the Project). Therefore, we believe the use of the cited terminology in the draft ToR is not inconsistent with the intent of the Act or the language in applicable MECP Codes of Practice, and it is not inappropriate for “the Project” and “the Undertaking” to be used interchangeably. This is now explained in a footnote. As discussed at our December 12, 2019 working meeting to address the approach to our responses, in all instances, “the undertaking” has been changed to “the Undertaking” (to match the use of title case on “the Project”), and the common reference has been cited in Section 1.1 of the revised ToR.	Throughout
MECP-EA-2	Section 1 Introduction (Page 1) Section 2.1.1 Ontario’s EAA (Page 10)	Voluntary Agreement and Class EA Requirements Page 1 indicates that “Based on the scale and complexity of the Project, and the potential for significant environmental effects, an Individual Environmental Assessment must be completed for approval under the EA Act.” Additional context should be provided to clarify that the project was not automatically subject to the EA Act, but that the proponent voluntarily agreed to subject the project to the EA Act. As well, section 2.1.1 notes that the project is following the individual EA process. It is the ministry’s understanding that the project would likely be subject to the MNRF’s Class EA for Resource Development and Stewardship Facilities, however this is not identified in section 2.1.1.	Proposed Action/Solution: Please add context to sections 1 and/or 2.1.1 about whether the project is subject to the Class EA process, and if so, if it is the proponent’s intent to satisfy the MNRF Class EA process through the Individual EA. Discussion with MNRF is encouraged to respond to this question. If the answer is yes, this should be clarified in the ToR, including reference to the proponent signing a voluntary agreement with MECP.	Additional context has been added to clarify that the Project was not automatically subject to an Individual EA under the EA Act, but that the proponent voluntarily agreed to subject the Project to an Individual EA, per Section 3.0.1 of the EA Act. Reference is made to the May 3, 2018 agreement between the Minister of the Environment, Conservation and Parks and Webequie First Nation in this regard. The Webequie Project Team confirmed with MNRF that the Project would normally be subject to the MNRF RSFD Class EA, as multiple dispositions (land and resources) would be required from MNRF in order to implement the Project. MNRF advised that it had concerns that the proposed project activities were outside the scope of the RSDF Class EA, which could have potentially failed to address the complexities that could reasonably be anticipated to arise for an all-season road of this length in this remote environment; hence, the voluntary elevation to an Individual EA. In addition, MNRF has confirmed that, assuming there are no deficiencies or gaps in the preparation of the Individual EA, the Individual EA should address MNRF’s RSDF Class EA requirements. A statement has been added to confirm Webequie’s intent to satisfy the MNRF RSDF requirements through the Individual EA process.	Section 2.1.1
MECP-EA-3	Figure 1.1 (Page 2)	Figure 1.1 Symbolology It appears that the airport symbolology is missing from the map, despite it being listed in the legend. There are also plus signs	Proposed Action/Solution: Please add the airport symbolology to the map and clarify what the plus sign symbolology means.	As per the comment received, the map has been revised	Figure 1.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019				
Item No.	Draft ToR Section	Comment Received		ToR Section
		(+) on the map but not clear what these refer to.		
MECP-EA-4	Section 1.4.1 Purpose of the Undertaking (Page 6)	Project Purpose Section 1.4.1 states that the EA will assess corridor alternatives and complete an effects assessment and evaluation of the selected preferred corridor. An effects assessment and evaluation of the alternatives also needs to be completed, in accordance with section 6.1(2)(c) and the Terms of Reference Code of Practice section 5.2.6.	Proposed Action/Solution: Please revise the purpose to reflect that the environmental effects of the alternatives will also be studied. If the level of detail in assessing the alternatives is expected to be less than the level of detail for assessing the preferred alternatives, this should be stated.	The ToR will be revised to reflect environmental effects of alternative methods to carrying out the Project will be studied further, but not “alternatives to the undertaking”, as this is deemed to have been adequately addressed in the ToR. There is new text stating that the level of detail in assessing the preferred alternative(s) is expected to be greater than the level of detail for assessing the broader group of alternative methods, which is not atypical, given that additional technical and consultation input may be gathered/received once the preferred alternative method has been identified.
MECP-EA-5	Section 2.1.2 IAA (Pages 10-12)	Federal EA Requirements This section goes into too much detail as to the steps for the federal EA process. It is unclear what relevance this level of detail has in the provincial ToR.	Proposed Action/Solution: Please reduce the level of detail in the federal EA steps – two paragraphs is likely appropriate.	The step-wise federal process under the Impact Assessment Act has been condensed. Some detail is provided to expand on the coordinated EA process graphic in Figure 2.1.
MECP-EA-6	Section 2.1.3 Process for Fed-Prov Coordinated EA (Page 13)	Clarification – One Body of Documentation The statement in the first paragraph of 2.1.3 requires a minor clarification that the proponent will produce one body of documentation. The current wording states that the two governments will produce one body of documentation, which is incorrect.	Proposed Action/Solution: Please correct the following statement by adding the red underlined wording: For the Webequie Supply Road Project, the two levels of government have indicated a willingness to follow the coordinated EA process <u>to the extent possible</u> and <u>for the proponent to</u> produce one body of EA documentation.	As per the comment received, the document has been revised
MECP-EA-7	Section 3.1 EA Principles (Page 18)	EA Principles The list of EA principles in section 3.1 is missing the identification of mitigation measures. The list includes “Consideration of alternatives to the undertaking,” but in section 3.2 it is proposed that the EA will be focused. The two bullets about alternatives could be combined into ‘consideration of alternatives.’ Throughout the EA process, the proponent must also keep in mind all of the EA and project management principles described in the ToR Code of Practice (sections 4.1 and 4.2) that are important for the ToR and EA process.	Proposed Action/Solution: Please revise section 3.1 to include the identification of mitigation measures as a principle. Consider combining the two bullets about alternatives.	As per the comment received, Section 3.1 of the document has been revised to include the identification of mitigation measures under the list of EA principles and combine the two bullets addressing consideration of alternatives.
MECP-EA-8	Section 3.2 Indication of How EA is to be Prepared (Page 20)	Clarification of Focused EA The language requires clarification because it states on one hand that the EA will be prepared in accordance with sections 6(2)(c) and 6.1(3) – i.e. a focused EA – and on the other hand the EA will be prepared in accordance with 6.1(2)(b) – i.e. the generic requirements of an EA.	Proposed Action/Solution: Please revise this paragraph as such: ...and these will be carried forward in a focussed evaluation in the EA in accordance with EA Act subsections 6(2)(c) and 6.1(3) <u>and the Code of Practice</u>; as suggested by MECP in Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (January 2014)¹. The focused EA will still be conducted to meet the requirements of subsection 6.1(2)(b) of the EA Act. Section 5 of this ToR provides the approach and analysis to the assessment of reasonable “alternatives to” the Project (including the “Do Nothing” option) and “alternative methods” of carry out the Project.	As per the comment received, the document has been revised to include the suggested language.
MECP-EA-9	Section 3.2 Indication of	List of EA Components Section 3.2 lays out what information will be included in the EA.	Proposed Action/Solution: Please revise certain bullets in section 3.2 as follows:	As per the comment received, Section 3.2 of the ToR has been revised to include the suggested language.

**Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	How EA is to be Prepared (Page 20) Section 8 Assessment Method	Here it is noted that the EA will include an evaluation of alternative methods to identify a preferred alternative, followed by the identification of anticipated effects from the project, and commitments to mitigation and environmental protection measures. Minor revisions should be made to this list for clarity and to better align with EA requirements. Section 8 lays out the approach to the assessment and evaluation of effects at the EA stage, including a process figure (Figure 8.1). It is noted that the process provided in this section does not align with that laid out in section 3.2, as it does not include a separate evaluation of advantages and disadvantages to select the preferred alternatives for the EA stage. With the minor modifications detailed in this comment, the steps laid out in section 3.2 are in line with the ministry's expectations, whereas section 8 is missing information.	• A description of and a statement of the rationale for the undertaking <u>and alternative methods</u> • ~~Alternative methods of carrying out the undertaking~~ • An evaluation of the <u>potential environmental effects, advantages and disadvantages of the undertaking and alternative methods</u> to the environment ~~as a result of implementing the alternative methods of carrying out the Project, including net effects associated with potential measures to mitigate potential adverse effects;~~ <u>net effects</u>; and identification of the preferred alternative method<u>s</u> (the Project) Revise section 8, including Figure 8.1, to align with the information laid out in section 3.2 of the Draft ToR. Section 8 should include the process that will be used to determine the preferred alternatives.	Section 8 and Figure 8.1 have been revised to align with the changes identified in Section 3.2.	Figure 8.1
MECP-EA-10	Section 3.2 Indication of How EA is to be Prepared (Page 21)	Technical Studies: Climate Change, Visual and Human Health Consideration should be given to assessing impacts related to climate change (mitigation and adaptation), visual/aesthetics and human health.	Proposed Action/Solution: Please consider adding climate change (mitigation and adaptation), visual/aesthetics and human health to the list of technical studies. If these are already included in other topics, please indicate which ones.	Human health and climate change have been added to the list of technical studies. Visual/aesthetics will be examined in the EA, but no stand-alone technical study is proposed at this time.	Section 3.2
MECP-EA-11	Section 4.2 Components and Activities of the Project (Page 25)	Clarification of Temporary Infrastructure Section 4.2 lists supportive infrastructure as “storage and laydown yards, temporary access roads/trails and construction camps.” It seems that storage yards and camps may also be temporary but this is not clear. It is important to have a clear understanding of the temporary and permanent components of the project.	Proposed Action/Solution: In the bullets listing supporting infrastructure, please clarify if storage/ laydown yards and construction camps will also be temporary.	Additional text has been added to clarify that some temporary supportive infrastructure components (e.g., temporary access roads, aggregate pits, etc.) may remain and be formalized for use during the operation phase of the Project.	Section 4.2
MECP-EA-12	Section 4.3 Project Phases (Page 26)	Decommissioning of Temporary Infrastructure It is not stated during what project phase the decommissioning of temporary infrastructure will occur. This should be added as an activity to the relevant project phase so that potential effects are assessed in the EA and to have a clear understanding of the temporary and permanent components of the project.	Proposed Action/Solution: Please add decommissioning and removal of temporary infrastructure to the relevant project phase in section 4.3.	Text has been added to Section 4.3.1 – Construction Phase to clarify that decommissioning and removal of temporary infrastructure will be undertaken during the construction phase of the Project.	Section 4.3.1
MECP-EA-13	Section 5.1.2.1 Alternative Methods Background (Pages 37-40)	Noront’s Eagle’s Nest Project The ToR relies to an extent on Noront’s ToR, which identified a preliminary road corridor, including a summary of the rationale for the selection of Noront’s preferred road corridor. The draft EIS/EAR prepared by Noront is also referenced as an information source. It should be noted the ministry’s notice of approval for the ToR for the Eagle’s Nest Project included the requirement that Noront re-screen four road corridors. It should also be noted that the draft EIS/EAR for the Noront Eagle’s Nest Mine Project was prepared in advance of the approval of the ToR and does not reflect the requirement to re-screen road corridors. The ministry’s Environmental Assessment	Proposed Action/Solution: The ToR should acknowledge that, even though the approved Noront ToR identified a preliminary corridor, the approval requires Noront to re-screen four road corridors before reaching a conclusion on its road corridor. Further, the proponent should take into consideration that the information presented in the EIS/EAR does not reflect this direction.	Information on the status of the Noront EA at the provincial level has been expanded to include that the ministry’s notice of approval for the ToR for the Eagle’s Nest Project included the requirement that Noront re-screen four road corridors.	Section 5.1.2.1 Table 5-1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		and Permissions Branch did not review the draft EIS/EAR and cannot comment on the quality of information or data presented within.			
MECP-EA-14	Table 5-1 Chronology (Pages 45-46)	Noront's Eagle's Nest Project The chronological summary identifies that the Eagle's Nest Project is subject to CEAA/Ontario EA Act. This information is now incorrect as the federal EA for the Noront Eagle's Nest Project was terminated in August 2019.		Proposed Action/Solution: Please revise the chronological summary to reflect that the federal EA for the Noront Eagle's Nest Project has been terminated.	Table 5.1 of the ToR (chronological summary) has been revised to reflect that the federal EA for the Noront Eagle's Nest Project has been terminated.
MECP-EA-15	Section 5 Alternatives	Alternatives Assessment Sections 5.1 and 5.2 refer to "alternative concepts". This terminology is not consistent with the Act and MECP guidance material (i.e., the Codes of Practice) and may also be confusing for those reading the ToR.		Proposed Action/Solution: Please revise terminology in the ToR so that it is consistent with the Act (e.g., alternative methods instead of alternative concepts).	The ToR has been revised so that the term "alternative methods" is more prominent. However, reference to concepts is retained to distinguish the level of detail inherent in developing the alternative methods for screening (conceptual versus preliminary design level of detail). ToR text has been clarified by stating that all alternative methods are conceptual at this point, since limited design work has been conducted to date.
MECP-EA-16	Section 5.2 Initial Screening of Alternative Concepts (Page 60)	Level of Detail for Screening Factors While the level of detail and data sources are clear for the seven community screening factors in Table 5-2, the level of detail and data sources for the other factors listed on page 60 are not as clear. Table 5-2 provides a helpful level of detail for the reader to understand the importance of each factor and the proponent's decision making process.		Proposed Action/Solution: Please include additional details and data sources for each of the factors listed on page 60, similar to what was done in Table 5-2 for the seven community factors.	Text has been added after introducing the other broader environmental factors in the screening evaluation to state that data sources for the factors were derived from the Indigenous Knowledge database prepared by WFN, review of published secondary sources as cited in Section 6.1 and more specifically SNC-Lavalin professional knowledge and project experience with regards to the technical consideration factors related to constructability and cost.
MECP-EA-17	Table 5-3 Comparative Analysis of Alternatives (Page 61)	Alternatives Assessment The table states that "local outfitters are active on lands to the west of Webequie First Nation, and therefore all the alternatives are considered equal in that no effects to outfitters are anticipated". It seems like a word may be missing. As framed it is not clear why effects are not anticipated.		Proposed Action/Solution: Please review and confirm the identified statement.	The text related to "local outfitters" in Table 5-3 has been revised to provide clarity.
MECP-EA-18	Section 5.2 Initial Screening of Alternative Concepts (Page 69)	Rationale for Road Alternative Being Carried Forward Three alternative concepts shown on figure 5.7 were screened using 20 factors. This screening concluded that Alternative 2B is more favourable over 1 and 2A, but only for 7 of the 20 factors. Alternative 1 scored a close 2 nd , being favourable for 5 of 20, and there is no favourable alternative for 8 of the 20 factors. Based on this, it is not clear that 2B stood out as the most favourable corridor and that the other options should be eliminated. Then a new alternative was developed (on Figure 5.8) and is proposed to be carried forward into the EA, without any further screening in the ToR. The new alternative is supposedly a refinement of Alternative 2B but looks quite different from 2B. It is not clear whether this new alternative is still favourable over the original concepts. To support Webequie's proposal to bring forward the new		Proposed Action/Solution: Please provide further rationale for the introduction of the alternative on Figure 5.8. For example, an additional screening using the same factors could be done. Sufficient rationale to focus the alternative methods is important at the ToR stage in order to provide greater confidence that the revised alternative is the most favourable to bring forward into the EA and that the other alternatives can be eliminated from further analysis.	Section 5.2 has been revised. The refinement of Alternative 2B that is presented on Figure 5.8 as the preliminary preferred corridor has now been named to Alternative 2C and compared to all the Alternatives (1, 2A, and 2B) using the screening criteria/factors as presented in Table 5-4. Results of the analysis clearly show that Alternative 2C (preliminary preferred corridor) is favorable to the other Alternatives under consideration. Figure 5.8 has also been revised to spatially reflect all the alternative methods (1, 2A, 2B and 2C) and has shown where applicable and permitted (i.e., Indigenous Knowledge) environmental sensitivities (valued components) considered in the screening.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		alternative corridor on figure 5.8, it should be supported by rationale, for example an additional screening against the original alternative concepts could be undertaken.			
MECP-EA-19	Section 5 Alternatives	Consultation The ministry notes that the screening documented in the draft ToR includes consultation with Webequie community members. In addition, screening of alternatives should include consultation with government reviewers, Indigenous communities and interested persons on the criteria and weighting applied in the screening.		Consultation on the ToR, which included screening of alternatives is documented in Section 10.3. In addition, historical consultation with Webequie community members is described in Section 5 and Table 5-2 provides a chronological evolution of the road.	Section 5 Section 10.3
MECP-EA-20	Section 5.5 Supply Road Alternatives for the EA (Page 76)	Non-Road Corridor Alternatives Section 4.1 discusses elements to be included in the road design to mitigate environmental effects, including alternative sites for certain infrastructure components. These include alternative aggregate sites, waterbody crossing types, alternative sites for temporary laydown and storage areas, alternative sites for construction camps, and alternative access road locations. However, section 5.5, which outlines the alternatives to be carried forward in the EA, only indicates that road alignment alternatives will be assessed. This section should list all alternatives that will be assessed in the EA.		Proposed Action/Solution: In section 5.5 please list and describe all types of infrastructure that will be subject to an alternatives assessment and effects assessment in the EA. Please include the same list in section 8.0 on page 119.	Section 5.5 Section 5.6
MECP-EA-21	Section 6.1 Study Area (Page 78)	Study Areas Section 6.1 describes the approach that will be taken to identify study areas (project footprint, local study area, and regional study area) during the EA, including the development of discipline-specific LSAs and RSAs. As stated in the Code of Practice for Preparing and Reviewing Terms of Reference, while the study areas may be further defined during the EA, the ToR should include a map of the study area. If specific study areas are not included in the ToR, the ministry strongly encourages the proponent to consult on the scope of study areas at the beginning of the EA phase.		Proposed Action/Solution: Please provide maps of preliminary study areas in the ToR. Include the commitment to consult on the scope of the study areas during the EA.	Section 6 Section 8 Section 8.2
MECP-EA-22	Section 6.2 Data Collection Methodology (Pages 80-87)	Field Studies It is not clear whether the field studies identified throughout section 6.2 will be done for all of the alternatives. This needs to be clear in the ToR in order to assess compliance of the EA with the ToR, if approved. Further, page 80 states that field work studies will focus on the identified preliminary preferred corridor, but page 87 appears to contradict this, stating that all information collected as part of the field program and obtained through IK will be used to determine the preferred corridor. There are also statements within the specific discipline sections		Proposed Action/Solution: Please clarify in the introduction to section 6.2 and throughout the discipline- specific sections whether primary field work will be collected for all of the alternatives to be carried forward into the EA.	Section 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		that some field work will be done for the preferred corridor, some will be done for all alternatives, and for other disciplines it is unclear. Given that the two corridor alternatives in figure 5.11 are relatively similar and have overlapping segments, it seems to make sense for primary field work (as well as secondary data) to be collected for all of the alternatives being carried forward into the EA. Per the ministry’s ToR Code of Practice, 2014, transparency in methodology and using best available data are key EA principles.		Depending on the type of field study conducted (e.g., vegetation plots vs aerial Caribou surveys), the extent of coverage will vary. Typically, the most focused studies will occur in close proximity to the two alternative routes within the preliminary preferred corridor (2 km in width). The two alternative routes are coincident, or in close proximity to each other and depending on access constraints, data collected from one alternative may be extrapolated to the other (waterbody crossing by both alternatives).	
MECP-EA-23	Sections 6.3 Existing Environment Section 6.4 Natural, Socio-Economic (Pages 94, 96, 99, 105, 107, 108, 110)	Details in Existing Environment Regarding Field Work Sections 6.3 and 6.4 provide preliminary descriptions of the existing natural and socio-economic environments. There are details in these sections about conducting field work and data collection for the EA that should be included in section 6.2 data collection methodology. These details pertain to: • Vegetation field surveys • Rare plant species/communities field surveys • Aquatic investigations including biophysical habitat conditions and sensitivity, spawning habitat, species at risk, surface water quality and fish community • Species at risk field surveys and information sources • Air quality emission sources and IK • Assess commercial, recreational and industrial activities, including indicators and who will be consulted • Profiles of Indigenous communities and effects on population, demographics, education, employment and housing, including information sources • Human health and social issues assessments • Infrastructure, available housing and services • Cultural heritage resources and archaeological assessment work that will be conducted All information about the field studies and data collection methodology to be completed for the EA for the various disciplines should be in one location for ease of reference (i.e. section 6.2).	Proposed Action/Solution: Please include these details in the relevant field studies/data collection methodology section of 6.2.	All reference to ecological field studies and data collection methods has been removed from Section 6.4. A new Section 6.5 entitled “Data Collection Methods and Baseline Studies” has been added to state that the scope and intensity of the field studies and that associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance.	Section 6.4 Section 6.5
MECP-EA-24	Sections 6.2, 6.3, 6.4 Data Collection and Existing Environment	Existing Environment Further to the comment above, it is noted that there are inconsistencies between where information is presented across environmental components. In particular, information about what and how data will be collected is interspersed across these sections, depending on the environmental component. For example, for the socio- economic environment, section 6.2.3 identified the methods that will be used to characterize the socio-	Proposed Action/Solution: Please revise sections 6.2, 6.3, and 6.4, so that the level of information is consistent across environmental components. For example, all details relating the Data Collection Methodology should be presented in section 6.2. Sections 6.3 and 6.4 should be limited to a description of the existing environment, and should not identify which studies will be completed during the EA.	Refer to response to MECP-EA-22 and MECP-EA-23.	Section 6.2 Section 6.3 Section 6.4 Section 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks					
MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		economic environment, but does not include a description of what aspects will be characterized. Socio-economic environment is a very broad term; therefore it is not possible to comment on whether the proposed methods are appropriate without further information. Section 6.4, Socio-economic environment includes the methods that will be used to characterize specific aspects of the socio- economic environment, rather than describing the existing environmental conditions. In some places, potential effects are also discussed in section 6.4. It is important that information in the ToR is organized transparently, clearly and consistently to enable interested persons to understand and comment on the scope of studies that will be undertaken during the EA. During the EA phase, as the EA will be reviewed for concordance with the ToR, clarity of commitments in the appropriate sections is important to ensure that documentation can be reviewed efficiently.	Potential effects should be discussed separately in Section 7.		
MECP-EA-25	Section 6.3 Natural Environment	Study Areas The description of the preliminary existing environment includes references to the Study Area (e.g., in 6.3.2, “The Study Area has many different types of waterbodies”) and region. This information cannot be put into context or reviewed without the definition of study area.	Proposed Action/Solution: Please include identification of the study area(s), region that were used to describe the existing environment.	Refer to response MECP-EA-21.	Section 6 Section 8 Section 8.2
MECP-EA-26	Section 6.3 Natural Environment	Existing Environment The results of some field studies completed by the proponent are included in this section. MECP views this information as preliminary to understand the existing environment, with more details to be provided in the EA.	Proposed Action/Solution: Please note that MECP will review the full details of those studies, including methods and results, during the EA phase.	As per the comment received, the following text has been added to Section 6.3 of the document: The description of the existing natural environment conditions in this section includes some preliminary results for the Webequie Supply Road as reported in the <i>Baseline Environmental and Geotechnical Studies Report - Webequie Community Supply Road (TPA1B) and Nibinamik-Webequie Community Road (TPA1A)</i> (2018). These studies are considered preliminary and the full details of these study and any supplemental studies, including field collection methodologies and results will be available for review during the EA phase of the Project.	Section 6.3
MECP-EA-27	Section 6.4.5 Infrastructure and Services (Page 108)	Communities Crossed by Proposed Road There is a statement on page 106 that “the proposed all- season road corridor will cross communities that may be able to provide waste management, municipal and community services, emergency services, police and many other ancillary services.” Based on statements and figures in the ToR, the road is proposed to be in a very remote location that only connects the Webequie community to the mineral exploration area, and it is not clear where these other communities and services are located along the proposed corridor. The EA will need to assess any impacts to existing infrastructure and services.	Proposed Action/Solution: Please clarify in the appropriate ToR section (e.g., project background, existing socio-economic environment conditions) and on the figures which types and where the proposed road corridor crosses these existing types of infrastructure and services.	The ToR has been revised to clarify that the reference to other communities is in relation to the crossing of traditional territories of neighbouring First Nations, as opposed to the physical boundaries of their reserves. It is suggested that these communities may have an interest in, or be able to, assist in providing waste management, municipal and community services, emergency services, policing, and other ancillary services.	Section 6.3.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-EA-28	Section 7 Potential Effects	Potential Environmental Effects Potential effects are described differently for the natural, socio-economic, and cultural components of the environment. Mitigation measures are included for the natural environment, but not the others. While MECP notes this information is preliminary, the format and discussion of the environmental components should be consistent.	Proposed Action/Solution: Please provide a consistent format and discussion of potential effects across environmental components.	Section 7 has been revised to ensure a consistent format and discussion of potential effects for all environmental components.	Section 7
MECP-EA-29	Section 8 Approach to Assessment of Effects (Pages 119-120)	Assessment Methodology Pages 119 and 120 require further clarification in the methodology steps and the graphic about how the alternatives will be assessed and when the preferred alternatives will be selected. At the EA stage, will all of the alternative methods that are under consideration be assessed for potential effects to the same level of detail? Or will a more detailed assessment of effects be done once the preferred alternative methods are selected? For instance, the ToR currently indicates that the proponent will conduct cumulative effects assessments for all of the alternatives being considered. The graphic in Figure 8.1 should be tailored to Webequie's EA for the proposed supply road.	Proposed Action/Solution: In section 8 please clarify the methodologies for the assessment of alternative methods, including when the selection of the preferred alternative methods will occur. Please revise Figure 8.1 accordingly and tailor the graphic to the Webequie project. As noted in comment 9, please also ensure there is alignment between the methodology described in section 8 and the list of items that the EA will include in section 3.2.	Section 8 has been revised to clarify the approach for the assessment of alternative methods, including when the selection of the preferred alternative methods will occur in the EA process. Figure 8.1 has been revised and tailored to the Webequie Supply Road project.	Section 8 Figure 8.1
MECP-EA-30	Section 8 Approach to Assessment of Effects	Assessment Methodology Section 8 describes the approach that will be taken to evaluate alternative methods during the EA, including preliminary criteria and indicators. The information presented is high level and does not provide an opportunity for technical review of the methodologies that will be applied to evaluate those specific criteria and indicators. For example, it is not identified if any modelling will be carried out. While it is appropriate to defer some detailed work planning to the EA phase, the ToR should identify the types of studies that will be undertaken, and include commitments for how technical reviewers, and other interested persons, will be consulted during the development of specific evaluation methodologies or technical workplans. It is strongly recommended that those opportunities for review occur prior to the completion of studies (e.g., prior to the submission of a draft or final EA document).	Proposed Action/Solution: Please identify studies that will be conducted to support the evaluation of criteria and indicators. It is strongly recommended to include commitments to develop workplans at the outset of the EA phase, including opportunities for technical review. Indicate how consultation on the ToR has informed the preliminary criteria and indicators. Please clarify when additional consultation on criteria and indicators will occur in order to finalize the list.	Section 3.2 of the ToR lists the technical investigations and assessments that will be part of the EA. A new section 6.5 – Data Collection Methods and Baseline Studies has been added to clearly identify the baseline studies that will be conducted to support the evaluation of criteria and indicators along with the stated objectives to use in evaluating alternatives and the environmental effects for all phases of the Project. Section 6.5 – “Data Collection Methods and Baseline Studies” now states a commitment to the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Section 8.3.1 has been revised for clarity to indicate that the preliminary criteria and indicators have been developed by the Webequie Project Team and includes input received from government agencies, the public and Indigenous communities from the engagement and consultation undertaken to date. Criteria and indicators will be finalized through consultation activities during the early on-set of the EA.	Section 3.2 Section 6.5 Section 8.3.1
MECP-EA-31	Section 8 Approach to Assessment of Effects	Cumulative Effects Section 8 identifies that a cumulative effects assessment will be conducted on the net effects of the project in combination with other past, present, or reasonably	Proposed Action/Solution: It is strongly recommended to include the commitment to prepare a technical workplan for the cumulative effects assessment, including identification of which other	A new section 8.1 – Cumulative Effects had been added to generally describe the approach for the assessment. The section also includes a commitment to prepare a workplan for the cumulative effects assessment at the outset of the EA. The	Section 8.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		foreseeable developments in the local and regional area. Further details are required for the ministry, other stakeholders and communities, to confirm the scope of the assessment is appropriate.	developments will be assessed, the study areas for the assessment, and the methodology for assessing effects.	workplan will be provided to the MECP and IAAC for review and guidance and will be summarized and presented to the public and Indigenous communities, and others as part of the consultation and engagement activities for the Project.	
MECP-EA-32	Section 10.1.2 Duty to Consult (Pages 131-133)	MOU This section includes the proponent's responsibilities from the MOU that is currently being negotiated.	Proposed Action/Solution: In addition, please include a note that Ontario (MECP and Ontario) also have responsibilities related to the duty to consult that are detailed in the MOU. For transparency, suggest including the full MOU, once signed, as an appendix to the Record of Consultation.	As per the comment issued, the text has been revised.	Section 10.1.2
MECP-EA-33	Section 10.3.1 Indigenous Consultation To Date	Indigenous Consultation This section summarizes the activities, key comments, and concerns expressed by Indigenous communities. Table 10-3 includes a summary of the comments received and the responses provided to those comments. In addition, the summary should include identification of where comments are addressed in the ToR, including documentation of any modifications that were made to the ToR to address the comment, and any commitments for further study and/or consultation.	Proposed Action/Solution: Please revise table 10-3 to identify where comments are addressed in the ToR, including documentation of any modifications that were made to the ToR to address the comment, and any commitments for further study and/or consultation.	Table 10-3 is intended to present issues and concerns raised by Indigenous communities and responses provided by the WSR Project Team at meetings with Indigenous communities or correspondence received from Indigenous communities. This Table has been revised and now provides a summary of key issues and concerns expressed by Indigenous communities along with the Webequie Project Team responses, including references where changes to the ToR been made, if applicable.	Section 10.1.2 Table 10-3
MECP-EA-34	Section 10.3, and 10.3.3 (Page 148)	Public and Stakeholder Consultation Section 10.3 indicates that to date the Webequie Project team has implemented the ToR Consultation Plan. Section 10.3.3 summarizes the consultation completed with members of the public and stakeholders. It notes that other than notices, no formal activities/events have been conducted with members of the public. In its consultation plan for the preparation of the ToR, the proponent committed to holding open houses in Thunder Bay to provide a forum for the public and stakeholders to provide feedback on the identification of alternatives and evaluation criteria. It was noted in the plan that the results of these discussions would be included in the Draft ToR (see page 20 of the plan).	Proposed Action/Solution: Please clarify if open houses in Thunder Bay were held and revise statement in the ToR accordingly. The proponent must provide opportunities for members of the public and other stakeholders to provide feedback on the identification of alternatives and evaluation criteria (see comment #19).	As per the comment received, Section 10.3.3 has been revised.	Section 10.3.3
MECP-EA-35	Record of Consultation	Record of Consultation A record of consultation was not provided with the draft ToR. The ministry relies on the record to provide feedback on the sufficiency of the consultation completed by the proponent, including both statutory consultation responsibilities required in the Act, as well as procedural aspects related to the duty to consult.	Proposed Action/Solution: Please note that further gaps and actions may be identified related to consultation when the ministry reviews the record of consultation.	Noted.	
MECP-EA-36	Section 10.4 Consultation Activities During EA Study Tables 10-5,	Consultation for EA Milestones Pages 148-157 and Tables 10-5 to 10-7 include a list of milestones that Webequie will meet in order to complete the EA, consultation opportunities and EA milestones. These pages focus on consultation about the alternatives evaluation, incorporating Indigenous Knowledge and review of the completed EA document.	Proposed Action/Solution: Please add a fulsome list of key EA milestones so that Indigenous communities, government agencies and the public are aware of key steps in the EA preparation and where they have an opportunity to provide input.	Additional key milestones have been added in Section 10.4 to better reflect and capture the steps in the EA process as presented in Figure 8.1.	Section 10.4

