

Marten Falls First Nation

# **Proposed Terms of Reference Marten Falls Community Access Road – Environmental Assessment**

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## **Sections: 10-11**

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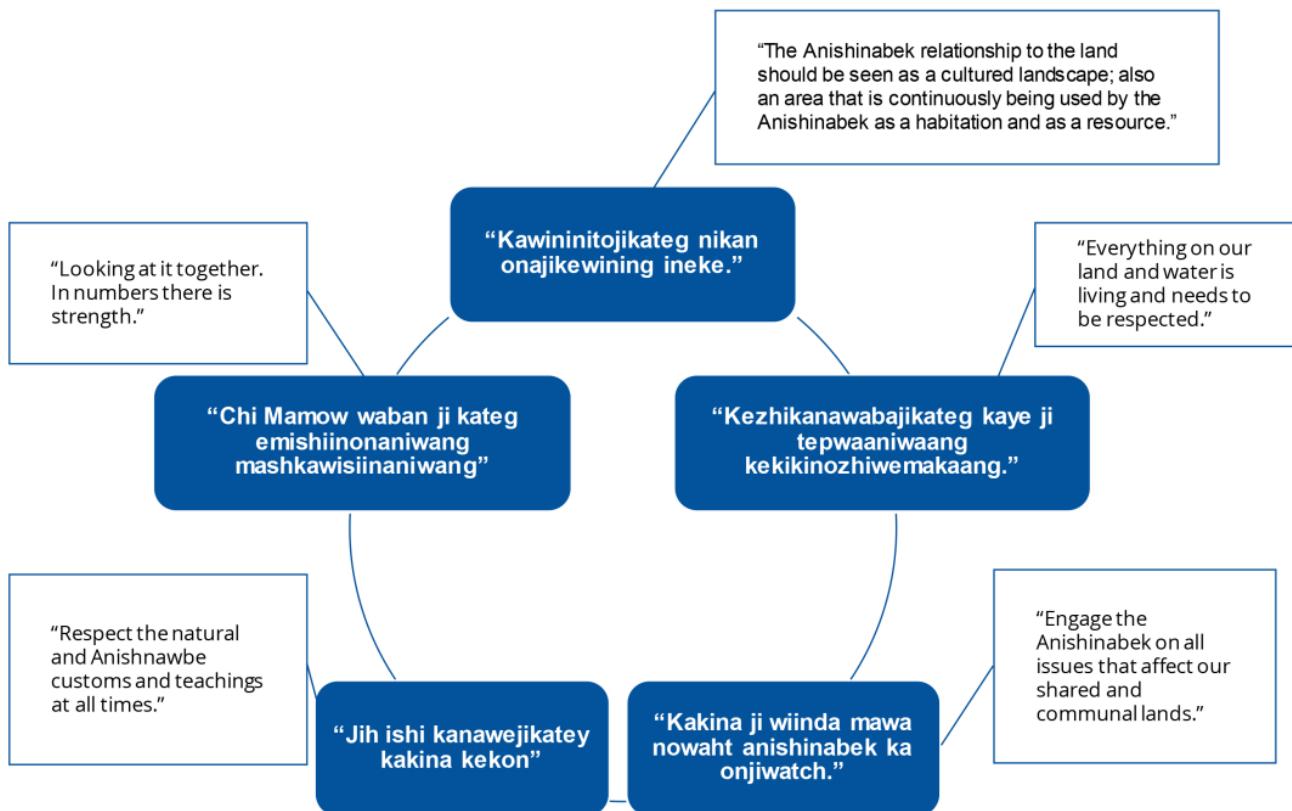
# 10. Consultation During the Terms of Reference

## 10.1 Principles of Consultation

A primary objective of the EA process, including the ToR development, is to effectively communicate information about the proposed CAR, and to provide opportunities for neighbouring Indigenous communities and interested persons to provide input and inform the effects assessment, impact management measures and follow-up as required by the provincial EAA. MFFN is committed to creating and sustaining constructive dialogue and relationships with MFFN community membership, neighbouring Indigenous communities, government agencies and interested persons to support the environmental, social and economic sustainability of the Project.