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-1 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks					
MECP-EA – Environmental Assessment Services (Sasha McLeod and Agni Papageorgiou, Special Project Officers), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	10-6 and 10-7 (Pages 148-157)	There are several key milestones that should be added to the list, including defining study areas, consulting on and finalizing criteria and indicators, consulting on and finalizing assessment methodology, evaluation of effects and identification of mitigation measures (i.e., key steps outlined in the EA process graphic, Figure 8.1). The ToR indicates that study areas, criteria/indicators and evaluation methods are preliminary and will be finalized during EA preparation. There should be opportunities for Indigenous communities, government agencies and the public to provide comments on these critical stages of the EA process.			

Table G4-2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-IC-37	Section 1 (Page 1)	It is assumed that the Record of Consultation will be appended to the ToR – please indicate the appendix number containing the Record of Consultation whenever it is referenced in the main body of the ToR. The Record of Consultation may be a stand-alone document, but it should be included as part of the final ToR submission and summarized in Section 10. Please note that MECP expects the Record of Consultation and summary in the final ToR to reflect input on the draft ToR.	Proposed Action/Solution: Please include the appendix number when referencing the Record of Consultation.	A standalone supporting Record of Consultation (Exhibit 1) will accompany the final ToR. The RoC is referred to in Section 1 of the ToR.	Section 1
MECP-IC-38	Section 3.2 (Page 20)	It is stated that where conflicts between Indigenous Knowledge (IK) and western science arise, IK will be given priority and preference. While it is important to recognize the importance of IK, a proponent must consider both sources of information to make sure the approach taken is the most protective of the environment.	Proposed Action/Solution: Please consider revising how IK and western science will be considered together to make sure the approach taken is the most protective of the environment.	Text will be revised to reflect that both IK and western science will be considered together, and in the very rare instance (from our experience) where the two conflict, the approach taken will be the one that is most protective of the environment.	Section 3.2
MECP-IC-39	Section 3.2 (Page 21)	There may be a separate section about Indigenous Knowledge in the EA Report, but please note that MECP expects Indigenous Knowledge to be incorporated into all applicable sections of the ToR and EA Report,	Proposed Action/Solution: Please incorporate Indigenous Knowledge into all applicable sections of the ToR and EA Report.	Indigenous Knowledge will be incorporated into all applicable sections of the ToR and EA Report.	Various
MECP-IC-40	Section 5.2 Tables 5.2 and 5.3 (Pages 61-69)	Section 5.2 provides an example of information included in the ToR that was informed by consultation. It is not clear if input was obtained just from Webequie community members or members of other communities as well. Our expectation is that some input be sought from all relevant communities. It is also not clear if community members provided input on just the considerations/factors/criteria, or the results of the analysis as well.	Proposed Action/Solution: Please make clear in this section how input was obtained, from whom and on which aspects of the analysis. Please provide a summary in Section 5.2 or if this is summarized in Section 10, please provide a reference to it in Section 5.2.	Refer to response to MECP-EA-19.	Section 5.2 and Section 10.3

**Table G4-2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-IC-41	Section 1 (Page 1)	It is assumed that the Record of Consultation will be appended to the ToR – please indicate the appendix number containing the Record of Consultation whenever it is referenced in the main body of the ToR. The Record of Consultation may be a stand-alone document, but it should be included as part of the final ToR submission and summarized in Section 10. Please note that MECP expects the Record of Consultation and summary in the final ToR to reflect input on the draft ToR.	Proposed Action/Solution: Please include the appendix number when referencing the Record of Consultation.	A standalone supporting Record of Consultation (Exhibit 1) will accompany the final ToR. The RoC is referred to in Section 1 of the ToR.	Section 1
MECP-IC-42	Section 3.2 (Page 20)	It is stated that where conflicts between Indigenous Knowledge (IK) and western science arise, IK will be given priority and preference. While it is important to recognize the importance of IK, a proponent must consider both sources of information to make sure the approach taken is the most protective of the environment.	Proposed Action/Solution: Please consider revising how IK and western science will be considered together to make sure the approach taken is the most protective of the environment.	Text will be revised to reflect that both IK and western science will be considered together, and in the very rare instance (from our experience) where the two conflict, the approach taken will be the one that is most protective of the environment.	Section 3.2
MECP-IC-43	Section 3.2 (Page 21)	There may be a separate section about Indigenous Knowledge in the EA Report, but please note that MECP expects Indigenous Knowledge to be incorporated into all applicable sections of the ToR and EA Report.	Proposed Action/Solution: Please incorporate Indigenous Knowledge into all applicable sections of the ToR and EA Report.	Indigenous Knowledge will be incorporated into all applicable sections of the ToR and EA Report.	Various
MECP-IC-44	Section 5.2 Tables 5.2 and 5.3 (Pages 61-69)	Section 5.2 provides an example of information included in the ToR that was informed by consultation. It is not clear if input was obtained just from Webequie community members or members of other communities as well. Our expectation is that some input be sought from all relevant communities. It is also not clear if community members provided input on just the considerations/factors/criteria, or the results of the analysis as well.	Proposed Action/Solution: Please make clear in this section how input was obtained, from whom and on which aspects of the analysis. Please provide a summary in Section 5.2 or if this is summarized in Section 10, please provide a reference to it in Section 5.2.	Refer to response to MECP-EA-19.	Section 5.2 and Section 10.3
MECP-IC-45	Section 6.2 (Page 81)	It appears that the second paragraph on page 21 (starting with “Interact with”, right after the bulleted list) should be part of the preceding bulleted list.	Proposed Action/Solution: Please make the second paragraph on page 21 part of the bulleted list above it.	As per the comment received, the draft ToR has been revised. Section 6 has been revised and restructured. Section 6.2 content is now in Section 6.5.	Section 6.5
MECP-IC-46	Section 7.2.1 (Page 117)	It would be helpful for the reader to understand what effects on traditional/Indigenous land use will be considered in the EA, through a list of land uses/activities or examples. It should also be clarified if this section would encompass all potential impacts on Aboriginal and treaty rights (Table 8.1 on Page 124 lists Traditional Land and Resource Uses under Socio-economics and Aboriginal and Treaty Rights and Interests under Cultural Environment). It is not clear if this is intended to be a sub-section of Socio-economics or a separate environmental factor. It would be helpful for the environmental factors to be consistent throughout the document (the list on page 21, for example). A reminder that Indigenous Knowledge and consultation should inform all applicable aspects of the ToR and EA Report.	Proposed Action/Solution: Please clarify what is meant by traditional/ Indigenous land use by way of a list or examples of uses/activities that will be considered in the EA. Please indicate, similar to other components, what the potential effects on these uses/activities are, if applicable. Please make sure throughout the ToR the list of environmental factors is consistent. Please consider making Traditional/Indigenous land use a separate section rather than a subsection of socio- economics.	Section 7.2.1 has been revised to clarify what is meant by traditional/ Indigenous land use by way of a list or examples of uses/activities that will be considered in the EA.	Section 7.2.1
MECP-IC-47	Section 10 (Page 128)	This section of the ToR should present the plan for engagement and consultation during the EA and summarize the input received during the development of the ToR. Please clarify the first sentence of the section. Please include the appendix number for the Record of Consultation, as applicable.	Proposed Action/Solution: Please revise the first sentence of this section to reflect that it presents the plan for engagement and consultation during the EA and summarizes the input received during development of the ToR. Please add an appendix number for the Record of	As per the comment received, the document has been revised.	Section 10

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-2 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-IC – Indigenous Consultation Section (Peter Brown, Indigenous Consultation Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			Consultation.		
MECP-IC-48	Section 10.1 (Page 131)	As previously identified: - It is not clear which MECP Code of Practice is referenced. - Ministry of the Environment, Conservation and Parks is misspelled. - The Crown delegates procedural aspects of consultation under the Constitution Act not the EA Act.	Proposed Action/Solution: Please clarify throughout which Code of Practice is referenced. Please also check for spellings of ministry names, etc. Please clarify under which law delegation occurs.	As per the comment received, the draft ToR has been revised to read the Ministry of the Environment, Conservation and Parks.	Section 10.1
MECP-IC-49	Section 10.3.1, Table 10-2 (Pages 137-138)	All 22 communities are identified as potentially affected. It may be clearer for the reader to identify them as potentially affected or interested, as per Section 10.2.1 (or to clarify in Section 10.2.1 that all 22 communities will be referred as potentially-affected throughout).	Proposed Action/Solution: Clarify potentially-affected and/or interested communities throughout.	As per the comment received, the Section 10.2.1 has been revised to the following: “For the purposes of the draft Terms of Reference, all twenty-two (22) communities will be referred to as potentially affected or interested”.	Section 10.2.1
MECP-IC-50	Section 10.3.1 Table 10-3 (Page 143)	It seems premature to discuss mitigation measures and preferred alternatives before identifying key comments and concerns received. It is also unclear why comments/concerns received in Table 10-3 include measures that will be used to mitigate the concerns. The comments/concerns raised column should be reserved for input from communities.	Proposed Action/Solution: Please reserve discussion of mitigation measures and preferred alternatives to an appropriate section of the ToR. Please only include input received from communities during development of the ToR in the comments/concerns received column of Table 10-3.	As per the comment received, Section 10.3.1 and Table 10.3 has been revised to remove discussion regarding mitigation measures.	Section 10.3.1 Table 10-3
MECP-IC-51	Section 10.3.1 Table 10-3 (Page 143-146)	In the Final ToR it would be useful for Table 10-3 to identify specifically how comments received informed the ToR, including the section number of the ToR where the response to the input is reflected. As per the Code of Practice: Consultation in Ontario’s Environmental Assessment Process (e.g., section 3.1.3), it is expected that some input on the ToR, including how consultation should be undertaken during the EA, be included in Table 10-3 or section 10.4.	Proposed Action/Solution: Please make sure that Table 10-3 identifies how input informed the ToR, including section numbers. Please include input on the consultation plan for the EA in Table 10-3 or Section 10.4.	As per the comment received, Table 10-3 has been revised. Refer to response to MECP-EA-33. Input received on the consultation plan for the EA has been documented in Section 10.4.	Section 10.3.1 Table 10-3 Section 10.4
MECP-IC-52	Section 10.4 (Pages 148-157)	It is unclear how input during development of the ToR informed the plan for consultation during the EA. It is also unclear if one plan will be executed for all communities, or if community-specific plans will be developed.	Proposed Action/Solution: Please indicate in this section (and/or Table 10-3) how input during development of the ToR informed the plan for consultation during the EA. Please also clarify if one plan will be executed for all communities, or if community-specific plans will be developed.	One Consultation Plan will be executed for all communities. As part of the Consultation Plan and through consultation activities, the WSR Project Team requests consultation protocol and procedures of Indigenous communities. The WSR Project Team will tailor activities and mechanisms in accordance with the consultation protocols and procedures of Indigenous communities. Section 10.4.1 has been revised for clarity.	Section 10.4.1
MECP-IC-53	Section 10.5 (Pages 157-158)	A reference to the appendix containing the Record of Consultation should be included.	Proposed Action/Solution: Please add a reference to the appendix containing the Record of Consultation for the Final ToR.	As per the comment received, the document has been revised.	Section 10.5

Table G4-3 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks

MECP-AR – Adaption and Resilience Branch and Climate Change Policy Branch

(James Scott, Manger Adaptation Unit; Patrick Fancott, Manager Climate Change Policy; Pamela Lamba, Senior Policy/Program Advisor), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-AR-1	Pg. 60, 168 (Appendix)	The ToR seems to be lacking a comprehensive approach to climate change risk resiliency in considering impacts and risks associated with climate change when making decisions on transportation infrastructure investments for northern Ontario. Rationale: Changes in climate will be greatest in the Far North with temperature and precipitation changes already occurring most dramatically in the northernmost part of Ontario, which could significantly alter the forests, peatlands and wetlands that make this region an important carbon sink: - Warmer and longer summers combined with warmer and shorter winters may lead to the loss of permafrost, which will alter hydrology, vegetation composition and peatland carbon storage (Zhang et al 2008, McLaughlin and Webster 2013), and could lead to the deterioration of infrastructure including building foundations, pipelines, roads, dams, bridges and mining sites. - The thawing of permafrost will release methane and could make peatlands shift from a carbon sink to a carbon source. Pg. 24 - Design considerations are important to consider especially in a changing climate (i.e. how will the road be built to adapt to flooding and/or dealing with freeze-thaw conditions).	Proposed Action/Solution: Using the province's guide - Considering climate change in the environmental assessment process" as a resource; the proponent could include climate impacts on the project by assessing the vulnerability of the project to a changing climate and examining the impact of the project on the environment's adaptive capacity. The methodology used to assess the vulnerability/risks can be up to the proponent in consultation with FNs community. Results from the assessment, will help inform project decisions (i.e., design/maintenance).	The MECP guide to considering climate change in the environmental assessment process has been consulted and an approach to addressing climate change has been included in the ToR in Section 7.1.9 – Climate Change.	Section 7.1.9
MECP-AR-2	(Pages 63 and 115)	- The ToR provides an initial estimate of GHGs without any explanation for the estimates. - As the project is a road, there are inevitable GHG emissions. However, in several cases (pages 63 and 115) the ToR seems to suggest the project aligns with provincial objectives and goals to reduce emissions, which it does not since it is predicted to increase emissions. - While the project GHG emissions are small in comparison to overall provincial emissions, effort should be made to minimize these emissions.	Proposed Action/Solution: - The ToR should commit to the EA including a quantitative GHG emission prediction that includes explanation for the calculations – this commitment could be included in section 6.3.8 page 105. - The ToR should include preliminary mitigation measures for GHG emissions on page 115, with complete mitigation measures identified in the EA. The information that is on page 115 is already on page 63, so page 115 should instead include preliminary mitigation measures.	The preliminary estimate of GHG emissions will be updated for both the construction and operation phase in the EA using more accurate information. Calculations and methods based on the Ontario and IPCC guidelines will be documented. Mitigation measures for GHG emissions will be identified in the EA. These may include the optimization of transportation of materials needed for the construction, the use of cleaner emission machinery/equipment, and tree planting to offset generated emissions.	Section 7.1.9