To honour the traditional lands that the CAR is proposed to be developed on and to respect MFFN traditional teachings<sup>14</sup>, the Guiding Principles presented in **Figure 10-1** will be followed throughout all Project-related consultation and engagement activities and the EA process, from preparation of the ToR to preparation of the EA. These principles have been endorsed by the MFFN Chief and Council.

**Figure 10-1: Guiding Principles**



14. *Guiding Principles of the Marten Falls First Nation Community-Based Land Use Planning Team for Project Planning and Engagement.*

The Guiding Principles will be put into action by providing meaningful opportunities for input throughout the EA process, including ToR development, by:

- Ensuring early and ongoing communication and dialogue throughout the EA process with MFFN community membership, neighbouring Indigenous communities and their memberships, government agencies and interested persons;
- Working with neighbouring Indigenous communities to confirm existence of, align with and respect protocols and policies for Anishinabek Knowledge and Indigenous Knowledge and / or leading collection of Indigenous Knowledge;
- Customize Consultation Plans to meet neighbouring Indigenous community needs;
- Delivering Project-related information in a timely and culturally sensitive manner, using plain language translations (e.g., Oji-Cree and other traditional languages as needed) and visual aids to enable understanding;
- Facilitating multiple and ongoing opportunities for dialogue and conversations, and encouraging participation of relevant subgroups self-identified by those being engaged or consulted with (e.g., women, youth, elders);
- Providing sensitivity to cultural practices, events and activities of neighbouring Indigenous communities and considering these when planning and scheduling events;
- Facilitating an understanding of both the Indigenous Knowledge and Western science and engineering principles that form the basis of the EA process;
- Providing interested persons and potentially affected Indigenous communities listed in **Section 10.2.2** ongoing opportunities to share their concerns, questions and opinions on potential effects of the Project, their knowledge of the local environment, input on the effects assessment and its conclusions, the development of impact management measures and management strategies; and
- Demonstrating how feedback was considered and / or incorporated into decision-making, including providing direction as to where feedback is included in the EA.

In addition to the Guiding Principles, the Nishnawbe Aski Nation's Consultation Policy, as outlined in A Handbook on Consultation in Natural Resource Development (Nishnawbe Aski Nation 2007), will be used to guide consultation and engagement efforts. This document includes a plan for meaningful consultation between a proponent (MFFN), Indigenous communities and government, particularly on projects or decisions that have a potential to affect Aboriginal and Treaty Rights.

The key elements for meaningful consultation referenced in the Nishnawbe Aski Nation's Consultation Policy include:

- A continuous process;
- Exchanging information;
- Building relationships;
- Getting feedback on the understanding and adequacy of information, and exchanging more information if required;
- Identifying issues;
- Accommodation and reconciliation;
- Fairness; and
- Negotiating with the right attitude.

Consultation protocols of individual communities (should they be available) will also be considered.

## 10.2 Summary of Consultation Activities on the Terms of Reference

The MFFN Project Team has been actively consulting and engaging MFFN community members, government agencies, and interested persons on the Project since 2017. These consultation and engagement efforts took place prior to commencement of the ToR in March 2019 and are documented in *Marten Falls First Nation Community Access Road Supporting Document – Alternatives Development* (AECOM 2020).

**Section 10.2** describes the results of the consultation and engagement program that has been undertaken during the preparation of the ToR, from the NoC in March 2019 to July 31, 2020, just prior to the submission of the Proposed ToR. The consultation and engagement activities undertaken during the preparation of the ToR and inputs have also fed into the development of the Consultation and Engagement Plan to Support the Environmental Assessment / Impact Statement (**Appendix B**), herein referred to as the Consultation Plan and outlined in **Section 11**.