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-4 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-CC –Climate Change – MNRF Peatlands Expert (Jim McLaughlin, Forest Soils Research Scientist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-CC-50	Sec 4 (Page 23)	52% of the 107 km proposed road is through the James Bay Lowlands. Road construction through landscapes dominated by wetlands has a potential to significantly alter watershed hydrology, with changes in greenhouse gases (GHG) a likely outcome. This can have negative implications GHG production, possibly altering carbon balances well beyond the 35-m width of the corridor. Retaining background carbon and GHG balances in response to land development remain national and international priorities. I believe it is critical that the Ontario government require a carbon and GHG evaluation as part of the EA so the province continues to be a leader in land use planning and the environment.	Proposed Action/Solution: At a minimum and for Webequie's baseline collection for the ToR, I believe a review of the literature on road construction effects on carbon be undertaken for this potential EA. A fair amount of data already exists in the study region that the proponents need to evaluate. These include government and conservation society reports, peer-reviewed manuscripts, and databases of carbon/GHG, weather, geology, vegetation, etc. I also encourage the proponent to apply to ToR project, the carbon/GHG calculations provided in 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands. I also believe a project should be undertaken to test the IPCC calculations against data collected along the length of the road network.	The preliminary estimate of GHG emissions during the construction of the supply road considers the deforestation required. The estimate will be updated in the EA using more accurate information on the construction project (more precise information on construction activities and equipment) and operation phase. A literature review will also be performed on road construction effects for the study region by reviewing existing data and reports. Calculations and methods based on the Ontario and IPCC guidelines will be documented as discussed in Section 7.1.9 – Climate Change of the ToR.	Section 7.1.9

Table G4-5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-SW-1	Draft Terms of Reference (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	The table identifies that an Environmental Activity Sector Registry (EASR) would be required for water takings between 50,000 to 400,000 L/day; however, this is dependent upon the source and/or purpose of water taking. Further eligibility criteria are provided through the following link: https://www.ontario.ca/page/water-taking-user-guide-environmental-activity-and-sector-registry. Note - many road construction related water takings that qualify for an EASR include water takings for highway maintenance activities. EASRs may also be pursued for water takings related to construction site dewatering associated with groundwater and stormwater dewatering from a building excavation. EASRs may apply where the construction dewatering is of groundwater and stormwater (not surface water). An exemption from requirements of a PTTW or EASR may apply under some circumstances where water is removed without the use of a pump. Such activities may include the use of cofferdams or existing structures to passively divert water away from work areas. The criteria outlined in O. Reg. 64/16 must be met: https://www.ontario.ca/laws/regulation/R16064. Where criteria for an EASR or exemption does not apply, a Permit to Take Water (PTTW) will be required for water takings greater than 50,000 L/day.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: Dependent upon meeting specific criteria (e.g., water source, purpose, etc.) of the Water Taking EASR Regulation – O. Reg. 63/16, some takings between 50,000 and 400,000 L/day may qualify for registry (EASR), while other takings may require a PTTW. *Retain the portion regarding takings over 400,000 L/day requiring a PTTW. Exemptions from requiring an EASR and/or PTTW may apply so long as the criteria outlined in O. Reg. 64/16 is met.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-SW-2	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Dependent on the purpose of some water takings and water use, Environmental Compliance Approvals (ECA) will be needed for the treatment and discharge of wastewater generating. Information regarding ECA's can be found on the MECP website: https://www.ontario.ca/page/environmental-compliance-approval . The Ministry's Guide to Applying for an Environmental Compliance Approval can also be accessed online: https://www.ontario.ca/document/guide-applying-environmental-compliance-approval-0 . Generally, if discharge water from construction dewatering activities requires treatment via some type of containment/settling feature such as filter bags, settling basins, ponds, etc., an ECA is required.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other Authorizations to include: An ECA may be required for the discharge and treatment of wastewater generated from some water takings.	Table 2-2: Provincial Legislation, Permits and Other Authorizations will be revised as per proposed actions/solutions received from MECP.	Section 2.1.5 Table 2-2
MECP-SW-3	Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Page 21)	A list of detailed technical investigations and assessments to be undertaken and documented in the EAR/IS is included in this section. This list simply includes "Surface Water", but does not specify further. As with other investigations listed, examples of the types of Surface Water investigations should be identified.	Proposed Action/Solution: Update the list of detailed technical investigations and assessments to include the types of Surface Water investigations to be carried out: "Surface Water (i.e., water quality, water quantity, etc.)."	Surface water investigations will include both surface water quantity monitoring and quality sampling. Where practical, waterbodies measurements will include width, depth, water level and flow. Collected surface water samples will be submitted to an environmental laboratory for the analysis of general chemistry, metals and inorganic parameters. Field parameters including pH, temperature and dissolved oxygen can also be measured during the site visits. Surface water, including hydrology and water quality has been added to a new Section 6.5.2. – Data Collection Methods and Baseline Studies, which identifies those studies/investigations that will be conducted to support the EA.	Section 6.5.2
MECP-SW-4	Section 6.2.1 Biological Environment, Aquatic Habitat Surveys (Pages 83-84)	Additional representative baseline surface water quality data is required at water crossings along the road corridor. In addition to the in-situ parameters listed, representative samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, and total metals. These will provide appropriate baseline data from representative watercourses, for comparison with data collected during the project for assessment of impact.	Proposed Action/Solution: Revise Section 6.2.1, Biological Environment, Aquatic Habitat Surveys to add: Surface water samples must be collected from representative watercourse crossings along the proposed road corridor route to provide adequate baseline surface water quality. In addition to the in-situ water quality parameters to be sampled, samples collected must also be analyzed for alkalinity, total suspended solids, cations, anions, total metals. Best available water quality guidelines should be used respecting the assessment of the surface water results. In most cases sample results are to be compared against Provincial Water Quality Objectives; however, the Canadian Council of Ministers of the Environment (CCME) Canadian Water Quality Guideline for the Protection of Aquatic Life may be more appropriate, specifically for suspended sediment and turbidity.	Section 6.2.1, Biological Environment, Aquatic Habitat Surveys has been replaced with Section 6.2.5 and is limited describing existing fish and fish habitat in the project area. A new Section 6.5.2 – "Data Collection Methods and Baseline Studies" now states a commitment to the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., aquatic, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Surface water, including hydrology and water quality, has been added to Section 6.5 as studies/investigations that will be conducted to support the EA. As noted in response to MECP-SW-3 surface water investigations will include both surface water quantity monitoring and quality sampling. The noted water quality guidelines by the reviewer will be used with respect to the assessment of the surface water results.	Section 6.2.5 Section 6.5
MECP-SW-5	Section 6.2.2 Physical Environment (Page 84)	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list should expand upon "Surface water sampling" to identify water quality sampling and stream/river flow and level monitoring. Baseline surface water quality and watercourse flow and level data is required at road crossings along the road corridor route.	Proposed Action/Solution: Revise to identify "surface water quality sampling" and "watercourse flow and level monitoring" in the list of primary field methods for collection of data for the physical environment. *See Section 6.2.1 comments regarding surface water quality parameters to be assessed.	Section 6.2.2 that described the field methodologies for data collection for the physical environment has been removed and replaced with a new Section 6.5.2 – "Data Collection Methods and Baseline Studies", which includes the commitment to conduct surface water sampling.	Section 6.5.2
MECP-SW-6	Table 6-1: Published	The following on-line resources may be useful in the assessment of existing conditions and are recommended to be	Proposed Action/Solution: Include the following source of information in Table 6-1:	Noted: Sources have been added to Table 6.1	Section 6.2.3 Table 6-1

Table G4-5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Sources of Information for Existing Conditions (Pages 85-87)	added to Table 6-1, for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network	Ontario Lake Partner: https://www.ontario.ca/data/ontario-lake-partner Permit to Take Water and water taking map: https://www.ontario.ca/data/permit-take-water Provincial (Stream) Water Quality Monitoring Network: https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network Ontario Benthos Biomonitoring Network: https://www.ontario.ca/data/ontario-benthos-biomonitoring-network		
MECP-SW-7	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the “Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas” potential effects: This section should recognize that dewatering of this infrastructure may be necessary during construction, which can exacerbate erosion and sedimentation if wastewater is not dealt with accordingly. Mitigation measures are offered in the “Proposed Action/Solution:” column.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to also include the following Potential Effect: “Degradation of/alteration to surface water quality and flow, and/or fish habitat” Table 7-1 should also be revised to include the following Mitigation Measures: Water takings for dewatering laydown yards, construction camps, aggregate extraction areas will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW) as applicable. Treatment and discharge of wastewater may be guided by an ECA. Excavated materials will not be stored or stockpiled in areas near the surface water feature to minimize the potential for sediment laden runoff. Similarly, the stockpiling of required aggregates (sand, gravel, rock, crushed rock) for the construction of the road bed, temporary access roads and ancillary work areas, and construction and the installation of water body crossings must not be near surface water features for the same reason.	Table 7.1 has now been deleted and replaced with subsections that describe the preliminary potential environmental effects for each environmental component, including surface water (Section 7.1.3) and fish and fish habitat. Removal of Table 7.1 for effects to the natural environment has been removed to address MECP comment (MECP-EA-28) with suggested action to have a consistent format and discussion of potential effects across environmental components. Mitigation measures will be identified and described as part of the EA.	Section 7
MECP-SW-8	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the “Construction of the road, including earthworks (cut/fill) and permanent and temporary waterbody crossings” Mitigation Measures: Mitigation measures need to be based on proven and recognized best management practices, standard protocols for stream crossings, land clearing and/or working near water with machinery that are well understood and have been applied to road construction projects throughout northern Ontario. Proposed Best Management Practices (BMPs), standard protocols and good practices are listed in the “Proposed Action/Solution:” column.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include the following Mitigation Measures: Implement BMPs during the construction phase of the Project, ensuring the maintenance of appropriate riparian vegetation buffer strips along streams that intersect the road to attenuate runoff from the road, reduce sedimentation and erosion and provide shade cover thereby reducing stream temperature. Adhere to BMPs for road construction and operation and constructed in accordance with the Ministry of Natural	Refer to response to Item No. MECP-SW-7. Noted with respect to adherence road construction and operation guidelines; compliance with registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW), if applicable; and to Ontario Provincial Standard Specifications.	Section 7

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019				
Item No.	Draft ToR Section	Comment Received		ToR Section
		Resources and Forestry's (MNR's) Environmental Guidelines for Access Roads and Water Crossings (1995), Crown Land Bridge Management Guidelines (MNR 2008), Northern Land Use Guidelines – Access: Roads and Trails (INAC 2010) and Fish-Stream Crossing Guidebook (B.C. Ministry of Forests, Lands and Natural Resource Operations, B.C. Ministry of Environment and Fisheries and Oceans Canada 2012). Construction dewatering and other water takings will be carried out in compliance with the conditions for registration on the Environmental Activity and Sector Registry (EASR) or a Permit to Take Water (PTTW), as applicable. Treatment and discharge of wastewater may be guided by an ECA. Adhere to the following Ontario Provincial Standard Specifications be included to the requirements related to road, bridge and ancillary area construction: - Ontario Provincial Standard Specification (OPSS 805) – Construction Specifications for Temporary Erosion and Sediment Control Measures. - Ontario Provincial Standard Specification (OPSS 182) – General specifications for Environmental Protection for Construction in Waterbodies and on Waterbody Banks. - Ontario Provincial Standard Specification (OPSS 518) – Construction Specifications for Control of Water from Dewatering Operations. Adhere to Fisheries and Oceans Canada's (DFO's) Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (1998).		
MECP-SW-9	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	Table 7-1, the "Operations and maintenance, such as road repairs, vegetation clearing" Potential Effects: Ongoing operations and maintenance, including de-icing operations (e.g., application of sand and salt) during winter months can lead to further erosion and sedimentation and the addition of salts and other chemical constituents to area watercourses during the life of the road.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment to include: Project Component or Activity: "bridge and culvert repairs and replacements" "de-icing operations (e.g., application of sand and salt) during winter months" Potential Effects: "Increased rates of erosion and sedimentation from exposed land surface" and "Degradation of/alteration to surface water quality and flow and/or fish habitat"	Refer to response to Item No. MECP-SW-7. Noted
MECP-SW-10	Appendix B: List of Preliminary Evaluation Criteria and	In Appendix B, Surface Water Criterion, "surface water quantity" and "surface water levels" should be added to the list of indicators as these may be a more appropriate indicator in some situations (e.g., potential impacts to area lake or other slow moving system as a result of water diversion or taking).	Proposed Action/Solution: Revise Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Surface Water; Indicators, add: "Changes to surface water flow and levels"	Appendix B: List of Preliminary Evaluation Criteria and Indicators has been revised to include additional requested indicators for surface water.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-5 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-SW – Surface Water – Northern Region (Jacinth Gilliam-Price, Surface Water Specialist – Northern Region), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Indicators; Environment Factor: Natural Environment; Criterion: Surface Water (Page 4)		“Changes to surface water quantity”		

Table G4-6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-GW-1	Draft Terms of Reference (Sept. 2019), Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Water well installation will be required for construction camp water supply and groundwater monitoring activities in accordance with Ontario Regulation 903 under the Ontario Water Resources Act (1990).	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Well drilling for water supply and groundwater monitoring in accordance with Ontario Regulation 903 under Ontario Water Resources Act (1990).	As per the comments received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2
MECP-GW-2	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW) and discharge associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Environmental Compliance Approval under Environmental Protection Act (1990) and Ontario Water Resources Act (1990) – Environmental Compliance Approval (ECA) will likely be required for discharge associated with Category 2 and 3 Permits To Take Water (PTTW), and discharge associated with Environmental Activity and Sector Registration (EASR) for construction site dewatering.	Table 2-2: Provincial Legislation, Permits and Other, will be revised as per proposed actions/solutions received from MECP. However, suggest we change the wording “will likely be required” to “may be required”.	Section 2.1.5 Table 2-2
MECP-GW-3	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Aggregate source locations and types are not defined for the Project. It is noted that pits and quarries are not eligible for Environmental Activity and Sector Registration (EASR), and Permits To Take Water (PTTW) are required. The EASR for Water Taking for Construction Site Dewatering, states: “construction site” does not include a site at which any work or undertaking occurs that is associated with mine development, pits or quarries (O. Reg. 63/16: REGISTRATIONS UNDER PART II.2 OF THE ACT - WATER TAKING under Environmental Protection Act, R.S.O. 1990, c.	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to state: Further consultation is required with the Ministry of the Environment, Conservation and Parks (MECP) regarding Permit To Take Water (PTTW) and the applicability of Environmental Activity and Sector Registration (EASR) for aggregate extraction operations associated with the Project.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		E.19, https://www.ontario.ca/laws/regulation/160063 .			
MECP-GW-4	Table 2-2: Provincial Legislation, Permits and Other Authorizations, Agency: MECP (Page 17)	Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 L/day. Aggregate wash water systems contain “sewage”, as it is waste from an industrial process, and as such is “industrial waste” as defined in the Environmental Protection Act and Ontario Water Resources Act. Aggregate wash water systems are classified as “sewage works”, as defined in the Ontario Water Resources Act. Aggregate wash water systems are not exempted by any provision of the Ontario Water Resources Act or the approval exemption regulation (O. Reg. 525/98).	Proposed Action/Solution: Revise Table 2-2: Provincial Legislation, Permits and Other (Sept. 2019 Draft Terms of Reference) to include: Environmental Compliance Approval under Environmental Protection Act (1990) and Ontario Water Resources Act (1990) - Environmental Compliance Approval (ECA) will be required for aggregate wash water systems with capacity greater than 10,000 litres per day.	As per the comment received, Table 2-2: Provincial Legislation, Permits and Other Authorizations has been revised.	Section 2.1.5 Table 2-2
MECP-GW-5	Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Page 21)	Section 3.2 included a list of detailed technical investigations and assessments that will be undertaken and documented in the EA. “Geochemistry” was not included in this list. Considering that aggregate sources and locations are not yet defined for the Project and it is unknown where aggregate quarries/pits may be located, there is potential for Acid Rock Drainage and Metal Leaching (ARD/ML) from potential aggregate rock source materials. In the July 2019 Project Description for the Webequie Supply Road, the proponent committed to testing of aggregate and quarry materials for ARD/ML prior to use in construction: “Aggregate or quarry materials to be for tested [sic] acid rock drainage/metal leaching potential prior to use in construction.” (p. 15, Section 2.4 Emissions, Discharges and Waste, Webequie Supply Road Project Description, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/p80183/131056E.pdf]. Therefore, this commitment must be included and outlined in the Sept. 2019 Draft Terms of Reference.	Proposed Action/Solution: Include “Geochemistry” in the detailed technical investigations and assessments list under Section 3.2 Indication of How the Environmental Assessment is to be Prepared (Sept. 2019 Draft Terms of Reference). Baseline geochemistry investigations must include the results and interpretation of Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials. The sample selection, collection, analytical testing and interpretation of results should be undertaken according to the following international guidelines: - Prediction Manual for Drainage Chemistry from Sulphidic Geologic Materials, MEND (Mine Environment Neutral Drainage Program) Report 1.20.1, December 2009 [http://mend-nedem.org/wp-content/uploads/ 1.20.1_PredictionManual.pdf]; - Global Acid Rock Drainage Guide, 2009. The International Network for Acid Prevention [http://www.gardguide.com/images/5/5f/TheGlobalAcidRockDrainageGuide.pdf]; - Price, W.A. and Errington, J.C., 1998. Guidelines for Metal Leaching and Acid Rock Drainage at Minesites in British Columbia, British Columbia Ministry of Energy and Mines, August 1998 [https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral-exploration-mining/documents/permitting/ml-ard_guidelines.pdf].	Section 3.2 Indication of How the Environmental Assessment is to be Prepared, will be revised as per the proposed actions/solutions received from MECP.	Section 3.2
MECP-GW-6	Section 4 Descriptions of the	The proponent has not adequately addressed the sourcing and extent of aggregate extraction operations, pits and quarries that will be required for construction of the road; and	Proposed Action/Solution: Section 4 Description of the Undertaking (Sept. 2019 Draft Terms of Reference) must contain a clear description of all		Section 5.5 Section 5.6