**Figure 10-2** illustrates the ToR consultation and engagement activities, which are generally organized around the following:

- **Terms of Reference Introduction**

An overall introduction to the Project and the EA process was provided during initial conversations with Indigenous communities and interested persons. To introduce the ToR phase of the Project, meetings with MFFN Chief and Council and membership and neighbouring Indigenous communities were held, as was a round of Public Information Centres (PICs). During these activities, the Proponent was identified, and objectives, components and potential effects of the Project were discussed, as was the ToR and EA processes, including schedules and proposed consultation and engagement activities. Feedback was sought on each of these elements. As well, efforts were taken to gauge the interest of neighbouring Indigenous communities to participate in the EA process, including discussions to ascertain whether individual communities felt Aboriginal or Treaty Rights might be affected by development of the CAR.

- **Draft Terms of Reference Review**

This period of consultation was initiated with the December 2019 release of the Draft ToR, and Plain Language Guide to the Draft ToR, for review by MFFN community, neighbouring Indigenous communities, government agencies and interested persons. A second round of PICs were held in December 2019 specific to the Draft ToR, and the MFFN Project Team extended offers to meet with interested Indigenous communities on the Draft ToR throughout January 2020 to early March 2020. Feedback obtained helped to inform the Proposed ToR including the Consultation Plan (**Appendix B**). In June 2020 the Indigenous communities were provided community-specific RoC materials for review and comment prior to release of the Proposed ToR. As part of the RoC material review, Indigenous communities that had not provided comments during the Draft ToR review period were offered another opportunity to comment on the Draft ToR. Offers to hold discussions were made and the Indigenous communities were informed of the anticipated timing for submission of the Proposed ToR to the MECP.

- **Proposed Terms of Reference Review**

The Proposed ToR is submitted to the MECP for an approval decision. As part of this process, the availability of the Proposed ToR for review and comment is publicly advertised through notifications (e.g., newspapers, radio, email, hard copy letters) and distribution of the ToR document to Indigenous communities and public review locations. The Proposed ToR, if approved, will be the roadmap for planning and decision-making during the EA. It outlines how the EA will be prepared, including what studies will be conducted, the process to identify and assess effects and how people will be consulted and engaged. Indigenous communities, government agencies and interested persons are encouraged to review and provide input on the Proposed ToR.

**Figure 10-2: Terms of Reference Consultation Activities**



### 10.2.1 Project Notifications and Information Releases

On March 6, 2019 the NoC for the ToR was circulated to the MFFN community, neighbouring Indigenous communities, and interested persons, which includes individuals or groups that are potentially affected by the Project and / or have an interest in the Project including, but not limited to the, following:

- Residents of the Municipalities of Greenstone and Thunder Bay;
- Those with recreational interest (e.g., hikers, campers, hunters and environmental groups);
- Camp operators and outfitters;
- Resource users (e.g., forestry, trappers, outfitters, mining and mineral tenure holders in the area);
- Interested businesses; and
- Community and public interest groups.

While this list is not intended to be an exhaustive list of potentially interested persons, it is intended to provide an initial understanding of groups that are in proximity to the Project, or of people and organizations who may have an interest in the potential effects associated with the Project. The Project Contact List will be continually updated as the EA process continues.

The NoC was provided in English and French.

To support the circulation of the NoC for the ToR, notices were distributed via mail, email and fax to people identified on the Project Contact List and advertisements were placed on Wawatay Radio during the week of March 6 to 12, 2019. The MFFN Project Team worked with MECP to finalize a circulation list that provided geographic coverage in a variety of mediums (e.g., mail, fax, email, newspapers and radio) for potentially interested Indigenous communities and persons. A copy of the Notice and other Project-related information was posted on the Project website. The Notice is included in **Appendix C** and was published in the following newspapers:

- Geraldton Times Star;
- Chronicle Journal;
- Thunder Bay Source;
- Wawatay News;
- TBNewsWatch;
- Windspeaker; and
- Anishinabek News.

A Project website was developed and became active on March 6, 2019 ([www.martenfallsaccessroad.ca](http://www.martenfallsaccessroad.ca)). The website is periodically updated with Project information including all relevant Project notices (e.g., NoC, PIC invitations) and other Project-related materials such as mapping.

On April 12, 2019, a notice was circulated to the MFFN community, neighbouring Indigenous communities and interested persons for PIC #1 held on April 30 and May 1, 2019. The notice was provided via hard and electronic copy circulation (e.g., mail, email), and posted on the Project website. The notice was published in the following newspapers: Thunder Bay Source, Wawatay News, TBNewsWatch and Wawatay Radio (30 second radio ads during the week of April 15 to 19, 2019) (**Appendix C**).

The Notice of Publication of the Draft ToR and second round of PICs held on December 10 and 11, 2019 was published November 26, 2019 and placed in local newspapers and radio (i.e., the Chronical Journal, Thunder Bay Source, Wawatay Radio). PIC #2 was also advertised on the Project website, placed on the Thunder Bay News Watch site, circulated to the Project Contact List, including neighbouring Indigenous communities. The PIC #2 notice is provided in **Appendix C**.

The PIC #2 in Thunder Bay was held on the same day (December 10, 2019) as the Matawa Environment Gathering. The organizers of the Matawa Environment Gathering shared the invite to PIC #2 with delegates. MFFN Project Consultant and MFFN Community Member Advisor had a booth at the Matawa Environment Gathering and talked to attendees about the Project (**Section 10.2.3**).

The Draft ToR was released for review and comment on December 4, 2019 on the Project website with an original comment period end date of January 20, 2020. The comment period end date was later extended until February 7, 2020 (a 63-day review period) upon request of several Indigenous communities. The Draft ToR was also provided in print and / or on a USB drive to Indigenous communities, members of the EA Government Review Team, and at the following public viewing locations:

- MECP Environmental Assessment and Permissions Branch (Toronto);
- MECP Thunder Bay District Office;
- Greenstone Public Library – Geraldton Branch;
- Greenstone Public Library – Long Lac Branch;
- Thunder Bay Public Library – Waverley Resource Library; and
- Timmins Public Library.

To support the circulation of the Notice of Publication of the Draft ToR, a notice was distributed via mail and email to persons identified on the Project Contact List and advertisements were placed on Wawatay Radio daily between December 2 to 10, 2019. A copy of the Notice was posted on the Project website on December 2, 2019. The Notice, included in **Appendix C**, was published in the following newspapers:

- Geraldton Times Star;
- Thunder Bay Source;
- TBNewsWatch; and
- Chronicle Journal;
- Wawatay News;
- Windspeaker.

## **10.2.2 Indigenous Communities Engagement**

Prior to commencing the ToR, MFFN held Project-related discussions with several Indigenous communities between 2017 and 2018. A summary of these activities is provided in *Marten Falls First Nation Community Access Road Supporting Document – Alternatives Development* (AECOM 2020).

Listed below in **Table 10-1** are, according to the MECP (in a letter dated December 19, 2018), the neighbouring Indigenous communities to be consulted and engaged on the basis that they have (or may have) constitutionally protected Aboriginal or Treaty Rights that may be adversely affected by the CAR and / or who may be interested in

the Project. Mishkeegogamang First Nation was added to the list of neighbouring Indigenous communities to be consulted on the Project based on the Agency's "Preliminary List of Indigenous Communities for Proponent Engagement on the Marten Falls Access Road". Therefore 23 Indigenous communities were identified for engagement. Although Mishkeegogamang First Nation has not yet expressed interest in the Project, they are being provided information in conjunction with the neighbouring Indigenous communities who might be affected by or have an interest in the Project.

The letters received by MFFN (as Proponent) from the MECP and the Agency are provided in **Appendix C**.