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Undertaking; Section 5.1.2 Alternative Methods of Carrying Out the Undertaking, (Page 36-55) Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities.	has not included the aggregate source locations within the assessment of alternatives. The proponent identified the locations of potential aggregate sources within ~20 km of the proposed road corridor (see Figure 6.1 Webequie Supply Road, Alternative Routes and Project Area, Features/Sensitivities, Sept. 2019 Draft Terms of Reference). Based on the aggregate sources identified in Figure 6.1, it is apparent that source materials are limited along much of the road corridor, with available supply concentrated along the Muketei River near the Noront Resources Exploration Camp and north and southwest of the Winiskisis Channel area. The July 2019 Project Description for the Webequie Supply Road states: “The Webequie Project Team has not yet assessed either the capacity of potential aggregate sources..., or the annual aggregate resources requirements for construction and maintenance.” (p. 13, Table 2.1: Webequie Supply Road Project Components, Webequie Supply Road Project Description, Webequie First Nation, July 2019 [https://www.ceaa-acee.gc.ca/050/documents/p80183/131056E.p df]; and “...given the absence of any high relief and shallow groundwater in the region, several borrow areas and quarries will require further evaluation in the EA to determine their potential for use.” (p. 20, Section 3.2.2 Aggregate Source Locations and Access Roads, Webequie Supply Road Project Description, Webequie First Nation, July 2019).	proposed aggregate source locations and types (i.e., pits, quarries). Section 5.1.2 Alternative Methods of Carrying Out the Undertaking and Section 5.5 Supply Road Alternatives Carried Forward for Environmental Assessment (Sept. 2019 Draft Terms of Reference) must include the preferred aggregate source locations and extent of aggregate extraction operations within the assessment of alternatives. A reasonable range of locally accessible aggregate source locations must be considered. Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/ Sensitivities (Sept. 2019 Draft Terms of Reference) must differentiate the Potential Aggregate Sources based on extraction type (i.e., pit, quarry).	Although alternative methods of carrying out the Undertaking may be considered and assessed (screened) at the Terms of Reference stage for the purposes of proceeding with a focused EA, it is not atypical at the ToR stage to exclude outright identification of the preferred locations for sourcing construction materials, such as aggregate sources, due to the absence of substantive information at the ToR stage. Hence, the relatively uncertain status of this particular element in the draft ToR. A new section (Section 5.5) has been added to address Project Infrastructure Alternatives, and Section 5.6 of the ToR has been expanded to indicate that alternatives for infrastructure elements (including aggregate sites and related access road locations) will be subject to assessment during the EA.	
MECP-GW-7	Table 5-2 Webequie Community Based Considerations for Screening Alternative Concepts: Source Water (Page 59) Figure 6.1 Webequie Supply Road, Alternative Routes and Project Area, Features / Sensitivities.	In Table 5-2, Webequie First Nation identified a communal source of artesian groundwater (spring water) located ~10-15 km southeast of the community. The community requests that the road corridor be located a significant distance from the spring source. The spring source was not included in Figure 6.1, and it was unclear if the proposed road corridors are proximal to this area.	Proposed Action/Solution: It is recommended that the artesian groundwater source (spring) located ~10-15 km southeast of Webequie First Nation is identified in Figure 6.1: Webequie Supply Road, Alternative Routes and Project Area, Features/Sensitivities (Sept. 2019 Draft Terms of Reference), and in the Environmental Assessment (EA). If the location of the spring water source is confidential to the community, the Ministry requests discussion with Webequie First Nation on how to respect the confidentiality of this information while protecting this resource from road construction or aggregate extraction activities associated with the Project.	Figure 6.1 has been modified to indicate the approximate location of the spring water source, and, in doing so, illustrate that the proposed preferred road corridor is not proximal to this location.	Section 6 Figure 6.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-GW-8	Section 6.2.2 Physical Environment (Page 84)	Section 6.2.2 includes a list of the primary field methods for collection of data for the physical environment. This list does not include groundwater sampling, groundwater elevation or flow monitoring. Representative baseline groundwater quality and groundwater elevation data is required along the road corridor route and at proposed aggregate source locations (with the addition of groundwater flow data).	Proposed Action/Solution: Include “Groundwater sampling”, “Groundwater elevation monitoring”, and “Groundwater flow measurements” in the list of primary field methods for collection of data for the physical environment, as outlined in Section 6.2.2 Physical Environment (Sept. 2019 Draft Terms of Reference). Groundwater samples and groundwater elevation measurements must be collected in representative areas along the proposed road corridor route, at proposed aggregate source locations and construction camps to provide baseline groundwater quality and elevation data. Baseline groundwater flow measurements will also be required for proposed aggregate source locations. The identification of representative areas must consider: local hydrogeology and bedrock/overburden geology/geochemistry. Level loggers in monitoring wells are recommended to record seasonal groundwater elevation fluctuations.	Section 6.2.2 Physical Environment that list the primary field methods has been removed and replaced with Section 6.5, which includes the commitment to prepare and submit a groundwater workplan at the outset of the EA for MECP review and guidance on the detailed field methodologies to be used and specific data that will be collected for the purpose of the EA and any future monitoring during subsequent phases of the Project.	Section 6.5
MECP-GW-9	Table 6-1: Published Sources of Information for Existing Conditions, (Pages 85-87)	In Table 6-1, it is recommended that the following Ontario government resource is used for additional baseline information from the Ministry of the Environment, Conservation and Parks with respect to the Project: Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D] Accessed on Sept. 25, 2019.	Proposed Action/Solution: Include the following source of information in Table 6-1: Published Sources of Information for Existing Conditions (Sept. 2019 Draft Terms of Reference): Ministry of the Environment, Conservation and Parks - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]	Table 6-1: Published Sources of Information for Existing Conditions, will be revised as per the proposed actions/solutions received from the MECP.	Section 6.2.3 Table 6-1
MECP-GW-10	Table 7-1: Project Activities and Potential Effects on the Natural Environment (Pages 113-116)	In Table 7-1, the “Aggregate source extraction and production” Mitigation Measures should include: Monitoring of groundwater elevation, quality and flow conditions for adverse effects and with respect to applicable standards; and ARD/ML testing of potential aggregate rock source materials. See my Comment MECP-GW-5, above.	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Aggregate source extraction and production; Mitigation Measures (Sept. 2019 Draft Terms of Reference), to include the following: • Monitor groundwater elevation, quality, and flow conditions for adverse effects and with respect to applicable standards. • Complete Acid Rock Drainage and Metal Leaching (ARD/ML) testing of representative samples from proposed aggregate rock source materials prior to any use in construction. • Develop an Aggregate Material Geochemical Management Plan, for storage and handling of materials that are likely to result in acid rock drainage and/or metal leaching.	Refer to response to MECP-GW-5, MECP-GW-8, MECP-SW-7 and MECP-EA-28, as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components.	Section 7
MECP-GW-11	Table 7-1: Project Activities and Potential Effects on the	In Table 7-1, the “Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites” Potential Effects should include: impacts to groundwater quality; and Mitigation Measures should include: monitoring of groundwater quality for adverse	Proposed Action/Solution: Revise Table 7-1: Project Activities and Potential Effects on the Natural Environment; Project Component: Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous, generated at camp sites;	Refer to response to MECP-GW-10. Potential effects to groundwater quality have been addressed and described in Section 7.1.3.	Section 7.1.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-6 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-GW – Groundwater – Northern Region (Shannon Heggie, Hydrogeologist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Natural Environment (Pages 113-116)	effects and with respect to applicable standards. Construction camp sewage disposal using Large Subsurface Sewage Disposal Systems (LSSDS) will likely require groundwater quality monitoring. See Chapter 22 of the Ontario Design Guidelines for Sewage Works [https://www.ontario.ca/document/design-guidelines-sewage-works/large-subsurface-sewage-disposal-systems].	Potential Effects and Mitigation Measures (Sept. 2019 Draft Terms of Reference), to include: - Impacts to groundwater quality. - Monitor groundwater quality for adverse effects and with respect to applicable standards.		
MECP-GW-12	Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater (Page 5)	In Appendix B, under the Groundwater Criterion, “groundwater quality” should be incorporated into the Rationale for Selection of Indicators, since it is included in the list of indicators. In Appendix B, under the Groundwater Criterion, the following resource should be included under Data Source: MECP - Data Catalogue [https://www.ontario.ca/search/data-catalogue?publisher=%5B%22Environment,%20Conservation%20and%20Parks%22%5D&sort=asc&status=%5B%2230%22%5D]	Proposed Action/Solution: Revise Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater; Rational for Selection of Indicators (Sept. 2019 Draft Terms of Reference), as follows in bold : “Potential for short- and long-term effects on groundwater regime (flow/recharge interference, quality)” Include the following Data Source in Appendix B: List of Preliminary Evaluation Criteria and Indicators; Environment Factor: Natural Environment; Criterion: Groundwater (Sept. 2019 Draft Terms of Reference): MECP - Data Catalogue	As per the comment received, the document has been revised.	Appendix B

**Table G4-7 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-OP – Ontario Parks – Northwest Zone (Katherine Onyshkewych, A/Senior Park Planner), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-OP-1	Figure 4.1	Winisk Provincial Park boundary is not marked on this map. Defining the boundary (as done in figure 5.7) provides context of the development in relation to other landscape features/land uses (e.g., protected area), which is also used as justification of the preferred route selection within this document, on page 37, bullet 3 “no traversing of provincial parks”.	Proposed Action/Solution: Please make spatial reference to provincial parks (e.g., Winisk Provincial Park) on this map as well as all maps (where relevant) for all future phases throughout the EA process.	Provincial parks will be included on all relevant maps going forward. We note that the existing Figure 5.7 shows Winisk Provincial Park with boundary in the shade of green.	Various

**Table G4-8 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-AQ – Air Quality (Guowang Qiu, Air Quality Analyst), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-AQ-1		Air quality was listed as one of the evaluation criteria, and potential effects of the Project on air quality will be assessed as indicated in the draft ToR. It is hard to provide detailed	Proposed Action/Solution: To identify any issues with the scope of air quality assessment for the proposed Project, it is recommended that an air quality	Refer to response to MECP-EA-23.	Section 6.4 Section 6.5

Table G4-8 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-AQ – Air Quality (Guowang Qiu, Air Quality Analyst), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		technical review on the draft ToR as no detailed information was provided. In addition, the air quality assessment should be conducted for construction and operation phases.	work plan with technical details be developed in consultation with government agencies as early as possible.		

Table G4-9 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-WM – Waste Management (Craig Fowler, Senior Waste Engineer), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-WM-1	Table 7-1, (Page 114)	ToR identifies that storage, handling, and disposal of solid waste will be required; however, the details of such activities and the mitigation measures are vague. Also, it isn't clear if a Waste Approval will be sought from MECP based on how the project component/activity has been described. Table 2-2 (Page 15) does not identify that a Waste Disposal Site Approval would be required, it only speaks to the haulage of waste, which is not evaluated by the Waste Unit.	Proposed Action/Solution: A discussion of the waste types, generation rates, processing prior to off-site disposal, siting and storage requirements, and available capacity at MECP approved waste facilities that will be receiving the waste will need to form part of the permitting phase. It is expected that additional detail will be provided at this time should an approval from the Waste Unit be required. Action item: The ToR should clarify whether an Approval for a waste disposal site (transfer/processing/landfill) will be one of the approval applications made to the Province.	Waste types, generation rates, processing prior to off-site disposal, including whether an existing waste facility on federal/Webequie reserve lands has capacity or if a new waste facility is required will be examined in the EA, including identifying applicable approvals from the Province or Canada. As such, it is not possible at this time to state that Approval for a waste disposal site from the MECP is required. Section 7 has been revised to consistently present potential effects across all environmental components as requested by other MECP reviewer.	Section 7

Table G4-10 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-WW – Wastewater (Hitesh Vaja, Senior Wastewater Engineer), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-WW-1	Management and/or disposal of wastewater and sewage, including hazardous and non-hazardous waste, generated at camp sites (Page 114)	On-site sewage works at the workers camp sites, even if temporary in use during the construction period, will require approval under s. 53 of the OWRA if the rated capacity of the works is over 10,000 L/d.	Proposed Action/Solution: Relevant approvals under s. 53 Ontario Water Resources Act be should be sought for the sewage works proposed prior to the establishment or construction.	A preliminary list of permits and approvals under provincial legislation that may be required for the Project is presented in Table 2-2, which includes the noted approvals for sewage works. Applicable approvals related to the Project will be secured, where applicable.	Section 2.1.5 Table 2-2



Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-11 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PS – Pesticides Section – Northern Region (Madhi Ramadoss, Ph.D., Regional Pesticides Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-PS-1	Pesticides Section: Webequie Supply Road Project – Draft Terms of Reference	I reviewed the draft terms of reference for the proposed Webequie Supply Road Project as requested. My review was in the context of Pesticide use in vegetation clearing. In Chapter 7; Section 7.1, Page 113-Table 7-1 Project activities and potential effects on the natural environment outlines the vegetation clearing and grubbing, this includes removal of vegetation which is coniferous and deciduous trees. I understand from the mitigation section that, clearing of vegetation using manual and mechanical means and following BMP's. Hence this proposal does not have any use of pesticide use for clearing vegetation and does not require further comment from Pesticide section. In General, after establishing all season road, which becomes public works (right-of-way). Under Section 23 of Ontario Regulation 63/09 of Pesticides Act, pesticides are allowed for use to maintain safe condition of road, for example clear sight lines including signs and intersections and allow motorist to see animals at the roadside.	Noted.	

Table G4-12 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-LU – Land Use Planning – Northern Region (Carrie Hutchison, Environmental Assessment Coordinator), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-LU-1	NA	NA	Proposed Action/Solution: This proposal is for development of a 107 km long, all-season roadway between Webequie First Nation and the McFaulds Lake area. The proposal occurs in the unorganized/ unincorporated portion of Ontario's far north. There are no municipal Official Plans which cover this area, or immediately neighbour it. The Far North Act and related Community-Based Land Use plans should be considered, and these are mentioned in the TOR. As such I have no specific recommendations for changes to the ToR at this time.	Noted.

Table G4-13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-PM-1	Section 7.1 Project Activities and Potential Effects on the Natural Environment Field surveys,	Human controlled sediment into waterway may cause impairment to the natural environment. Erosion or sediment in waterway is classified as a spill to the natural environment. Instances of sediment to waterway is to be reported to the Spills Action Center (18002686060), forthwith.	Proposed Action/Solution: Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.	Refer to MECP-EA-28 as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	staking and layout (Page 113)	Clean up maybe required.			
MECP-PM-2	Aggregate source extraction and production (Page 114)	Particulate (dust) and noise issues may have an adverse affect. An Environmental Compliance Approval (ECA) may be required for this activity depending on the process of extraction and refining of the aggregate. Ex. Crusher activity will require ECA for Air/Noise. Front End Loader may not require an ECA. If aggregate extraction is below the water table and water is to be removed (pumped), a Permit To Take Water (PTTW) may be required if takings are greater than 50,000 L per day. If water is contaminated (sediment), an Industrial sewage ECA may also be required for discharge of a contaminant other than water.	Proposed Action/Solution: Table 7-1 should include particular (dust) and noise as potential effects of aggregate extraction. Table 2-2 provincial permits list should include these potential ECA and PTTW permitting requirements for aggregate extraction and refining. Comments are also for awareness during permitting phase.	Refer to MECP-EA-28 as the subject Table 7-1 has been removed and replaced with text for consistency across all environmental components. As per the comment received, Table 2-2 has been revised.	Section 2.1.5 Table 2-2 Section 7
MECP-PM-3	Emissions, discharges and waste from Transport, handling and storage of fuel for equipment and vehicles (Page 114)	Release of contaminants may cause adverse effect to the natural environment. Instances of spills of contaminant is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility.	Proposed Action/Solution: Table 7-1 in the ToR should include clean up as a potential mitigation measure. Comments are also for awareness during permitting phase.	Refer to response to MECP-PM-1.	Section 7
MECP-PM-4	Handling and disposal of waste oil, lubricants and other fluid products from the maintenance of equipment and vehicles (Page 114)	Waste is regulated in the EPA and Regulation 347. Registration with HWIN may be required for subject waste if field exemptions are not met. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect to the natural environment ex. Closed leak proof containers. Secondary containment. If storage of waste is greater than 90 days, a notice of Storage will be required to be submitted to the Director, if waste is stored for longer than 24 months approval for a Waste site maybe required. A Waste plan to be addressed in the EA to include but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination.	Proposed Action/Solution: Please ensure the waste management plan will include details such as but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination. Comments are also for awareness during permitting phase.	Noted.	
MECP-PM-5	Storage, handing and disposal of solid waste	Solid non-hazardous waste is regulated by the EPA. Waste generated and stored on site will require to be stored in an approved manner to limit waste causing adverse effect	Proposed Action/Solution: Please ensure that the waste management plan will include details such as but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected	Noted.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks					
MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	(Page 114)	to the natural environment ex. Closed leak proof containers. Waste being hauled may required an approved Waste Management System (WMS) approved to haul waste derived at the site(s). All waste sent off site must be sent to an approved waste disposal site that can accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination, can the receiver manage the waste.	location(s) of waste final destination. Comments are also awareness during permitting phase.		
MECP-PM-6	Management and/or disposal of wastewater and sewage, including hazardous and nonhazardous, generated at camp sites (Page 114)	If the waste generated at the camp site is less than 10,000L per day, the District health Unit will be issuing the permits required. If the site generates more than 10,000L per day, an approval will be required under the OWRA for discharge of waste water, sewage generated at camps. More description required on the Hazardous Material that will be discharged from the site. Hazardous material, unless exempt, will require approvals under the EPA. Treated waste water and sewage under 10, 000L per day will not be regulated by the MECP unless creating an off site impact to the natural environment. If the above stated is greater than 10, 000L an ECA approval will be required by the MECP of Industrial/Private Sewage works. Any transported wastewater and sewage will require a WMS to haul such waste. All waste must be sent to an approved facility to accept such waste. Waste plan to be addressed in the EA to included but not limited to the types of waste, volumes of waste, waste storing capabilities on site, expected location(s) of waste final destination can the receiver manage the waste.	Proposed Action/Solution: Please ensure the EA includes a description of any Hazardous Material that will be discharged from the site as well as mitigation measures. Comments are also for awareness during permitting phase.	Noted.	
MECP-PM-7	Air emissions from movement and exhaust of equipment and vehicles (Page 115)	Fugitive dust created from the construction/maintenance of supply road may be regulated by the MECP. Off-site impacts may be regulated/abated/investigated by MECP, if people and the natural environment are adversely affected.	Proposed Action/Solution: Comment for awareness during permitting phase.	Noted.	
MECP-PM-8	Noise emissions from equipment and vehicles (Page 115)	Noise emissions are regulated by the MECP. Ensure NPC guidelines are adhered for remote sites (class 3 rural). Noise Screening will be required. If screening for noise ECA cannot be met, an ECA for Noise (Air) will be required.	Proposed Action/Solution: Comment for awareness during permitting phase.	Noted.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-13 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks					
MECP-PM – Permitting Requirements – Thunder Bay District (Mike Landers, Senior Environmental Officer, Bilingual), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		Blasting (vibration) may also be required to be approved depending on Screening criteria results.			
MECP-PM-9	Operations and maintenance, such as road repairs, vegetation clearing (Page 116)	Spills to the environment (fuels, liquids, sediment to waterway etc.) are regulated by the EPA.	Proposed Action/Solution: Comment for awareness during permitting phase.	Noted.	
		Fugitive dust control plan to minimize or eliminate adverse affects to human health and the environment.			
		Culvert installation/replacement may require an approval if water takings exceed 50,000 L per day.			
		Spills of contaminant(s) is to be reported to the Spills Action Center (18002686060), forthwith. Clean up will be required, waste will be required to be hauled by an approval hauler and received at an approved waste facility.			
		Fugitive dust control plan identifying controls to mitigate dust issues surrounding sensitive receptors along the road way.			
		Environmental Activity and Sector Registry (EASR) or a PTTW will be required if more than 50, 000 L is taken for the installation.			
		If Chemical Spraying for vegetation control is required, pesticide application approval, by MECP, will be required			

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019				
Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-PC-0	General	Re: Review of Draft Terms of Reference for Proposed Webequie Supply Road In conducting our review, Species at Risk Branch understands that the Draft Terms of Reference (September 2019) is high-level and not intended to provide the level of detail / specific information that would be required at the formal Environmental Assessment (EA) stage or to meet application requirements for permits and authorizations that would be needed to implement the project. That said, we have carried out our review with a view to both the EA and future regulatory authorizations in order to provide you with information that will help enable an efficient approach to project planning and preparation of applications for any necessary <i>Endangered Species Act</i> (ESA) authorizations. Specifically, attention should be paid to the following requirements that form the basis of many of our ESA authorizations: • Minimize adverse effects – you must take reasonable steps to minimize the adverse effects of your activity on the species at risk and their habitat that are likely to be affected by your activity. ○ Ways to minimize the adverse effects of your activity on species at risk and their habitat may include modifying the: ▪ location of the activity ▪ geographic scale of the potential effects ▪ activity design (e.g. engineering and technological)	Noted.	

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		▪ timing of the activity ▪ duration and frequency of the effects ▪ approaches and timing for any site restoration or rehabilitation (such as doing progressive rehabilitation while other parts of the activity are still happening) ▪ general operational protocols • Consider reasonable alternatives – you will need to show the Ministry of the Environment, Conservation and Parks that you have considered reasonable alternatives to your activity. ○ Alternative approaches to your activity include: ▪ Changing the location of the activity ▪ Using alternative methods, equipment or technical designs ▪ Changing the timing of the activity to avoid times when the species is there or is most sensitive to disturbance ▪ Changing the geographic scale, duration and/or frequency of the potential adverse effects ▪ Adding or changing approaches and timing of site restoration or rehabilitation after the activity is done ○ When considering reasonable alternatives to your activity, you must: ▪ Consider at least one alternative that would completely avoid any adverse effects on species at risk ▪ Identify alternatives that you considered but did not think were reasonable because of biological, technical, social or economic limitations ▪ Explain why the approach you have chosen is the best alternative In addition, should an Overall Benefit Permit be required for the project, as determined through MECP’s review and assessment of all the project details, the following requirement would also need to be considered: • Achieve overall benefit – providing an overall benefit to a species means undertaking actions that contribute to improving the circumstances for the species. It must include more than steps to minimize adverse effects on the species or habitats. ○ Achieving an overall benefit to a species may involve providing the species with a range of benefits, such as: ▪ increasing the number of individuals of the species living in the wild and capable of reproducing ▪ increasing the distribution of the species within its natural range ▪ increasing the viability or resilience of existing populations of the species ▪ slowing or reversing population declines by addressing key threats to the species’ survival ▪ increasing the quality or amount of habitat for the species ○ Activities such as filling information gaps, education and outreach may contribute to an overall benefit plan for a species at risk. However, alone they are unlikely to meet the overall benefit requirement. ○ Recovery strategies and government response statements, where available provide information that can be used to form plans to achieve an overall benefit for species at risk. Further guidance on the level of information that would be required for assessing the need for an ESA authorization can be found in our “Information Gathering Form for activities that may affect species or habitats protected under the <i>Endangered Species Act</i>” as well as the accompanying guide found on our website: http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR&TAB=PROFILE&MIN=018&BRN=21&PRG=31			
MECP-PC-1	General	Woodland Caribou has been renamed Caribou (Boreal population) in Ontario.	Proposed Action/Solution: Update the ToR to replace all references to “Woodland Caribou”, with the exception of referenced document titles, with “Caribou (Boreal population)”.	Noted. All reference in TOR to “Woodland Caribou”, other than referenced document titles, will be replaced with “Caribou (Boreal population)”.	Throughout
MECP-PC-2	General	Recommendation to prevent delays should ESA authorization be required.	Proposed Action/Solution: It is strongly recommended that the project be planned and the environmental assessment prepared with the requirements of the Endangered Species Act, 2007 (ESA) in mind. This can potentially facilitate the authorization process under the ESA.	Noted: To the extent possible EA field studies and documentation will be developed to facilitate future authorization under the ESA, if required.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			where authorization is required. In order to inform any future ESA authorization requirements, reasonable route/project alternatives should be assessed for impacts to all species at risk and their respective habitats, and at least one avoidance alternative should be included. Please refer to the MECP “Avoidance Alternatives Form” for activities that may require an overall benefit permit under clause 17(2)(c) of the Endangered Species Act” and accompanying guide for reference. (http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31)		
MECP-PC-3	General	Recommendation to prevent delays should ESA authorization be required.	Proposed Action/Solution: Public/Stakeholder/Indigenous consultation regarding the project and alternatives should include impacts to ALL species at risk and their respective habitats.	Project consultation activities regarding the Project and alternatives will include discussion of potential effects to all species at risk and their respective habitats.	
MECP-PC-4	Section 1.4.1 (Page 6)	ToR is unclear about the type of activities (road, infrastructure elements) or level of use of the road being assessed. This should be clearly stated in ToR and EA. Comments and advice provided by MECP could be different if the level of impact being addressed is not fully understood.	Proposed Action/Solution: EA alternatives should consider the impacts of the road when functioning as supply road for active mining activities and quantify this accordingly. Other “infrastructure elements” that have been planned for – MECP requests clarification if this will be included in this EA or if this would be addressed in another process.	As described in Section 4 of the ToR the EA will examine the Undertaking, which is a road corridor of 35 metres (m) in width to accommodate a permanent two (2)-lane gravel surface all-season road, which for clarity also includes temporary and/or permanent supportive infrastructure such as aggregate extraction and processing areas, construction camps and storage and laydown yards. As stated in the ToR the Project is intended to facilitate the movement of materials, supplies and people from the Webequie Airport to the area of existing mineral exploration activities and proposed mine developments in the McFaulds Lake area with the objective to provide employment and other economic development opportunities to Webequie First Nation.	Section 4
MECP-PC-5	Section 2.1.5 Table 2-2 (Page 17)	The information provided suggests that an authorization under the ESA will be through a s.17 permit. Authorization under the ESA should be evaluated based on the Project details, and in consultation with MECP.	Proposed Action/Solution: Update ToR to the following: “Authorization under the Endangered Species Act, 2007”	As per the comment received, the document has been revised.	Section 2.1.5 Table 2-2
MECP-PC-6	Section 4, pg. 22	“A corridor of 35 metres (m) in width, within the broader 2 km wide proposed preliminary corridor”. Request information on the amount and location of vegetation clearing once route is decided. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This information will allow MECP to provide more scoped advice on SAR and habitat, and better inform decisions to avoid impacts to species and habitat where possible, and where not possible, to potentially develop measures to avoid the requirement for an authorization.	Proposed Action/Solution: MECP would like to request all areas where vegetation removal is required for any stage of the process (road, access roads, laydown areas and aggregate extraction areas etc.) be communicated when determined and MECP allowed time to provide more specific advice on SAR. Otherwise, we are unable to comment on the impact to some species or their habitat.	Noted: MECP will be provided with vegetation removal details for the Project as part of the EA, including impacts to SAR and/or their habitat to allow for more specific advice from MECP on avoidance, mitigation and whether an authorization under the ESA will be required.	Section 4
MECP-PC-7	Section 4.1 (Page 24)	SAR sensitive project planning/management - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This may allow for some avoidance measures and possibility of not requiring authorization for some species.	Proposed Action/Solution: If there is potential for the proponent to plan the timing of certain activities to avoid sensitive timing for Species at Risk, MECP would be very keen to provide advice on optimal design and timing considerations for the project team to consider.	Noted.	
MECP-PC-8	Section 4.2 (Pages 25-26)	All activities should be considered for their potential SAR impacts. Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where	Proposed Action/Solution: MECP request that all activities, including prep work, are considered for impacts to SAR and their habitat and outlined in	Refer for response MECP-PC-4. All project components and activities will be examined in the EA, including in the context of potential effects to SAR.	