**Table 10-1: Identified Indigenous Communities, including their Provincial Territorial Organizations and / or Tribal Council Affiliations**

Tribal Council Affiliation (Provincial Territorial Organization)	Community or Organization	
<b>Matawa First Nations</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>◆ <b>Marten Falls First Nation</b> (Proponent and potentially affected Indigenous community)</li> <li>◆ Aroland First Nation</li> <li>◆ Constance Lake First Nation</li> <li>◆ Eabametoong First Nation (Fort Hope)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Ginoogaming First Nation</li> <li>◆ Neskantaga First Nation</li> <li>◆ Nibinamik First Nation</li> <li>◆ Webequie First Nation</li> </ul>
<b>Matawa First Nation and the Union of Ontario Indians</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>◆ Long Lake #58 First Nation**</li> </ul>	
<b>Mushkegowuk Council</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>◆ Attawapiskat First Nation</li> <li>◆ Fort Albany First Nation</li> </ul>	<ul style="list-style-type: none"> <li>◆ Kashechewan First Nation</li> </ul>
<b>Shibogama First Nations Council</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>◆ Kasabonika Lake First Nation</li> <li>◆ Kingfisher Lake First Nation</li> <li>◆ Wapekeda First Nation</li> </ul>	<ul style="list-style-type: none"> <li>◆ Wawakapewin First Nation</li> <li>◆ Wunnumin Lake First Nation</li> </ul>
<b>Independent First Nations Alliance</b>	<ul style="list-style-type: none"> <li>◆ Kitchenuhmaykoosib Inninuwug First Nation</li> </ul>	
<b>Independent First Nations</b> (Nishnawbe Aski Nation)	<ul style="list-style-type: none"> <li>◆ Mishkeegogamang First Nation</li> <li>◆ Weenusk First Nation</li> </ul>	
<b>Nokiiwin Tribal Council</b>	<ul style="list-style-type: none"> <li>◆ Animiigoo Zaagi'igan Anishinaabek First Nation (AZA)*</li> </ul>	
<b>Métis Nation of Ontario (MNO)</b>	<ul style="list-style-type: none"> <li>◆ Métis Nation of Ontario (MNO); Region 2*</li> </ul>	
<b>Independent Métis Nation</b>	<ul style="list-style-type: none"> <li>◆ Red Sky Métis Independent Nation (RSMIN)*</li> </ul>	

Notes: \* Indigenous communities or organizations identified by MECP who should be consulted on the basis that they may be interested in the CAR.

\*\*MECP indicated in a letter to MFFN that Long Lake #58 First Nation was moved from interest-based to rights-based.

To date, 15 of these communities have expressed an interest in the Project and meeting to better understand the Project. Those communities MFFN has met with during the ToR preparation period are indicated with an asterisk below (\*):

- Marten Falls First Nation\*;
- Aroland First Nation\*;
- Attawapiskat First Nation\*;
- Neskantaga First Nation;
- Nibinamik First Nation;
- Eabametoong First Nation (Fort Hope)\*;
- Webequie First Nation\*;
- Red Sky Métis Independent Nation
- Fort Albany First Nation\*;
- Ginoogaming First Nation;
- Animiigoo Zaagi'igan Anishinaabek;
- Constance Lake First Nation;
- Long Lake #58 First Nation;
- Kitchenuhmaykoosib Inninuwug First Nation\*; and
- Kashechewan First Nation.

The remaining eight communities have expressed interest in receiving Project materials. And will contact MFFN if they would like to meet in the future. MFFN will continue outreach on an ongoing basis to these communities.

These communities include:

- Wunnumin Lake First Nation;
- Wapekeka First Nation;
- Wawakapewin First Nation;
- Weenusk First Nation;
- Kingfisher Lake First Nation;
- Kasabonika Lake First Nation;
- Mishkeegogamang First Nation; and
- Métis Nation of Ontario, Region 2.

Those Tribal Councils, Nations and Alliances listed above, as well as the Chiefs of Ontario and Union of Ontario Indians, have been identified as potentially interested in the Project, and will be provided with information and an option to meet with MFFN throughout the EA process. **Figure 10-3** illustrates the location of the Indigenous communities neighbouring MFFN.

Ontario (MECP and ENDM) and MFFN entered into an agreement through a MOU to share responsibility of the procedural aspects of Ontario's Duty to Consult, in the context of the EA for the Project. The Marten Falls-Ontario MOU on Shared Consultation Responsibilities was signed on January 7, 2020 and defines the roles and responsibilities of both parties in regard to the consultation of Indigenous communities whose Aboriginal or Treaty Rights may be adversely affected by the proposed Project and interested persons. A copy of the Marten Falls-Ontario MOU on Shared Consultation Responsibilities is provided in **Appendix D**.