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		they may be required. This will ensure that when the permitting application phase is reached we will not need to request further studies and risk set-backs to the project and that impacts can be properly assessed.	the EA. For example, the high-level list of activities associated with the broader project presented in section 4.2 are often the type of activities that impact SAR and their habitat.		
MECP-PC-9	Section 4.3.1 (Page 26)	Proposal identifies that the detailed construction staging and sequencing of the Project will be determined in the detail design phase, however it does not define when this phase will occur.	Proposed Action/Solution: Update ToR to provide clarification regarding when the 'detail design phase' will occur? Will this be identified in the EA? This has implications for timing of approvals, as an appropriate level of detail of study, consideration of alternatives and mitigation have to be satisfied for authorizations under the ESA. The time required for additional level of study and planning to fulfill ESA requirements should be considered by the proponent.	Added text and figure to provide a high-level schedule for the project phases leading to commencement of operations has been added to the ToR (refer to Section 4.3.4). It is expected that the Detail Design phase (including detailed construction staging and sequencing of the Project) and obtaining the required permits, licenses, approvals and authorizations will occur over the course of approximately 10 months following approval of the EAR/IS.	Section 4.3.4
MECP-PC-10	Section 4.3.1 (Page 27)	Earth and aggregate extraction and processing also have potential for negative impacts to SAR.	Proposed Action/Solution: Update ToR to reflect the following: "Earth and aggregate extraction, processing and hauling operations"	As per the comment received, the document has been revised.	Section 4.3.1
MECP-PC-11	Section 4.3.1 (Page 27)	Information on "field surveys". Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will ensure that when the permitting application phase is reached the likelihood of MECP requiring further studies and risk set-backs to the project is reduced.	Proposed Action/Solution: MECP would like to request information: which "field surveys" are being planned? MECP would like to request input or review to Species at Risk Survey (SAR) methodology.	Refer to response to MECP-EA-23, which notes that a commitment in the ToR has been made to provide a workplan for SAR survey methodologies to the MECP for review and guidance at the outset of the EA.	Section 6.4 Section 6.5
MECP-PC-12	Section 4.3.2 (Page 27)	Potential ongoing disturbance and impacts to SAR of operation and maintenance - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. This will allow MECP to do a fulsome review of impact to SAR.	Proposed Action/Solution: Potential disturbance and impacts to SAR of operation and maintenance should be considered. Any solutions or mitigation measures made, should be included in the agreement for the operator of WSR.	Potential disturbance and impacts to SAR as a result of the operation and maintenance phase of the Project will be considered in the EA. Any solutions or mitigation measures identified for this phase of the Project will form part of the future commitments specified in the EA and would represent obligations for implementation by the operator of the WSR where applicable.	Section 4.3
MECP-PC-13	Section 4.3.2 (Pages 27-28)	Details of road use controls - Strongly recommend this be addressed during the preparation of the EA to facilitate ESA authorizations, where they may be required. The use of road controls may change the amount of impact on SAR (positively or negatively). For this reason, MECP requires the information to do a fulsome review of the effects to SAR.	Proposed Action/Solution: The information about road controls will be important to some SAR and we would like to request more information on this. We would also like to request that SAR be taken into consideration when making this decision. For example: increased human activity and increased trapping in the areas now accessible by road will negatively affect Wolverine. Conversely, restrictions on amount or type of use may be reduce the impact to some species.	The Project team will provide further information on road controls and potential effects to SAR to MECP as part of the EA and will seek advice where applicable.	Section 4.3.2
MECP-PC-14	Section 5.2 Table 5-2 (Page 57 Woodland Caribou)	Table 5-2 speaks to some, but not all, criterion and indicators by which we assess the current status of a caribou range and impacts of any proposed development alternatives. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for caribou should be considered. As per our Memo dated July 8, 2019, the following caribou-specific indicators should be included in an evaluation of alternatives: • Caribou (Habitat Protection) – Range Condition	Proposed Action/Solution: Update the ToR to reflect how these caribou-specific indicators were considered in the selection of the preliminary preferred corridor. Alternatively, if they were not all considered in the selection of the preliminary preferred corridor, provide explanation in ToR.	Section 5.5.2, Table 5.2 has been revised to include further select habitat criteria and indicators related to "habitat protection" and "species protection" for the screening evaluation of conceptual corridor alternatives. However, not all indicators are proposed as data is not available at this stage in the project development. All caribou-specific criteria and indicators will be applied for the analysis of alternatives to be carried forward in the EA and are presented in Appendix B of the ToR – List of Preliminary Evaluation Criteria and Indicators.	Section 5.5.2 Table 5-2

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019				
Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		- Caribou (Species Protection) – Population Size Estimates at the Range Level - e.g., minimum animal count based on available information - Caribou (Species Protection) – Population Trend Estimates at the Range Level - Caribou (Habitat Protection) – Cumulative Disturbance at Range Level o Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) - Alignment with existing disturbance - Length of new linear disturbances - Caribou (Habitat Protection) – Habitat Amount and Arrangement - Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level - Category 1: High Use Area – Nursery Areas Habitat potentially impacted - Number of Nursery Areas within the Range - Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) - Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project - Area (ha) of each Nursery Area potentially being impacted - Area (ha) of each Nursery Area removed by Project - Category 1: High Use Area – Winter Use Areas potentially impacted - Number of Nursery Areas within the Range - Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) - Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project - Area (ha) of each Nursery Area potentially being impacted - Area (ha) of each Nursery Area removed by Project - Category 1: High Use Area – Travel Corridors potentially impacted - Number of Nursery Areas within the Range - Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) - Relevant information on that habitat, such as average age of forest, condition of forest, etc. for		

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project • Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g. vehicular collisions, increased hunting pressure) • Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) • Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g. light, sound, vibration, olfactory) within 10 km of the Project			
MECP-PC-15	Section 5.2 (Page 60)	This comment applies to the entire section 5.2, including Table 5-2 and Table 5-3: The criteria listed as Webequie Community Based Consideration for Screening Alternative Concepts (Table 5-2) and additional criteria inherent in the broader definition of the environment (page 60 and Table 5-3) do not consider all SAR within the study area, just caribou. The ‘Natural environment’ criteria (page 60 and Table 5-3) should acknowledge all species at risk and be used to screen alternative concepts. If impacts to any species at risk are identified, obtaining authorization under the ESA will require the evaluation of alternatives that consider all impacted those species at risk. This should include the following indicators for other SAR: ▪ Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats ▪ Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species	Proposed Action/Solution: Update the ToR to reflect how all SAR that may be present in the study area were considered in the selection of the preliminary preferred corridor. Alternatively, if all SAR were not considered in the selection of the preliminary preferred corridor, provide explanation in ToR.	Section 5.2 and Table 5-3 have been revised to include other SAR in the screening evaluation of the conceptual corridor alternatives, with indicator of potential direct or indirect impacts to species or their habitat. Specifically, this includes those species from the preliminary presence/absence determination the could potentially be found in the project area: Bald Eagle; Barn Swallow; Bank Swallow; Canada Warbler; Common Nighthawk; Rusty Blackbird Olive-sided Flycatcher; Wolverine; Little Brown Myotis and Lake Sturgeon.	Section 5.2 Table 5-2 Table 5-3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
MECP-PC-16	Table 5-3 (Page 64, Factor: Caribou Range Condition)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept utilizing currently disturbed habitat was relayed here for each. (e.g. Alternative Concept 1 – 52km will utilize currently disturbed/regenerating lands instead of intact forest; Alternative Concept 2 – 107 km will utilize	Proposed Action/Solution: Update the ToR to quantify results for each alternative concept.	Section 5.2
MECP-PC-17	Table 5-3 (Page 64, Factor: Caribou Habitat Protection)	In order to make a sound comparison of the alternative concepts, it would be helpful if the number of kilometres of the alternative concept crossing each habitat category type was relayed for each (e.g. Alternative Concept 1 – 0 km crossing Cat. 1 Nursery Habitat, 14 km crossing Cat. 1 Wintering Habitat, 40 km crossing Cat. 2 Habitat, 18 km crossing Cat. 3 habitat...etc.).	Proposed Action/Solution: Updated ToR to quantify results for each alternative concept.	Section 5.2 Table 5-3
MECP-PC-18	Table 5-3 (Page 64, Factor: Caribou Habitat Protection)	Clarify what is meant by “core” Caribou habitat and “known” Caribou habitat. As per the General Habitat Description for the species, the entire range is considered to be habitat for the species.	Proposed Action/Solution: Update ToR to clarify what is meant by “core” Caribou habitat and “known” Caribou habitat.	Section 5.2 Table 5-3
MECP-PC-19	Table 5-3 (Page 65, Factor: Caribou Species Protection)	Sensory impacts within 10 km of each alternative should also be included here and assessed.	Proposed Action/Solution: Update ToR to include an assessment of potential sensory impacts to Caribou within 10 km of each alternative.	
MECP-PC-20	Section 5.3 (Page 71)	Statement under rationale for the preferred corridor alternative that it “avoids existing caribou habitat east of Webequie by following a more linear north-south alignment, rather than a southeast alignment that would reduce road length, but does not fully avoid potential affects” does not reflect categorized habitat as per the General Habitat Description for Woodland Caribou (2013). While this preferred corridor may minimize impacts to known nursery areas (Category 1 habitat), it still bisects seasonal range (Category 2 habitat) with known caribou use.	Proposed Action/Solution: Update ToR to provide clarification that the preferred corridor alternative minimizes impacts to known nursery areas but does not avoid impacts to caribou habitat.	Section 5.3
MECP-PC-21	Section 6.1 (Page 78, par. 1)	The example provided for species at risk (e.g., caribou ranges) is not sensitive information, and can/should be displayed on maps to provide context for caribou. SAR observations and collar locations are considered sensitive information and precise locations should not be displayed on maps.	Proposed Action/Solution: Update ToR to remove the example of “caribou ranges” and replace it with “SAR observations”	Section 8 Section 8.2
MECP-PC-22	Section 6.1 (Page 78, par. 6)	As described in first part of section 6.1, the Study Area will be broken up in to three components to capture the potential direct and indirect effects of the Project. However, in paragraph 6 it states that each component of the Project will be assessed	Proposed Action/Solution: Update ToR to include reference here to all three study area extents (i.e., footprint, LSA, RSA).	Section 8 Section 8.2

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		within the context of LSA and RSA. This should also include the project footprint. Impact to SAR are measured at all three extents.			
MECP-PC-23	Section 6.1 Caribou Study Area (Page 78, par. 8)	The description provided should include an impact analysis of the footprint, as well as the LSAs and RSAs. This would consider sub-range habitat features (e.g., category 1 habitat such as nursery areas and winter use areas) as per the General Habitat Description for the Forest-dwelling Woodland Caribou (Rangifer tarandus caribou) (2013) (GHD) and the Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014) (RMP). The reference to the “Ontario Caribou Conservation Policy” should reference Ontario’s Woodland Caribou Conservation Plan (2009) (CCP). This is Ontario’s government response statement legislated under the ESA (2007).	Proposed Action/Solution: Update ToR to reference the GHD and RMP. Update ToR to correct the reference to the CCP.	Refer to response to MECP-PC-21.	Section 8 Section 8.2
MECP-PC-24	Section 6.1 Caribou Study Area (Page 78, par. 8)	Species at Risk mandate has been transitioned the Ministry of the Environment, Conservation and Parks (MECP). As such, input should be provided to MECP regarding caribou (and all other species at risk), including ranges and necessary study areas for consideration in the environment effects analysis.	Proposed Action/Solution: Update ToR to reflect that input will be provided to MECP	Refer to response to MECP-PC-21.	Section 8 Section 8.2
MECP-PC-25	Section 6.1 (Page 80)	The study area for terrestrial biological effects for caribou has been outlined. Other species have been omitted. This should be addressed in the ToR.	Proposed Action/Solution: Wolverine should be considered on the same scale as caribou when assessing impacts as mentioned for Caribou in “CARIBOU STUDY AREA”	Refer to response to MECP-PC-21.	Section 8 Section 8.2
MECP-PC-26	Section 6.2.1 (Page 81)	In additional to the Winter Aerial Caribou Surveys and Summer Caribou Calving Surveys, deployment of radio satellite collars on caribou within proximity of the alternative corridors under consideration (e.g., LSA), that would enable tracking of caribou before/during/after construction, would provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use. Refuge from predation is the ultimate factor influencing caribou distribution and habitat use in the Boreal forest. One of the key threats to caribou is habitat fragmentation due to development activities, particularly those that increase and/or introduce linear features to the landscape. These types of disturbances increase predator efficiency which may have a detrimental effect on caribou populations within the LSA and RSA. Understanding how caribou respond to habitat fragmentation and increased predator access will be an important aspect to assessing the impacts of the Project.	Proposed Action/Solution: Consider the application of radio satellite collars as an effective monitoring tool that could provide important baseline information and contribute towards assessing impacts of the Project on caribou habitat movement and habitat selection/use.	MNRF collaring data is currently available for Caribou within the Missisa Range and other surrounding ranges and will be used for the EA. A discussion with the MECP is welcomed to discuss how a Caribou collaring program could contribute towards assessing impacts of the Project on Caribou and whether such information is required for the purposes of permits/approvals under the ESA.	Section 6.2.1
MECP-PC-27	Section 6.2.1 Winter Aerial Caribou Survey (Page 81)	More details are required to determine if the winter aerial survey conducted between Feb. 9-14, 2019 was sufficient to describe environmental baseline conditions. For example: - Length of transects - o For the survey to adequately cover the LSA, transects should have been a minimum of 20km long (10 km	Proposed Action/Solution: Update ToR to include additional detail. This will assist in determining whether additional winter aerial surveys are required.	All reference to field studies and data collection methods for Caribou has been removed from Section 6.2.1. A new Section 6.5 entitled “Data Collection Methods and Baseline Studies” has been added to state that the scope and intensity of the field studies and the associated data collection methodologies	Section 6.5 Section 8

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		either side of the alternative corridors under consideration). - Weather conditions during flights o The weather conditions during winter aerial flights are an important factor for consideration that influence visibility, observer sightability, etc. - General weather conditions through the winter (e.g., generally deep/shallow snow depths, temperatures, etc.) o Caribou will exhibit behavioural responses to extreme weather conditions (e.g., exceptionally deep snow), which may provide a false representation of habitat use within the LSA - Time since last snowfall o Fresh snow assists in determining whether indirection observations (e.g., tracks, etc.) are fresh vs old - Were indirect observations recorded (e.g., tracks, cratering, slushing, etc.)? o Important information that can be used to infer extent and degree of use, when direction observations of caribou are not made - Was group structure (i.e., age and sex of observed animals) recorded? Considering the ToR does not indicate that additional winter aerial surveys will be conducted to inform the EA, these additional details are necessary for MECP SARB to conclude that this survey, as described in Section 6.2.1, was sufficient to describe environmental baseline conditions and that no additional surveys will be required, or alternatively to recommend additional surveys if the details support that conclusion.		will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of workplans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. Also refer to response to MECP-EA-21.	
MECP-PC-28	Section 6.2.1 Summer Caribou Calving Study (Page 81)	The <i>Summer Caribou Calving Survey</i> section does not provide sufficient information on the number of surveys and/or areas that will be identified and surveyed.	Proposed Action/Solution: Update ToR to include details on the number of areas within the LSA for caribou (more details on LSA for caribou in following comment).	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-29	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	Indicates that suitable landscape features within the project footprint and LSA (i.e., within 1-2 km of the alternative corridors under consideration) will be identified for surveys. MECP would prefer that a representative sample of areas within 10 km of the alternative corridors under consideration be surveyed during the sensitive time period for caribou calving and rearing life functions (i.e., nursery areas). This aligns with direction provided in the <i>General Habitat Description for the Forest-dwelling Woodland Caribou (Rangifer tarandus caribou)</i> (2013) (GHD) and the General Best Management Practices outlined in the <i>Best Management Practices</i> with respect to high use areas (i.e., Category 1 habitat) that may be impacted by activities within 10 km.	Proposed Action/Solution: Update ToR to identify that the LSA for caribou, in the context of this Project, are areas within 10 km of the alternative corridors under consideration; and that a representative sample of suitable areas for caribou within 10 km of the alternative corridors under consideration will be surveyed for nursery activity.	Refer to response to MECP-PC-27.	Section 6.5

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		Understanding that survey effort in the Far North of Ontario has been limited during the sensitive time periods for caribou, it is particularly important that baseline studies focus on identifying additional areas of habitat that have demonstrated use by adult female caribou and/or their calves for the purpose of calving and/or rearing activity.		
MECP-PC-30	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	Indicates that an assessment of caribou refuge habitat using the Boreal Landscape Tool to establish candidate areas for the survey. Currently, data limitations prevent Ontario's Landscape Tool (OLT) from being used in the Far North of Ontario to assess refuge and/or winter habitat. Consequently, this aspect of identifying suitable candidate areas for the survey is not possible.	Proposed Action/Solution: Update the ToR to remove this aspect of the proposal.	Refer to response to MECP-PC-27. Section 6.5
MECP-PC-31	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 1)	The identification of candidate areas for the survey will need to be done using aerial photographs (as proposed). However, the methodology provided by MNRF and outlined in Ranta (1998) is directed at habitat components typical on the Boreal Shield, particularly further south where lakes (with islands and Peninsulas) are commonly used by caribou for calving/rearing. Understanding that the habitat components used by caribou for calving and rearing in the Hudson Bay/James Bay Lowlands may be different than those used on the Boreal Shield, some additional consideration will need to be given to other habitat components likely to be used by adult female caribou and their calves in the lowlands.	Proposed Action/Solution: Update ToR to include habitat components (in addition to islands and peninsulas) that are likely to be used by adult female caribou to calve and rear their young (e.g. treed fen/bog islands)	Refer to response to MECP-PC-27. Section 6.5 Section 8
MECP-PC-32	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 2)	Proposal identifies the calving season as June 15 to August 15. Recognizing that the sensitive time period for caribou nursery activity is broadly identified as May 1 to September 15 (as per the GHD), this should be referenced. The GHD further subdivides this board time period into two separate periods, (1) May 1 to July 15 as the early part of the nursery time period which has very low tolerance to alteration, and (2) July 16 to September 15 as the later part of the nursery time period which has a low tolerance to alternation. As such, MECP would prefer surveys be conducted between July 15 to September 1, to avoid unintended stress on the cow/calf pair during the period where calves are less mobile and they have the least amount of tolerance to disturbance.	Proposed Action/Solution: Update ToR to indicate that summer caribou calving surveys will be conducted between July 15 to September 1 to avoid unintended stress on cow/calf pairs.	Refer to response to MECP-PC-27. Section 6.5
MECP-PC-33	Section 6.2.1 Summer Caribou Calving Survey (Page 81, par. 2)	Proposal identifies low-level surveys will conducted from a helicopter where the helicopter cannot land safely. MECP would not support low-level helicopter surveys. The likelihood of observing sign (e.g., tracks, pellets, beds, etc.) from a helicopter is low to nil. Furthermore, the risk of harassing the cow/calf pair with this approach is high.	Proposed Action/Solution: Remove proposed low-level helicopter surveys (where the helicopter cannot land safely) from the ToR. Update ToR to indicate a reasonable maximum distance from the candidate areas in which a suitable location for safely landing the helicopter will be selected and personnel will walk in to the candidate site.	Refer to response to MECP-PC-27. Section 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		Additionally, areas that would accommodate safe landing of helicopters is likely not limiting in the lowlands. MECP would prefer a maximum distance from the candidate areas be identified for landing (e.g., 500 metres) in which personnel would walk into the candidate site to survey for caribou sign.		
MECP-PC-34	Section 6.2.1 Bat Hibernaculum Screening (Page 82)	MECP advises the use of geological mapping to identify areas of potential hibernacula. In the desktop analyses as well as information pertaining to abandoned mines or mapped hibernacula. It would also be beneficial to modify the acoustic survey. This should be done as part of the EA. Without the additional information allowed by the recommended methodology it might be difficult to properly assess the impact and the species affected.	Proposed Action/Solution: To increase the possibility of properly identifying use of a feature and the species utilizing it, MECP advises the addition of video cameras (infrared or night vision) to the areas being surveyed. Additionally, an exit survey should be performed in the spring to verify the feature was used as a hibernaculum and not only a swarming site. If no swarming is observed, an exit survey will also serve as a second check that this feature is not being used and activity was not missed. A second option for exit would be a capture survey to provide even further information about the species present, their numbers, health, gender ratio etc. This may also be useful further into the project in order to assess impacts or lack of impact on these features.	Refer to response to MECP-PC-27.
MECP-PC-35	Section 6.2.1 Bat Acoustic Surveys (Page 82)	We would like to request that species of bats are not grouped, if the auto classifier cannot identify. Grouping species may hinder us from being able to properly comment on SAR and ESA. This should be done in the EA, in order to know if there will be any requirements under the ESA.	Proposed Action/Solution: MECP recommends that if the auto-classifier is unable to identify a high frequency call (potential SAR bat), manual ID by a qualified person should be utilized, if this is still not possible a category for unidentifiable calls can be made with the frequency ranges. MECP can provide a template for this data, which will aid in our review.	Refer to response to MECP-PC-27.
MECP-PC-36	Section 6.2.1 Breeding Birds (Page 83)	Outline of details of surveys such as number of stations and locations of surveys in the EA would be useful. This will allow us to be confident that the areas covered are sufficient enough to comment on any Species at Risk birds in the project area.	Proposed Action/Solution: Inclusion of the numbers and locations (including a map) of the survey stations.	Refer to response to MECP-PC-27.
MECP-PC-37	Section 6.2.1 Vegetation Surveys (Page 84)	Proposal identifies that vegetation surveys will be completed in the “ <i>Study Area as a whole</i> ”. What is the ‘Study Area’ in the context of Vegetation Surveys? The preamble in section 6.1 identifies the Study Area will be broken into three components (i.e., project footprint, LSA and RSA). As described above, the LSA for caribou should be considered to be the area within 10 km of the alternative corridors under consideration, and the RSA would be the impacted caribou range(s). Developing a detailed vegetation classification for the Study Area will be particularly important for assessing the Projects impact to caribou and other SAR.	Proposed Action/Solution: Update the ToR to clarify the extent of the Study Area where Vegetation Surveys will be conducted and used to extrapolate to similar un-sampled areas within the Study Area.	Refer to response to MECP-PC-27.
MECP-PC-38	Section 6.2.5 Table 6-1 (Page 85)	Additional published sources of information should be included for Boreal caribou: - MNRF: o Range Management Policy in Support of Woodland Caribou Conservation and Recovery (2014)	Proposed Action/Solution: Update ToR to include additional sources of information.	Additional sources of information have been added to Section 6.5.1.

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		○ General Habitat Description for the Forest-dwelling Woodland Caribou (<i>Rangifer tarandus caribou</i>) (2013) ○ Integrated Range Assessment for Woodland Caribou and their Habitat: The Far North of Ontario 2013 (2014) ○ Best Management Practices for Aggregate Activities and Woodland Caribou in Ontario ○ State of the Woodland Caribou Resource Report (2014) ○ Woodland Caribou (<i>Rangifer tarandus caribou</i>) in the Far North of Ontario: Background information in support of land use planning (2014) ○ Wolverine Government Response Statement (2016) ○ Wolverine Recovery Strategy (2013) - MECP ○ General Habitat Description Mapping Product (spatial database) ○ Policy Guidance on Harm and Harass under the Endangered Species Act (2014) ○ Categorizing and Protecting Habitat under the Endangered Species Act (2012) ○ Endangered Species Act Submission Standards for Activity Review and 17(2)(c) Overall Benefit Permits (2012) - Other ○ eBird (The Cornell lab of Ornithology) ○ iNaturalist			
MECP-PC-39	Section 6.3.3 (Page 90)	Wolverine records in 2011, 2012 need to be updated and carried out in the area of WSR. Request further information on studies planned for Wolverine. This should be outlined in the ToR.	Proposed Action/Solution: While carrying out caribou surveys, Wolverine surveys should also be done. In addition, a combination of camera traps and hair traps should be deployed in order to properly characterize the presence of wolverine, the gender ratio, identify by individual, likelihood of dens. Methodology can be found I Magoun <i>et al.</i> The Journal of Wildlife Management 75(3):731–739; 2011. In addition, GPS collaring of wolverine, would allow for proper analyses potential impacts, detailed habitat use, identification of den locations and help to inform mitigation, reduction of impacts and needs of the population. For reference a recent GPS survey was carried out in Red Lake by CWS.	Refer to response to MECP-PC-27. A discussion with MECP is welcomed to discuss how further targeted studies of Wolverine could contribute towards assessing impacts of the Project on this species.	Section 6.5
MECP-PC-40	Section 6.3.3 (Page 90)	A table summarizing the mammals recorded during the 2011-2012 surveys similar to Table 6-2 would be helpful.	Proposed Action/Solution: Update ToR to include a summary table of the 2011-2012 survey results.	Specific details of previous studies with respect to mammals will be provided in tabular form as part of the EA documentation. Section 6.3.3 is intended to provide a high-level overview of those species observed in the project area from the review of secondary source information and field work conducted in 2017.	Section 6.2.3
MECP-PC-41	Section 6.3.3 Mammals (Pages 90-91)	More detail on the surveys that were conducted in 2011-2012 and 2017 would be helpful (e.g., spatial coverage of surveys, time of year, etc.). This will assist in determining whether additional (SAR) surveys are required (i.e., to identify occupancy, distribution, etc.).	Proposed Action/Solution: Update ToR to include details on surveys that were conducted.	Refer to response to MECP-PC-40.	Section 6.2.3

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
MECP-PC-42	Section 6.3.3 (Page 91)	Proposal cites 5,000 to 7,000 caribou remain in Ontario. No citation provided. This makes it difficult to understand the confidence in that estimate.	Proposed Action/Solution: Update ToR with proper citation.	Text in Section 6.3.3 (now 6.2.3) has been revised to include proper citation.	Section 6.2.3
MECP-PC-43	Section 6.3.4 Rare Plan Species and Communities (Page 96)	Proposal identifies that rare plant species and plant communities were not observed during the 2017 survey, but that further field surveys will be completed to support the EA. More information is required on the number of surveys, methodology, etc. to be able to comment on the sufficiency of the survey work to identify the presence of rare plant species and plant communities that may be impacted by the project.	Proposed Action/Solution: Update ToR to include details on proposed surveys that will be conducted to support the EA.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-44	Section 6.3.6 (Page 99)	Replace “MNRF” for “MECP”	Proposed Action/Solution: Due to the transition of ESA to MECP on April 1st, 2019, the ToR should be updated to be current.	Text in Section 6.3.6 (now 6.2.6) has been revised.	Section 6.2.6
MECP-PC-45	Section 6.3.6 (Page 99)	Mention of targeted SAR surveys in 2019 – more information is requested in order to be able further advise on requirements of ESA. Surveys should be outlined in ToR and Results and any further studies in EA.	Proposed Action/Solution: Addition of the details of “targeted SAR surveys” which species will be targeted, what type of survey methodology is proposed, quantity of survey effort etc. Communication with MECP to allow advice in order to avoid further work.	Refer to response to MECP-PC-27.	Section 6.5
MECP-PC-46	Section 6.3.6 Species at Risk (Page 99)	In addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas - iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database	Proposed Action/Solution: Update ToR to include additional information sources.	Additional information sources have been added to Section 6.5.1.	Section 6.5.1
MECP-PC-47	Section 6.3.6 Table 6-4 (Pages 100-104)	All potential information sources should be reviewed to provide a complete list of species at risk potentially impacted by the Project. The following species are some, but may not be all, missing from this list in the ToR: - Northern Myotis (Myotis septentrionalis) (Endangered) - Bank Swallow (Riparia riparia) (Threatened) - Caribou (Eastern Migratory population) (<i>Rangifer tarandus</i>) (Special Concern)	Proposed Action/Solution: Update ToR to include additional species as being potentially present in the Study Area.	Section 6.3.6 (now 6.2.6) has been updated to include noted missing species at risk.	Section 6.2.6
MECP-PC-48	Section 6.3.6 Woodland Caribou Table 6-4 (Page 101)	The ToR indicates that the boreal population of caribou is listed as a species at risk in Ontario. However, as per O. Reg. 230/08: Species at Risk in Ontario List, Caribou (Eastern Migratory population) is listed as Special Concern in Ontario.	Proposed Action/Solution: Update ToR to clarify.	Our understanding is that the Caribou (boreal population) is listed as Threatened and is protected under the ESA (As per: Ontario Species at Risk Evaluation Report for Caribou, Boreal population (Rangifer tarandus) Committee on the Status of Species at Risk in Ontario (COSSARO) Assessed by COSSARO as THREATENED, May 2015. Final). Section has been updated in ToR As was clarified in earlier comment (MEC-PC-1), the population in question with regards to this Project is the boreal population. According to Environment and Energy Web site (https://www.ontario.ca/page/caribou-eastern-migratory-population#section-3), “The Eastern Migratory population, listed as Special Concern, consists of four subpopulations: Cape Churchill,	Section 6.2.6

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			Southern Hudson Bay, Leaf River and George River. The Southern Hudson Bay subpopulation inhabits Ontario and is found along the coastal Manitoba-Ontario border, extending southeast to Cape Henrietta Maria” Further consultation with the MECP regarding the status of the population is welcome relative to the project area.	
MECP-PC-49	Section 7.1 Table 7-1 (Page 113)	All Project Component(s) or Activities have the potential to impact species at risk. However, species at risk have only been acknowledged under <i>Vegetation Clearing and Grubbing</i> and <i>Construction of supportive infrastructure that includes storage and laydown yards, access/haul roads, construction camps and aggregate extraction areas</i> .	Proposed Action/Solution: Update potential effects for each of the project components and activities to indicate that there are potential effects on species at risk. Section 7 has been revised to ensure a consistent format and discussion of potential effects for all environmental components. A new Section 7.1.7 – Species at Risk has been added.	Section 7 Section 7.1.7
MECP-PC-50	Section 7.1 Table 7-1 (Page 113)	“Manage waste products generated from camps for disposal at licensed waste facility” - this is an activity which will, for example, negatively affect Wolverine. Refer to Wolverine Recovery strategy “the enhanced potential for conflicts tend to arise when Wolverine are attracted to the human domestic waste sources at these developments. For example, a number of Wolverine mortalities, relocations, and other incidents have been documented at the two operating diamond mines in Northwest Territories.”	Proposed Action/Solution: Mitigation for proper waste disposal to reduce this potential threat and mitigation such as education to individuals on Wolverine would be important. Refer to response to MECP-PC-49.	Section 7 Table 7-1
MECP-PC-51	Section 8.1.1 Evaluation Criteria and Indicators (Page 122)	In order to evaluate change in the indicators mentioned, a high detail of biological study will be required.	Proposed Action/Solution: More detail on how the change in indicators will be monitored. How surveys for each species will be carried out in order to quantify this. Duly noted. How the change in indicators will be monitored will be examined in more detail in the EA. Also refer to response to MECP-PC-28.	
MECP-PC-52	Section 8.1.1 Table 8-1 (Page 123)	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in Table 8-1 (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation: - Caribou (Habitat Protection) – Range Condition - Caribou (Species Protection) – Population Size Estimates at the Range Level - e.g., minimum animal count based on available information - Caribou (Species Protection) – Population Trend Estimates at the Range Level - Caribou (Habitat Protection) – Cumulative Disturbance at Range Level - Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) - Alignment with existing disturbance	Proposed Action/Solution: Recommend this be updated in the ToR and addressed/evaluated during the preparation of the EA to facilitate ESA authorizations, where they may be required. Update Table 8-1 in the ToR to include all SAR that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou. Refer to response to MECP-PC-15. Table 8.1 is intended to provide the reader with examples of criteria and indicators to evaluate alternatives and effects of the Project. The criteria and indicators listed in Appendix B of the ToR are a preliminary list based on those identified by the Webequie Project Team from the consultation undertaken to date with Indigenous communities, agencies, the public and stakeholders. Criteria and indicators will be finalized at the outset of the EA through further consultation. The requested indicators for Caribou have been added to the ToR – Appendix B.	Section 8.3.1 Table 3-1 Appendix B

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		○ Length of new linear disturbances • Caribou (Habitat Protection) – Habitat Amount and Arrangement • Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – <i>Nursery Areas</i> Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for		

**Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		Seasonal Ranges potentially impacted by the Project - Area (ha) of Seasonal Range removed by Project - Category 3: Remaining Areas in the Range impacted - Area (ha) of Seasonal Ranges potentially being impacted - Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project - Area (ha) of Seasonal Range removed by Project - Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g., vehicular collisions, increased hunting pressure) - Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) - Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g., light, sound, vibration, olfactory) within 10 km of the Project - Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species			
MECP-PC-53	Appendix B Natural Environment (Page 2)	Not all SAR that are potentially impacted by the project alternatives are listed as criterion in Appendix B (see comment 26 and 48 for some additional species at risk). Additionally, not all caribou indicators are identified for evaluation. To fully understand the impacts and/or benefits of one alternative versus another, all relevant metrics and evaluators for SAR should be considered. As per our Memo dated July 8, 2019, the following indicators should be included in the ToR for evaluation: - Caribou (Habitat Protection) – Range Condition - Caribou (Species Protection) – Population Size Estimates at the Range Level - e.g., minimum animal count based on available information - Caribou (Species Protection) – Population Trend Estimates at the Range Level - Caribou (Habitat Protection) – Cumulative Disturbance at Range Level - Quantify additional disturbance being added to the range (footprint and footprint + 500 metre buffer) - Alignment with existing disturbance - Length of new linear disturbances - Caribou (Habitat Protection) – Habitat Amount and Arrangement	Proposed Action/Solution: Recommend this be updated in the ToR and addressed/evaluated during the preparation of the EA to facilitate ESA authorizations, where they may be required. Update Appendix B in the ToR to include all SAR (criterion) that may potentially be impacted by the Project and a complete list of appropriate indicators for these species and caribou.	Refer to response to MECP-PC-52.	Appendix B

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks
MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		• Caribou (Habitat Protection) – Categorized Habitat at the Sub-range Level ○ Category 1: High Use Area – Nursery Areas Habitat potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Winter Use Areas</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 1: High Use Area – <i>Travel Corridors</i> potentially impacted ▪ Number of Nursery Areas within the Range ▪ Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km) ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project ▪ Area (ha) of each Nursery Area potentially being impacted ▪ Area (ha) of each Nursery Area removed by Project ○ Category 2: Seasonal Ranges impacted ▪ Area (ha) of Seasonal Ranges potentially being impacted ▪ Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project ▪ Area (ha) of Seasonal Range removed by Project ○ Category 3: Remaining Areas in the Range impacted		

Table G4-14 – Comments Received from the Ontario Ministry of the Environment Conservation and Parks MECP-PC – Permissions and Compliance, Species at Risk Branch (Nikki Boucher, A/Species at Risk Specialist), October 21, 2019					
Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		- Area (ha) of Seasonal Ranges potentially being impacted - Relevant information on that habitat, such as average age of forest, condition of forest, etc. for Seasonal Ranges potentially impacted by the Project - Area (ha) of Seasonal Range removed by Project and increased potential for spread of disease (e.g., brainworm) - Caribou (Species Protection) – Incidental mortality due to anthropogenic impacts (e.g., vehicular collisions, increased hunting pressure) - Caribou (Species Protection) – Indirect mortality due to increase in alternate prey sources (moose and deer) leading to increased predation (wolves, bears, etc.) and increased potential for spread of disease (e.g., brainworm) - Caribou (Species Protection) – Indirect impacts due to sensory disturbance (e.g., light, sound, vibration, olfactory) within 10 km of the Project - Other Species at Risk (Species Habitat) – Direct and indirect impacts to Category 1, 2, and 3 habitats - Other Species at Risk (Species Individuals) – Direct and indirect impacts to individuals of the species			
MECP-PC-54	Appendix B Natural Environment (Page 2)	As per Comment 25, in addition to the information sources already listed in the ToR, the following sources should also be consulted to assist in identifying all species at risk potentially present in the Study Area, including: - ebird - Breeding Bird Atlas - iNaturalist - The Ontario Reptile and Amphibian Atlas - Abandoned Mines Information System (AMIS) database		Proposed Action/Solution: Update ToR to include additional information sources.	Refer to response to MECP-PC-46. Appendix B

Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
ENDM-1	Section 1.3 (Page 3)	<i>Project Background and Context</i> While it is a good idea to provide context and background on how the proponent got to its current proposed project, this section seems to repeat the content of section 5.1.2.1 Background and Context (p. 36-47).	Suggested Solution: List the various studies in section 1.3 (with a 1-2-line description) with a note to refer to section 5.1.2.1 for details and then provide any additional details from section 1.3 in section 5.1.2.1.	Section 1.3 has been retained essentially in its current form, while Section 5.1.2.1 has been relocated to Appendix A in order that the reader may transition more quickly from consideration of Alternatives to the Undertaking” to the development and screening of Alternative Methods of Carrying Out the Undertaking.	Appendix A
ENDM-2	Section 1.3 (Page 3) Section 5.1.2.1 (Page 36)	<i>Noront Resources Eagle’s Nest Mine Access Road (2013)</i> It should be noted that that Noront’s EIS/EA was a very preliminary draft that Noront had prepared and circulated in advance of an approved provincial ToR . It was incomplete and could not be reviewed by Ontario as there wasn’t an approved ToR. Only the federal government provided comments. Ontario did provide some technical expertise to support the federal government’s review. The proponent should be very cautious about how it uses the information in that draft document. Proponent should also exercise caution in how it articulates the current status of Noront’s project. It is true that Noront has put its EA on hold until there is more certainty about an all-season road to the RoF, but there is no knowledge of what is or will be included in their provincial EA for their mine project. As noted below in No. 3, the federal EA for the Noront project has been terminated, so the status of a coordinated federal-provincial EA for Noront’s project is not known at this time.	Suggested Solution: Revise paragraph to more accurately reflect the context around Noront’s preliminary draft EA and the current status of their project.	ToR text has been revised to clarify the current status of Noront EA and the requirements imposed on Noront by Ontario when/if the EA recommences, including the need to re-screen four (4) road corridors.	Sections 1.3 and 5.1.2.1
ENDM-3	Section 1.3 (Page 3) Section 5.1.2.1 (Pages 36, 45) Section 5.1.2.3 (Page 54)	<i>“At present the Noront EIS/EA is on hold until there is more certainty about a potential all-season road to be developed by others”</i> This sentence is partially incorrect. The provincial EA is on hold, but the federal EA was terminated when the IAA came into force.	Suggested wording: “The Provincial EA is currently on hold until there is more certainty about a potential all-season road to be developed by others. As part of the transition to the new Impact Assessment Act, on August 28, 2019 the Impact Assessment Agency of Canada issued a Notice of Termination of the federal EA for the Eagle’s Nest Project.”	As per the comments received, the document has been revised to reflect that the federal EA of the Noront proposal for the Eagle’s Nest Mine under the <i>Canadian Environmental Assessment Act</i> , 2012 has been terminated.	Sections 1.3 and 5.1.2.1
ENDM-4	Section 1.3 (Page 4)	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System (2011)</i> Par. 1, line 2 – From this study... Not clear that you are referring to the study in the title of the section.	Suggested Solution: Name the study to which the proponent is referring in the sentence.	As per the comment received, the text of the document has been revised to the following: “As part of the Black Thor Chromite Mine study, Cliffs developed an Integrated Transportation System (ITS)...”	Section 1.3
ENDM-5	Section 1.3 (Page 4)	<i>Winter Road Realignment Study (2008)</i> Line 1: On behalf of four First Nations... It should be noted that the list of First Nations following, there are five First Nations listed. For the other studies listed, there is a paragraph that speaks to Webequie’s perspective about the contribution of the study to the thought process in the ToR. Is there a reason why this is not included here? Even if this study was not useful, would that not be worthy of stating from Webequie’s perspective.	Proposed Action/Solution The number of First Nations in the list need to align with the number cited right before the list. Include a sentence on “From Webequie’s perspective...”.	The ToR text in Section 1.3 has been modified.	Section 1.3
ENDM-6	Section 1.4.2 (Page 7, par. 3)	<i>“The proposed section of all-season road between Nakina and Marten Falls First Nation is referred to as the Marten Falls</i>	Suggested wording: “Marten Falls First Nation is currently leading a coordinated	Text in Section 1.4.2 has been revised to include the suggested language.	Section 1.4.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		<i>Community Access Road project, which is subject to Ontario's Environmental Assessment Act. Marten Falls First Nation is also from a feasibility perspective, and as a separate project, examining an all-season road from their community to the Ring of Fire mineralized area. Collectively, these two projects are commonly referred to as the north-south corridor between the provincial road network to the mineralized area near McFaulds Lake. These studies by Marten Falls are ongoing in parallel to the Webequie Supply Road EA.</i> As per Marten Falls First Nation's Initial Project Description, the Marten Falls Community Access Road is a connection from Marten Falls First Nation to Painter Lake Road, not Nakina.	federal-provincial environmental assessment process for the Marten Falls Community Access Road, which would connect Marten Falls First Nation to the provincial highway network via a connection to Painter Lake Road. This environmental assessment is ongoing at the same time as the Webequie Supply Road EA".		
ENDM-7	Section 2.1 (Page 10)	2.1. Regulatory Framework The Ontario EA regulatory framework is described in a few short paragraphs, while the description of the Impact Assessment Act is nearly 2.5 pages in length and details every step in the process when you are describing processes in a draft ToR but are not describing the Ontario process in detail.	Suggested Solution: - State that you began under CEAA 2012 - New IAA came into effect on Aug 28/19, were not far enough along to stay under CEAA 2012 - Transitioning to new IAA - Where you currently are in the process and the date by which you should know if a federal IA will be required.	A step-wise description of the federal Impact Assessment process has been condensed and included in Section 2.1.2.	Section 2.1.2
ENDM-8	Section 2.1.3 (Page 14)	Figure 2.1 Coordinated Webequie-Federal-Provincial EA Process This Figure is based on a joint federal-provincial chart provided by MECPO and IAAC. Has the proponent discussed with MECP and IAAC the changes it has made to its chart?	Proposed Solution: Check with MECP and IAAC about changes made to the chart.	MECP and IAAC have had the opportunity to review the material presented in Figure 2-1 and have not offered any comments or suggestions for modifications to the graphic.	Section 2.1.3
ENDM-9	Section 3.1 (Page 18)	3.1 Environmental Assessment Principles What is the source of these principles? If the source is the Codes of Practice, then the source should be cited, and the principles stated as they are in the Code. We know that these principles, if they are from the Code will meet the requirements of the provincial EAA, but will they meet the IAA requirements.	Suggested Solution: Provide appropriate citation and use the same wording as the source. See if there are additional principles in the IAA that should be included if the proponent is going to state the principles will meet both the federal and provincial regulatory requirements.	The appropriate citations have been added and language in this section has been revised to reflect MECP suggestions and IAA Regulations (refer also to Response MECP-EA-7). The cited principles are considered to reflect the essence of the new <i>Impact Assessment Act</i> ; the Impact Assessment Agency of Canada has not offered any comments or suggestions for modification to the principles as stated.	Section 3.1
ENDM-10	Section 4.1.1 Figure 4.2 (Page 25)	Question: typical x-section design doesn't appear to account for any excavation below OG. Is that correct? Earlier versions of typical x-sections have been seen (i.e., from MTO) included an average variable depth earth ex for either a firm base (where appropriate) or for grade. Just thinking from a foundations perspective.	Proposed Action/Solution: Perhaps provide rationale or point to where an explanation can be found. Maybe not an issue for the ToR as this really is an engineering matter.	The Webequie Supply Road will require both cut and fill below and above the original ground (OG). As clarification, earlier versions of the typical road cross-section that appeared in the draft ToR were not shared with MTO. Preliminary engineering road design details will be discussed with MTO as part of the EA.	Section 4.1.1
ENDM-11	Section 5.1.1 (Pages 29-35)	Alternatives to the Undertaking It is not clear what method was used to review and screen the alternatives 'to'. Were criteria developed to screen the alternatives 'to' or were the only criteria 'advantages' and 'disadvantages'? If so, is that sufficient to screen out a number of alternatives 'to'? Was there any consultation on the screening of alternatives?	Suggested Solution: Provide clarity on the method used to screen alternatives 'to' including criteria that were used and the rationale for criteria. Demonstrate any consultations that were had on the alternatives 'to' assessment and whether the results of any consultations were considered in the screening process.	The screening of "alternatives to" was done on the basis of relative advantages and disadvantages, which is consistent with the intent of the MECP <i>Code of Practice for Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario</i> . The ToR identifies the main characteristics of each option that were considered salient to addressing the purpose of the undertaking. In short, as discussed, there were no compelling reasons to give serious consideration to any alternative to the all-season road. Initial consultation on assessing "alternatives to" was limited to discussions within the Webequie First Nation. Other study	Section 5.1.1