The identified Indigenous communities were provided early notice of the Project through a letter from MFFN on December 13, 2018. They also received the NoC of a ToR in early March 2019 and were sent a follow-up letter on April 4, 2019. Copies of the letters and Notice are in **Appendix C**. Attempts were made to contact each Indigenous community by phone to determine if they may have an interest in the Project.

All identified Indigenous communities have been contacted by the MFFN Project Team with conversations ranging from preliminary discussions, and one-way circulation of information, to Chief and Council meetings followed by meetings with the broader community. The RoC (**Appendix C**) outlines the attempts to consult and engage with Indigenous communities from the NoC to July 31, 2020. Comments, issues and questions received from Indigenous communities that can be shared publicly are included in the RoC.

Ontario made available participant funding to 18 Indigenous communities whose Aboriginal or Treaty Rights may be adversely affected by the Project. These communities were invited to request participant funding to support their review of the ToR and EA.

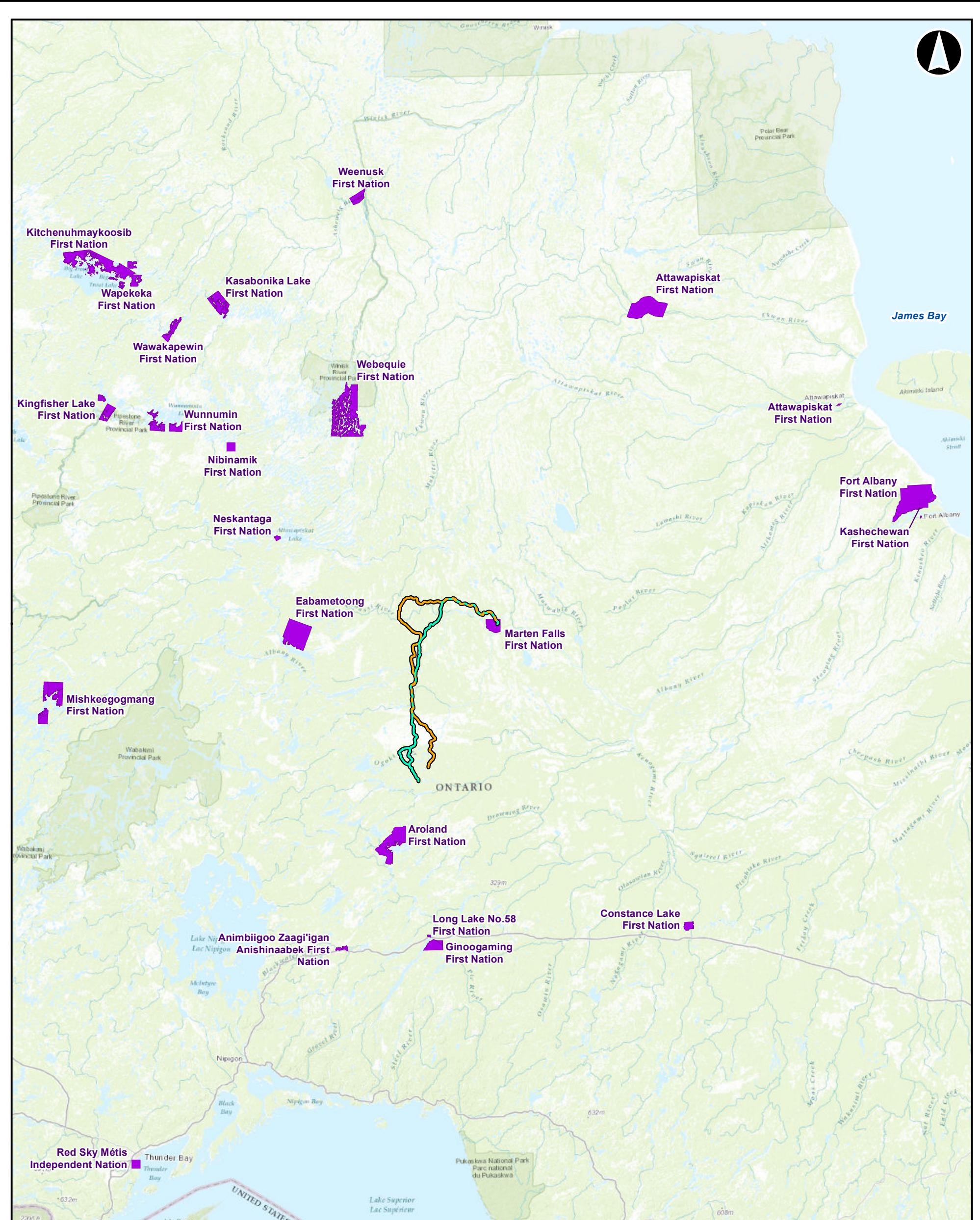
Each Indigenous community listed in **Table 10-1** was provided in December 2019 a print and / or electronically a Plain Language *Guide to the Draft ToR* (also translated to Oji-Cree), along with the Draft ToR, and an offer to meet to 'walk through' the Draft ToR if interested. No communities requested a conference call or meeting in response to this.