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
			participants have had the opportunity to review and comment on the assessment as part of the draft ToR review process.	
ENDM-12	Section 5.1.2.1 (Page 37, last par.)	<i>“As noted previously, the EIS/EAR for Noront’s Eagle’s Nest Mine project is on hold and, when reactivated, will exclude consideration of an all-season road connection to the provincial highway network, as it has been assumed that this will be developed by others based on the Province of Ontario’s pledges of funding for infrastructure (mainly roads) in the Ring of Fire area.”</i> This sentence appears to be very definitive on what will happen (see bolded parts). Suggest softening the language to be more hypothetical. Suggest removing the reference about the Province’s commitment of funding for infrastructure as the current government has not publicly announced a funding commitment for Ring of Fire infrastructure.	Suggested wording: “If Norton chooses to re-commence environmental assessments for the Eagle’s Nest Mine project, it may not include consideration of an all-season road connection to the provincial highway network given that there are already ongoing environmental assessments for all-season road projects in the Ring of Fire area.”	Appendix A
ENDM-13	Section 5.1.2.1 (Page 39, par.3)	<i>Cliffs Ferroalloys Black Thor Mine Integrated Transportation System</i> <i>Prior to the sale, Cliffs had conducted a number of studies as part of its Environmental Impact Statement and Environmental Assessment Process.</i> The way it is written implies that Cliffs was much farther along in its EA process than it actually was. There was no approved ToR, nor was there an EIS/EA prepared.	Suggested Wording: Prior to the sale, Cliffs had conducted a number of studies as part of its coordinated federal-provincial EA process.	Appendix A
ENDM-14	Section 5.1.2.1 (Page 42, par. 3)	<i>All-Season Community Road Study (2016)</i> <i>Following community engagement and multi-criteria assessment, a preferred corridor was identified for further study.</i> In going back to the study to verify the statement, the conclusions state that: There is no clear answer about whether there should be a road (p. 132) There was no consensus on a preferred corridor option (p. 133) No option stands out as a most preferred (p. 136) One of the recommendations is to identify a preferred alternative (p. 141). Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how it has contributed to the current proposal.	Suggested Solution: Given the statements in the 2016 study, the proponent should rethink how it wants to characterize the alternative shown in Figure 5.6 and how that may change “From the Webequie First Nation perspective...” for that particular study.	Appendix A
ENDM-15	Section 5.1.2.1 (Pages 45-46) Section 5.5 (Page 76, Segment 2)	<i>Table 5-1: Chronological Summary... Noront Eagle’s Nest Mine</i> <i>Draft EIS/EAR: Submitted December 2013 (response issued by federal agencies; no comprehensive formal response issued by provincial agencies.</i> Since this was a draft, it was not a formal part of the process. Noront circulated a draft EIS/EA on its own and did so in advance of an approved provincial ToR which is why Ontario	Suggested Wording: Draft EIS/EA: circulated by Noront December 2013. Comments received from federal government agencies. Ontario could not provide comments because there was no approved Terms of Reference for the provincial EA, although some technical support was provided to the federal government.	Section 5.1.2.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
		could not provide a response. Need to accurately reflect. Status: EA has been paused. Noront will apply to modify its ToR when work (by others) on an all-season road connection between the mine site and the provincial highway is sufficiently advanced. Should not be pre-determining the outcome of what Noront will do.	Suggested Wording: Status: EA has been paused. Noront will enter into discussions with MECP about how to proceed when it is ready to restart its EA process, which is likely to occur once work on an all-season road connection is sufficiently advanced.	
ENDM-16	Section 5.1.2.3 (Page 50)	<i>“WFN is also exploring the feasibility of entering into a public private partnership to implement the Project, similar to the arrangement for constructing other comparable Northern and Indigenous undertakings (e.g., Tłıchǫ All-Season Road in NWT).”</i> Given that it is not yet decided who will lead the construction of the road, suggest not discussing any specific options yet.	Suggested wording: “WFN continues to have discussions with the Province on roles and responsibilities with respect to construction of the WSR”.	Section 5.1.2.3
ENDM-17	Section 5.1.2.3 (Page 52) Section 8.1 (Page 121, par. 5)	<i>Supply Road Alternative Concepts</i> Par 1: who made up the East-West Group (not to be confused with the East-West coalition) and how is it different from the WFN Local Working Group. Webequie used a unique approach in developing its alternative route concepts by relying on Indigenous knowledge first, before applying conventional approaches. This unique approach should somehow be emphasized more here and in other places within the document (Sec. 8.1, p. 121). Par. 3: ...that adopted a community-based land use planning approach for infrastructure development... Would be helpful to explain this a bit more to provide clarity.	Suggested Solution: Provide clarification of what these groups were: • Provide some more details about the unique approach taken by Webequie in developing the alternative route concepts either here or at the beginning of Sec. 5.2 • Include • Provide more clarity on this approach and how it informed the approach outlined in the ToR.	Section 5.2
ENDM-18	Section 5.2 (Page 57)	<i>Initial Screening of WSR Corridor Alternative Concepts</i> Please provide additional detail about the consultation with WFN community members to convey all of the work that went into the screening process.	Suggested Solution: See EMDM-17 above.	Section 5.2
ENDM-19	Section 5.2 (Pages 61-68)	<i>Table 5.3</i> May be useful to explain why advantages/disadvantages was used to compare the different alternative concepts against the various criteria.	Suggested Solution: Provide rationale for using advantages and disadvantages to compare the different alternative concepts.	Section 5.2
ENDM-20	Section 6.2 (Page 80)	Duly Noted: to the extent possible all project activities related to the project will be examined in relation to their potential impacts to SAR populations, followed by recommendations to facilitate future ESA permitting requirements.	Suggested Solution: Indicate that dated information will be reviewed and updated as required.	Section 6.5
ENDM-21	Section 6.2.1 (Page 84)	Question: under Veg Surveys; why not sample age of trees over 10m? Does not age-class of a stand contribute as a factor in determining appropriateness of potential wildlife habitat? Or is the visual assessment enough of an indicator?	Suggested Solution: Please provide a response.	Sections 6.5

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
				Detailed field work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	
ENDM-22	Section 6.2.3 (Page 85)	<i>Socio-Economic Environment</i> May be helpful to include the communities that may be potentially affected by the project and what aspects of the component would be considered. Should be more than an inventory of physical assets in the community and economic opportunities.	Suggested Solution: Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of a project can create impacts in the socio-economic component.	It is acknowledged that Webequie has familial relationships with neighboring indigenous communities in Section 10.2. Through consultation activities, the WSR Project Team will try to obtain this information from neighboring communities. If information is provided and permission is granted by the communities, information will be used in the EA. Therefore, further information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion will be discussed in the EA.	Sections 6.3 and 10.2
ENDM-23	Section 6.2.5 (Page 86)	<i>Table 6-1: Published Sources of Information</i> Noront Resources Ltd: Eagle's Nest Project – Federal/Provincial Environmental Impact Statement/Environmental Assessment Report (2013). The way it is listed, gives it more status than it actually had.	Suggested Solution: Add in preliminary draft.	The document has been revised.	Section 6.5.1
ENDM-24	Section 6.3 (Page 87) Section 12 (Page 161)	<i>6.3 Natural Environment</i> Information collected for the EA may also be used by WFN to obtain other permits, approvals and/or licences that may be required to proceed to construction. May want to state that you will be collecting information for the EA to a level of detail that would be sufficient for future permits.	Suggested Solution: Provide clarity about whether the proponent intends to coordinate any permitting requirements with EA requirements. If so, detailed discussions would be required with appropriate ministries.	Duly Noted. To the extent possible, all data collection activities related to the Project will be designed with consideration to capture potential requirements for permits, approvals and/or licences under provincial and federal legislation. Detailed field work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	Sections 6.2 and 6.5
ENDM-25	Section 6.3.1 (Page 88)	Comment: paragraph 4 last line references the term regosolic. It took time to find a definition that could be applied to this project; but would hazard that this is a specialized technical term familiar to those in the business but will go over the heads of most of your audience, never mind translating it into OjiCree, etc....	Suggest expressing this concept in clearer terms.	The term “Regosolic” has been replaced with: “Low lying areas consist of organic soils, and (regosolic) soils with limited development (i.e., less than 5 cm thick) due to erosion of the landscape or hillslopes with high water runoff or wind”.	Section 6.2.1
ENDM-26	Section 6.3.3 (Page 90)	<i>Mammals</i> <i>During the Noront Eagle's Nest Mine EA, winter tracking surveys were conducted in 2011 and 2012....</i> Note also that these surveys were undertaken some time ago and may be dated.	Suggested Wording: During the preparation of the Noront Eagle's Nest Mine EA, in advance of an approved ToR winter tracking surveys were conducted in 2011 and 2012....	The document has been revised, as suggested.	Section 6.2.3
ENDM-27	Section 6.4.1 (Page 106)	<i>Regional Planning Initiatives</i> Par. 2: just flagging that this may have to be updated prior to formal submission.	Suggested Solution: Work with MNRF and monitor until ready to formally submit ToR.	The draft ToR has been revised to add clarifications on the status of the proposal to repeal the <i>Far North Act</i> and address potential authorizations under the Act to address comments provided by MNRF. The Project Team will continue to track these matters with MNRF in order to provide the most current information in the final ToR.	Section 6.3.1
ENDM-28	Section 6.4.1 (Page 107)	<i>Provincial Policy Statements</i> Par. 1: Are there any PPS that are relevant to this proposed project. If so, you may want to mention any relevant ones.	Suggested Solution: Include any relevant PPS, if appropriate.	As per the comment received, the text has been revised to the following: “Any PPS that are relevant to this project will be incorporated into the planning and design for this project.”	Section 6.3.1
ENDM-29	Section 6.4.3 (Page 107)	<i>Population, Demographics and Community Profile</i> Par. 1: A socio-economic assessment should be more than an	Suggested Solution:	Refer to response to ENDM-22. Section 6.4.3 (now Section 6.3.3) has been revised to include provincial averages and includes	Section 6.3.3

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		inventory of physical assets in a community (e.g. # of houses). Should include kinship, familial relationships with other communities, community stability, cohesion as communities can react differently to a proposed project based on some of the relationships and how close the community is. Par. 2: may want to include the provincial average against which to measure where the community sits. Par. 2: This is due in part because of communities transitioning away from traditional manufacturing, agricultural based industries and resource development creating economic pressures. Not sure that this applies to remote northern Indigenous communities.	• Include information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion. Even the planning of a project can create impacts in the socio-economic component. If making changes, include in Appendix B p. 7 • Include provincial averages • Provide clarification on traditional manufacturing and agricultural based industries.	clarification on traditional manufacturing and agricultural-based industries.	
ENDM-30	Section 6.4.5 (Page 108)	<i>Infrastructure and Services</i> <i>In addition to this, the Project may also have the potential to interact with communities and services such as police and fire stations, hospitals, schools, churches, and other religious buildings, local businesses, and residential areas.</i> The list of infrastructure and services appears to have a southern bias. Can the list be adjusted to better reflect the reality of remote Indigenous communities? Should be a list of services that are available within the particular community and how the services are used by community members?	Suggested Solution: Adjust the language to better reflect the reality of remote Indigenous communities.	The document has been revised.	Section 6.3.5
ENDM-31	Section 7.1 (Page 113)	<i>Natural Environment: Table 7.1 Project Activities and Potential Effects on the Natural Environment</i> May be useful to identify the phase of the project (construction, operations, maintenance) to which the impacts may apply. It will help indicate short-term and longer-term impacts.	Suggested Solution: Include the phase to which the impacts apply in Table 7.1.	Section 7 has been revised and Table 7.1 removed from the ToR. Table 7.1 has now been replaced with subsections that describe the preliminary potential environmental effects for each environmental component. This change is intended to address the comment from the MECP (MECP-EA-28) to have consistent format and discussion of potential effects across all environmental components.	Section 7.1
ENDM-32	Section 7.1 Table 7-1 (Page 115)	Question: it is noted in the Noise Emissions row that there are no mitigation measures listed. Are there no generic/standard mitigation measures for this potential impact (i.e. maintenance of mufflers, minimize idling, design charge loading and blast patterns to cap peak particle velocity, etc.)?	Suggested Solution: Consider adding mitigation measures.	Refer to response ENDM-31. Mitigation measures will be identified and described as part of the EA.	Section 7
ENDM-33	Section 7.2 (Page 116-117)	<i>Socio-Economic Environment</i> Par. 1: Line 2: should add in families/clans in the various units of social order. Par. 1: Line 4: suggest changing mitigation/remedial measures to impact management measures Table 7-2: Positive Effects/Benefits: the positive social effect is actually more economic. Are there any other positive social effects? Table 7-2 Negative Effects: bullet 2: can you provide examples of social issues.	Suggested Solution: Suggest making changes to language at appropriate places.	Refer to response to ENDM-31. The document has been revised.	Section 7.2
ENDM-34	Section 7.2 Table 7-2 (Page 117)	Comment: Under negative economic effects, 1 st bullet; the WSR does not connect to the existing provincial network but rather connects 2 remote seasonally accessible locations. As such, the community should not lose its remote status as a result of this specific project.	Suggested Solution: For consideration; perhaps adjust wording to reflect that the potential loss of isolation transfer payments would not become a tangible negative effect unless this WSR is connected to a network that ultimately connects to the existing provincial network.	The document has been revised.	Section, 7.2, Table 7-2

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
ENDM-35	Section 7.2.1 (Page 117, Par. 2)	<i>Effects on Traditional/Indigenous Land Use</i> <i>At present sixteen (16) of these Indigenous communities may be affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.</i> Add in additional language to be more precise.	Suggested wording: At present sixteen (16) of these Indigenous communities may have Aboriginal or treaty rights that may be adversely affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interest in the Project.	The document has been revised to include suggested text.	Section 7.2.1
ENDM-36	Section 8 (Page 119, par. 3)	<i>Approach to Assessment and Evaluation of Effects The assessment will be based on the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)</i> Won't the assessment be based on the approved ToR as well?	Suggested Wording: The assessment will be based on the approved Terms of Reference , the Ministry of the Environment and Climate Change Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a)	The document has been revised to include the suggested added text.	Section 8
ENDM-37	Section 8.1.1 (Pages 122-125)	<i>Table 8-1: Select Preliminary Criteria and Indicators for Evaluation</i> Socio-economic: There are very few criteria and indicators specific to social and impacts on individuals, families and other relationships etc. proposed for the evaluation. Should consider changes to familial relationships, and changes to community cohesion, stability etc. in all of the communities that will be profiled.	Suggested Solution: Consider adding in additional criteria to provide better indication of the health of the community including changes to relationships, community cohesion, stability etc.	The criteria and indicators in Section 8.2 (now 8.3.1) are intended to provide the reader with examples for the evaluation of alternatives and effects of the Project, with more socio -economic criteria and indicators and presented in Appendix B of the ToR. Note the criteria and indicators listed in Appendix B are a preliminary list based on those identified by the Webequie Project Team from the consultation undertaken to date with Indigenous communities, agencies, the public and stakeholders. Criteria and indicators will be finalized at the outset of the EA through further consultation.	Section 8.3.1
ENDM-38	Section 10.1.1 (Page 128)	a) Section 10.1.1 – “Indigenous Communities Consultation” title. Is this just for proponent led consultation?	Suggested Solution: a) Suggest adding “Webequie-led Indigenous Communities Consultation”.	The document has been revised to include the suggested added text.	Section 10.1.1
ENDM-39	Section 10.1.2 (Page 131)	a) See adjacent column for suggested changes for clarity and accuracy. b) The second paragraph says: “Material from the executed MOU will be included in the final ToR” – do we know what material is being proposed for inclusion?	Suggested Solution: It is the Crown’s constitutional duty to determine whether a Duty to Consult has been triggered by a Project and, if so, identify the Indigenous communities to be engaged and the appropriate consultation to be undertaken with those communities. As the Webequie Supply Road Project falls under the jurisdiction of both the provincial Environmental Assessment Act (EA Act), and the federal Impact Assessment Act, both federal and provincial ministries and agencies represent the Crown. The Crown can delegate some procedural aspects of the duty to consult to project proponents. Project proponents are obliged under the EA Act to consult with all interested parties, including Indigenous communities. To ensure engagement and consultation with Indigenous communities is meaningful, it is important to recognize that Indigenous communities have varying rights and interests in respect of the Project; consequently, they may request different approaches to consultation and engagement, as well as accommodation, where appropriate, to mitigate impacts to their rights and interests. In addition, the “public” consultation process is also open to ~~the~~ Indigenous communities. The Ministry of the Environment ~~al~~ , Conservation and Parks	The ToR has been revised to incorporate the suggested text changes.	Section 10.1.2

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			(MECP) and Ministry of Energy, Northern Development and Mines (ENDM), on behalf of the Ontario Government, have formally delegated some procedural aspects of consultation required under the EA Act to ~~the~~ Webequie First Nation, as proponent. A Memorandum of Understanding (MOU) between MECP, ENDM and Webequie First Nation, setting out how roles and responsibilities related to the Duty to Consult will be shared ~~amongst the three parties~~ between the Crown and the proponent , is in the process of being finalized. Material from the executed MOU will be included in the final ToR. As established in the draft MOU, Webequie First Nation's roles and responsibilities include the following: b) – addressed in suggested wording above.		
ENDM-40	Section 10.1.2 (Page 131, Par.1)	<i>"The Crown can delegate some aspects of the duty to consult to project proponents."</i> Should specify that the aspects that can be delegated are procedural.	Suggested wording: "The Crown can delegate some procedural aspects of the duty to consult to project proponents."	The document has been revised to include the suggested wording.	Section 10.1.2
ENDM-41	Section 10.2.1 (Page 134)	Second paragraph says "The list provided by MECP reflects the Crown's understanding of communities whose Aboriginal and/or treaty rights may be..."	Suggested Solution: Think it should say "The list provided by MECP reflects the Crown's understanding of communities whose established or asserted Aboriginal or treaty rights may be..."	The document has been revised to include the suggested wording.	Section 10.2.1
ENDM-42	Section 10.2.1 (Page 135)	<i>Identification of Indigenous Communities</i> <i>1st sentence: Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests</i> May want to add that the proponent would be open to engage interested communities if they are interested.	Suggested Wording: Communities deemed to be potentially impacted will be engaged more frequently and, in more depth, than those determined only to have interests. WFN would be open to engage interested communities should they wish to engage more frequently.	The document has been revised to include the suggested wording.	Section 10.2.1
ENDM-43	Section 10.2.1 (Page 135)	"Based on these factors, the Indigenous communities to be offered the deepest and most frequent engagement/consultation, include:"	Suggested Solution: It may be helpful to provide details on what "frequent" engagement/ consultation means. For ex. Is "frequent" engagement/consultation communication every 2-3 weeks? Same goes with "less frequent".	Webequie intends to conduct engagement with all Indigenous communities, organizations, groups, etc. that are interested in participating in the EA. Due to the factors identified in Section 10.2.1, more intensive consultation/engagement will occur in the form of various mechanisms/techniques, such as: use of focus groups with different community member groups (i.e., elders, land users, knowledge keepers, youth, etc.). Text in Section 10.2.1 has been revised for clarity.	Section 10.2.1
ENDM-44	Section 10.2.2.1 (Page 136)	Last Paragraph says: "The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them before they compromise the EA process;"	Suggested Solution: Delete "before they compromise the EA process". The mandate of the EA Coordination Team is to meet with the Webequie Supply Road (WSR) Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them ~~before they compromise the EA process;~~	The ToR has been revised to include the suggested wording.	Section 10.2.2.1
ENDM-45	Section 10.3 (Page 137)	The sentence under the title refers to the "Terms of Reference Consultation Plan" – The reader likely doesn't know what this is. Is it publicly available so it can be referred to?	-	Text in Section 10.3 has been revised for clarity.	Section 10.3
ENDM-46	Section 10.3.1	<i>Table 10-2: Overview of Activities and Events Conducted</i>	Suggested Solutions:	Additional information as suggested has been included in Table	Section 10.3.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received	Project Team Response	ToR Section
	(Pages 138-143)	<i>with Potentially Affected Indigenous Communities to Date</i> Assume that the table will be updated before formal submission. Appears that there are still some key communities that have not yet been visited. Assume this will still happen before ToR submission. p. 138: Webequie First Nation: may want to add that they are a potentially affected community and that is why they are included under their name in the left-hand column. p. 140: KI – was there not a meeting with KI. Should be included.	Add in additional information as suggested.	10-2.
ENDM-47	Section 10.3.1 (Pages 138-143)	a) Table 10-2 general comment – consider grouping the communities in accordance with consultation assessment so that it's easier to compare what consultation activities have been done for communities with similar levels of consultation. b) Check dates of meetings and letters referred to in 2018. Some may be 2019.	Suggested Solutions: Add in additional information as suggested.	Table 10-2 is grouped by Indigenous communities alphabetically for ease of reference. Dates of meetings and letters have been confirmed and changed, where applicable.
ENDM-48	Section 10.3.1 (Pages 143-146)	Table 10-3: Key Comments and Concerns Expressed by Indigenous Groups/Community Members p. 145 KI: did they not have any comments when they were visited. Please update.	Suggested Solutions: Add in additional information as suggested.	Additional information has been included in Table 10-3.
ENDM-49	Section 10.3.1 (Pages 143-146)	a) Table 10-3 – some of the things in the column “Comments/Concerns Reviewed from Indigenous Communities/Groups” may not be in the correct column, and instead should likely be in the “Responses Provided to Indigenous Communities” b) Table 10-3 – Certain responses in this table also seem like they need follow up. I.e. for Attawapiskat the response says “...to discuss further”.	Suggested Solutions: a) For example, in the Comments/Concerns for Webequie First Nation it says: ...Impacts to traditional uses of the land will be minimized through corridor definition and construction methods. Similarly, impacts to cultural and historic areas will largely be mitigated through road alignment refinement. This seems more like a response than a comment. b) Please provide more detail on how that response was provided and what if any follow up has been done.	Table 10-3 has been revised accordingly to address comment and include further details, where applicable.
ENDM-50	Section 10.3.2 (Page 147)	<i>Government Review Team and Municipal Involvement to Date</i> Par. 1: include government before agency Why is the proponent including activities pre-dating the ToR phase – provide rationale. Provincial government: please make sure the correct acronyms are used for ministry names. Include the bi-weekly calls, meetings to discuss aspects of ToR development etc. in the methods of consultation to date.	Suggested Solutions: Add in additional information as suggested.	Section 10.3.2 has been revised to include the suggested information.
ENDM-51	Section 10.3.3 (Page 148)	<i>Public and Stakeholder Involvement to Date</i> Par. 3: was there not a public OH in Thunder Bay October 8/9?	Suggested Solution: Include updates in final submission of ToR.	Section 10.3.3 has been updated to capture all public stakeholder consultation to date.
ENDM-52	Section 10.4.1.1 (Page 152)	Second paragraph says that “WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.” Despite best efforts, this may not always be possible.	Suggested Wording: “Where possible, WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.”	The document has been revised to include the suggested wording.
ENDM-53	Section 10.4.3 (Page 156)	<i>Table 10-7: EA Consultation Milestones Notice of Commencement of EA: Circulate Notice of Commencement of ToR</i>	Suggested Wording: Circulate Notice of Commencement of EA .	Table 10-7 has been revised to include the suggested wording. .
ENDM-54	Section 10.5 (Page 157)	Second Paragraph says: “The Record of Consultation is a self-standing document that supports the EA study. It will document	Suggested change to delete the word agency: “The Record of Consultation is a self-standing document that	The document has been revised to include the suggested wording.

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
		all Indigenous, government agency..."	supports the EA study. It will document all Indigenous, government agency ..."		
ENDM-55	General	Throughout the document it refers to "federal and provincial agencies". This is misleading as on the provincial side it's not an agency.	Suggested Solution: Change to "federal and provincial ministries and agencies".	The document has been revised throughout to include the suggested wording.	Throughout
ENDM-56	General	Socio-Economic Environment: Include the review and reference to current Comprehensive Community Plans/Economic Development Plans for alignment.	Suggested Solution: Identify opportunities for businesses and current assets that could provide local opportunities, finally a Skills inventory and Training development for opportunities that could present themselves for the community and members.	Comprehensive Community Plans (CCPs) of Indigenous communities will be reviewed as part of the socio-economic baseline study. The EA will identify opportunities for businesses and current assets for local opportunities. No change to the ToR is proposed.	
ENDM-57	Section 1 (Page 1, throughout)	Additional spacing put before sentences: "Based on the scaling and complexity..."	Suggested Solution: Remove additional spacing before sentences.	Noted.	Throughout
ENDM-58	Section 1.2 (Page 3)	No telephone number listed under "Webequie Supply Road" contact info for the proponent.	Suggested Solution: Instead of leaving it blank, you can write "See individual contact information with associated phone numbers below", or remove "Telephone" category under Webequie Supply Road.	The document has been revised.	Section 1.2
ENDM-59	Section 1.4 (Page 4) Section 5.1.2 (Page 40, throughout)	Editorial, ensure clarity: Under the Winter Re-alignment Study, first line; references 4 communities in the text but lists 5 in the parenthesis.	Suggested Solution: Adjust as appropriate.	The document has been revised.	Section 1.4
ENDM-60	Section 1.3 (Pages 3-5)	No rationale for the order of the studies listed. The studies are 2013, 2011, 2008, 2016, then 2017.	Suggested Solution: Before listing the studies, provide a rationale for why they are listed as such. Perhaps list in chronological order, or of order of importance/relevance to the project.	The document has been revised to present the studies in chronological order.	Section 1.3
ENDM-61	(Pages 4, 36, throughout)	Semantics: Note references to the "Pickle Lake Road (previously Hwy 808)". Not sure if this is a local reference, but the gravel road starting at the end of Hwy 599 at Pickle Lake/Central Patricia heading north and west is named the "NORT Road (formerly Hwy 808)" in the MTO data worked with in the past. In some cases, it has been referenced as the NORT North Road in order to differentiate it from the NORT Nungesser Road over by Red Lake. Sometimes Hwy 599 itself is referred to as the Pickle Lake Road.	Suggested Solution: Verifying the official name to avoid confusion.	The document has been revised to provide clarity.	Throughout
ENDM-62	Section 1.5 (Page 9)	"Regulatory Framework for the Project (Section 2)" might be better organized by reversing the sentence to say "Section 2 – Regulatory Framework for the Project"	Suggested Solution: Change "Regulatory Framework for the Project (Section 2)" to say "Section 2 – Regulatory Framework for the Project" – make changes to the entire list on page 9.	The document has been revised, as suggested.	Section 1.5
ENDM-63	Section 2.1.1 (Page 10)	Inconsistent use of "Ontario Minister of the Environment, Conservation and Parks" and "Minister of the Environment, Conservation and Parks" and "Ontario Environmental Assessment Act" and "Environmental Assessment Act"	Suggested Solution: Add "Ontario" before "Minister of the Environment, Conservation and Parks" and "Environmental Assessment Act" consistently. *There is a need to look through the entire document to	The document has been revised to provide consistency.	Section 2.1.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
			ensure consistency.		
ENDM-64	Section 2.1.2 (Page 10)	Typo: 5 th line; the term “right of way” is missing the “w”.	Suggested Solution: Add the “w”.	The document has been revised to address.	Section 2.1.1
ENDM-65	Section 2.1.2 (Page 10)	Typo: last line; there is a lone right parenthesis on the word “Act”.	Suggested Solution: Remove the parenthesis.	The document has been revised to address.	Section 2.1.1
ENDM-66	Section 2.1.2 (Page 11)	“Indigenous jurisdictions ” – is it better to say “Indigenous governments”	Suggested Solution: Change “Indigenous jurisdictions ” to “Indigenous governments ”.	The document has been revised to address.	Section 2.1.1
ENDM-67	Section 2.1.2 (Page 11)	Should be a webpage link to the IAA registry.	Suggested Solution: Add webpage link to IAA registry.	The document has been revised to address.	Section 2.1.1
ENDM-68	(Page 13)	In two instances, the term “Tailored Impact Assessment Guidelines” was used instead of the correct term “Tailored Impact Statement Guidelines”	Suggested Solution: Use the correct name.	The document has been revised to address.	Section 2.1.1
ENDM-69	Section 3.2 (Page 18)	Lengthen “The Act” to “The Environmental Assessment Act” for clarity.	Suggested Solution: Lengthen “The Act” to “The Environmental Assessment Act”.	The document has been revised.	Section 3.2
ENDM-70	Section 3.2 (Page 20)	“will include.”	Suggested Solution: Should be “will include.”	The document has been revised.	Section 3.2
ENDM-71	Section 5.1.1.6 (Page 35)	Editorial, grammar: 3 rd line; there is an unnecessary “an” between “new” and “all-season”.	Suggested Solution: Remove the unnecessary “an”.	The document has been revised.	Section 5.1.1.6
ENDM-72	Section 5.2 (Pages 57-59)	Tables should have black lines that separate the columns and rows to look better organized and separate content from one another.	Suggested Solution: Add black lines in the tables Additional tables throughout document: 61-68, 113-116, 123-125, 138–147, 149-151, 154-157	This is the standard SNC-Lavalin table template. This format is used in all documents prepared by SNC-Lavalin.	
ENDM-73	Section 5.3 (Page 71)	Typo: 3 rd bullet “... but does not full avoid potential...” missing the “y” on fully.	Suggested Solution: Add the “y”.	The document has been revised.	Section 5.3
ENDM-74	Section 6.1 (Page 78)	Typo: 3 rd line. there is a lone right parenthesis on the word “jurisdiction”.	Suggested Solution: Remove the parenthesis.	The document has been revised.	Section 6.1
ENDM-75	Section 6.3.3 (Page 91)	Typo: Acronym in paragraph 2 line 5 references RSA: is this supposed to be ESA?	Suggested Solution: Either change to ESA or define what RSA is.	The document has been revised and text regarding RSA is now in Section 8.1.	Section 8.1
ENDM-76	Section 6.3.4 (Page 94)	Grammar: second last paragraph, last line. “...species list for Study Area” missing a “the” before “Study Area”.	Suggested Solution: Insert a “the”.	The document has been revised and text regarding RSA is now in Section 8.1.	Section 8.1
ENDM-77	Section 6.3.5 (Page 98)	Grammar: second paragraph 1 st line, “...riffle habitats for during the spring period spawning..” reads awkwardly.	Suggested Solution: Remove either “for” or “during” and perhaps flip the positions of “period” and “spawning”.	Section has been deleted and reworked in the ToR.	
ENDM-78	Section 6.4.4 (Page 108)	Typo: 2 nd line: “...many healthy and well-being issues...” the “y” on health is unnecessary.	Suggested Solution: Remove the “y”.	As per the comment received, the document has been revised.	Section 6.3.4
ENDM-79	Section 7.2 (Page 117)	“May facilitate more outsiders coming into community...” is listed under Negative Economic Impacts, but it seems like an environmental impact.	Suggested Solution: Remove from under Negative Economic Impacts and create new category called “Negative Environmental Impacts”.	The document has been revised.	Section 7.2
ENDM-80	Section 7.2.1 (Page 117)	“The MECP has provided a list of twenty-two (22)...” – other ministries in addition to MECP worked on identifying this list.	Suggested Solution: On page 134, the statement reads: “ In coordination with other provincial government agencies , Ontario (MECP) identified a list of twenty-two (22) Indigenous communities...”. The first part of this sentence should be consistent with the sentence on page 117.	The document has been revised.	Section 7.2.1
ENDM-81	Section 8 (Page 119)	“The assessment will be based on the Ministry of the Environment and Climate Change ...”	Suggested Solution: MOECC’s new ministry name “MECP” should be mentioned in this sentence.	The document has been revised.	Section 8.1
ENDM-82	Section 8.1.1	Typo: 3 rd row of the table. Missing the “r” on “flycatcher”.	Suggested Solution:	The document has been revised.	Section 8.3.1

Webequie Supply Road
Response to Comments on Draft Terms of Reference

**Table G5 – Comments Received from the Ministry of Energy, Northern Development and Mines
ENDM – (Ariane Heisey, Team Lead: Environmental Assessment and Land Use Planning), October 22, 2019**

Item No.	Draft ToR Section	Comment Received		Project Team Response	ToR Section
	Table 8-1 (Page 123)		Add the “r”.		
ENDM-83	Section 10.1.2 (Page 131)	“...is in the process of being finalize .”	Suggested Solution: “...is in the process of being finalized .”	The document has been revised.	Section 10.2.1
ENDM-84	(Page 131)	<i>“The Crown can delegate some aspects of the duty to consult to project proponents.”</i> Should specify that the aspects that can be delegated are procedural.	Suggested wording: “The Crown can delegate some procedural aspects of the duty to consult to project proponents.”	The document has been revised.	Section 10.2.1
ENDM-85	Section 10.2.3 (Page 137)	Typo: unnecessary return between the 2 nd and 3 rd bullet, splitting the single thought.	Suggested Solution: Merge into 1 bullet.	The document has been revised.	Section 10.2.3.
ENDM-86	Section 10.3.2 Table 10-4 (Page 147)	Naming convention: noted the old names for CEAA, MNDM and MOECC. Should be updated to IAA, ENDM and MECP respectively?	Suggested Solution: Update to current name, as is consistent with other occurrences within the rest of the document.	The document has been revised.	Section 10.3.2
ENDM-87	Section 10.3.2 (Page 148)	Naming convention: 2 nd paragraph, 2 nd line.	Suggested Solution: Update to current name, as is consistent with other occurrences within the rest of the document.	The document has been revised.	Section 10.3.2
ENDM-88	Section 11.1 (Page 160)	Grammar: Line 2 missing an “an” ahead of “...open and respectful process,...”.	Suggested Solution: Add the “an”.	The document has been revised.	Section 11.1
ENDM-89	Section 12 (Page 161)	Typo: 3 rd line; missing the “i” on “is”	Suggested Solution: Add the “i”.	The document has been revised.	Section 12
ENDM-90	Appendix B	Naming convention: noted throughout the table that our ministry is identified as MENDM – should just be ENDM.	Suggested Solution: Adjust MENDM to ENDM throughout	The document has been revised.	Appendix B



**Table HH – Comments Received from Fisheries and Oceans Canada
Fish and Fish Habitat Protection Program – Ontario and Prairie Region (Shona Derlukewich, Senior Biologist) October 6, 2020**

Item No.	ToR Section	Comment Received	Proposed Action/Solution	Project Team Response
DFO-1	Section 2.1.4 Table 2-1 Page 15	As I did not complete an extensive review of the whole document, I reviewed the federal fisheries components and have one comment to address. Page 15 - 2.1.4 Other Relevant Federal Legislation and Permits - Table 2-1 states: "Work or undertaking that may result in serious harm to fish that are part of a commercial, recreational or Indigenous fishery, or to fish that support such a fishery. Serious harm to fish is the death of fish or any permanent alteration to, or destruction of, fish habitat".	Please update to reflect the new Fisheries Act changes as of August 2019 noted here: Comply with the fish and fish habitat protection provisions of the Fisheries Act by incorporating measures to avoid (http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-001-eng.html): - causing the death of fish; - harmful alteration, disruption or destruction of fish habitat in your work, undertaking or activity; or - apply for an Issuance of an Authorization under Paragraphs 34.4(2) (b) and 35(2)(b) of the Fisheries Act (Non-Emergency Situations) (http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/forms-formes/apply-auth-applique-eng.pdf).	Changes to the Fisheries Act that came into force in August 2019 will be reflected in the EA documentation (EAR/IS), including commitment to comply with the fish and fish habitat protection provisions of the Act.

Webequie Supply Road
Response to Comments on Final Terms of Reference

**Table II – Comments Received from Health Canada
October 9, 2020**

Item No.	ToR Section	Comment Received	Proposed Action/Solution	Project Team Response
HC-1	Section 6 Existing Environmental Conditions	Section 6.3.4 states that “In addressing potential health issues, the Webequie Supply Road Project will examine human health and well-being by assessing potential changes in surface water, air quality, noise, and public safety (including social issues, such as drugs and alcohol abuse in the community) likely to result from project activities. These changes can act as pathways to potential effects on human health. These criteria will be drawn upon to inform human health and well-being assessments in the EA.”	Health Canada recommends to include all potential pathways to effect human health in the TOR.	All potential pathways that may effect human health will be examined during the EA phase. Further details on the pathway of effects approach for the socio-economic environment including the aggregated positive or negative impacts to community well-being and human health will be described in the EA and outlined at the outset of the EA in the Socio-Economic Work Plan and Human Health Work Plan as per the commitment in the ToR (refer to Section 6.5), with the opportunity for federal and provincial agencies to review the plans and provide guidance.
	Section 7.2 Socio-Economic Environment Section 8 Approach to Assessment and Evaluation of Effects	The project activities can also potentially effect groundwater and country foods (potential dietary exposure). However, Section 6.3.4 does not include these two indicators. Additionally, the TOR does not refer to any guidance documents to support the assessment of project-effects on human health. HC recommends an assessment of the potential health impacts as per Health Canada’s guidance documents. TISG Section 9 Baseline conditions – Human Health (pg. 70) “The proponent should refer to Health Canada guidance documents such that best practices are followed in the collection of baseline information to assess real and perceived project-related impacts to human health due to changes in air quality, noise, drinking and recreational water quality, country foods and/or multiple pathways of exposure to contaminants.”	Health Canada recommends the proponent to use the following guidance documents to assess the project impacts on human health. Health Canada’s Guidance for Evaluating Human Health Impacts in Environmental Assessment: AIR QUALITY (https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-air-quality.html) NOISE (https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-noise.html) WATER QUALITY (https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-water-quality.html) COUNTRY FOODS (https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-country-foods.html) HUMAN HEALTH RISK ASSESSMENT (https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-risk-assessment.html) Health Canada’s roles and expertise are described in its Environmental Assessments website: (https://www.canada.ca/en/health-canada/corporate/publications/health-canada-participation-environmental-assessments.html).	The Health Canada guidance documented as listed will be considered in the EA and will be referenced in the EA documentation where applicable.
HC-2	Section 7.1.8 Air Quality	The TOR provides a list of emission sources for the construction phase. The list does not include blasting and maintenance activities as part of the assessment requirements of common air pollutants. TISG Section 14.1 Changes to the atmospheric, acoustic, and visual environment (pg. 84) “• provide a comprehensive list of project activities (air pollutant emission sources) that may affect ambient air quality, such as, but not limited to: (...) o blasting activities; (...) o dust generation from material stockpiles, transportation and road maintenance during construction and operation.”	Health Canada recommends to include all project related emission sources during construction and operation phases in the TOR.	Preliminary related emissions sources from the construction and operation of the Webequie Supply Road have been identified in the ToR. A comprehensive list of all air pollutant emission sources from project activities that that may affect ambient air quality, and/or contribute to climate change, will be assessed and documented in the EAR/IS.

Webequie Supply Road
Response to Comments on Final Terms of Reference

Table JJ – Comments Received from Ministry Natural Resources and Forestry Far North Branch (Paul Sampson, Lisa Eddy, Rachelle Lalonde) & Nipigon District (Kimberly McNaughton, Charlotte Bourdignon, Dave Barker) October 8, 2020				
Item No.	ToR Section	Comment Received	Proposed Action/Solution	Project Team Response
MNRF-1	Section 6.3.6 Page 102-103	Section 9 of the Far North Act lays out the Mandatory contents of a plan (S9(9)). This includes the specification of land use designations for the planning area. All areas must include a land use designation.	Modify text to read: At the Draft Plan stage, in order to respect the ongoing Three-Nation discussions between Webequie, Marten Falls and Neskantaga, ~~Webequie First Nation has chosen not to advance planning direction for a portion of the proposed planning area.~~ dialogue regarding the shared area will be ongoing between the Draft and Final Plan. Please reflect this edit in both the Neskantaga and Marten Falls sections.	The suggested edits are not considered of material significance to amend the ToR. However, for greater clarity, the suggested edits will be addressed in the EA documentation where discussion of community based land use plans are described for Webequie, Neskantaga and Marten Falls in the context of the Far North Act.
MNRF-2	Section 6.3.6 Page 101	Section 9 of the Far North Act lays out the Mandatory contents of a plan (S9(9)). This includes the specification of land use designations for the planning area. All areas must include a land use designation.	Edit the text as follows: Other Areas - The Other Areas designation captures the east-west section of the alternative concepts and is considered a shared area with Marten Falls and Neskantaga First Nations. ~~and where Webequie and the MNRF/Ontario have determined not to advance planning direction at the Draft Plan stage, pending further additional dialogue with these communities to confirm direction prior to finalizing the Plan.~~	Refer to response to MNRF-1 .
MNRF-3	Other Relevant Provincial Legislation and Permits Page 16	Revise text to reflect current proposal of refocusing the Far North Act and not repealing	Please edit the text as follows: <i>Note: There is currently a proposal to ~~repeal~~ review the Far North Act, which is under consideration by the Ontario Government</i>.	Edits to clarify “review” versus “appeal” of the Far North Act will be addressed in the EA documentation.
MNRF-4	Other Relevant Provincial Legislation and Permits Page 16	Forest Resource Licence (Cutting Permit) under the Crown Forest Sustainability Act (1994)	Please note that there are two potential approaches to permitting harvesting of trees outside of the Area of the Undertaking. 1. Sale and Purchase Agreement 2. Permit to Remove Both permitting approaches are within the scope of the Crown Forest Sustainability Act (CFSA), but, in the Far North, they can apply only to trees that are on land that is under tenure – eg. a Land Use Permit authorized by the Public Lands Act. The CFSA cannot, at present, be used to authorize harvesting on land outside of the Area of the Undertaking that is not under some form of tenure. At the time of the application for the harvesting authority. MNRF staff will work with the applicant to determine the most appropriate permitting tool.	Noted.