In January 2020, follow-up calls were made to the Indigenous communities to confirm that the Draft ToR package was received and to determine whether there were any questions and interest to meet or have a discussion about the Draft ToR. On January 27, 2020 the Indigenous communities were informed by email that the Draft ToR comment period was extended to February 7, 2020.

Comments on the Draft ToR were received by the following seven Indigenous communities:

- Aroland First Nation;
- Attawapiskat First Nation;
- Fort Albany First Nation;
- Ginoogaming First Nation;
- Long Lake #58 First Nation;
- Neskantaga First Nation; and
- Webequie First Nation.





**Legend**

Route Alternatives

- Alternative 1
- Alternative 4

Neighbouring Indigenous Communities

- Finlayson Point

Marten Falls First Nation  
All Season Community Access Road

## **Location of Neighbouring Indigenous Communities**

Kilometres

Datum: NAD 1  
Aug, 2020 1:2,500,000  
\* when printed 11"x17"

**Figure 10-3**

Contains information provided by Ontario Ministry of the Environment, Conservation and Parks or by Ontario Ministry of Natural Resources and Forestry (Copyright Queen's Printer of Ontario 2020), through a Sensitive Data License Agreement between AECOM and the Ontario Ministry of the Environment, Conservation and Parks. This drawing is the property of AECOM or its client and may not be reproduced or distributed without the written consent of AECOM or its client, except as agreed by AECOM or its client, as permitted by law or for use by governmental reviewing agencies. AECOM accepts no responsibility, and denies any liability whatsoever, to any party that modifies this drawing without AECOM's express written consent. The use of Sensitive Data in this drawing does not constitute an endorsement by the Ministry for this drawing or by AECOM of the Sensitive Data.



In early February 2020, emails were sent to the above communities acknowledging receipt of and thanking them for their comments on the Draft ToR.

Outreach efforts and correspondence with the Indigenous communities continued in February and March 2020 regarding their interest in the Project and the potential to meet / discuss the Project. Due to the onset of the COVID-19 pandemic in March 2020, plans for in-person meetings with Indigenous communities were put on hold. However, MFFN continued to share information on the Project and in early April 2020 emailed a Project update newsletter. Outreach also took place throughout May 2020 regarding the scheduling of future discussions and the development of agreements / MOUs.

Nine communities, including MFFN, have expressed interest in participating in the Indigenous Knowledge Program to support the EA. An email regarding the Indigenous Knowledge Program was sent in May 2020. The email included the December 5, 2019 letter and draft information sharing agreement previously provided. The Indigenous communities were asked about their interest in the Indigenous Knowledge Program and if they had any questions.

In June 2020 all Indigenous communities were sent an email and a letter package via mail that included the community-specific RoC materials. The Indigenous communities were requested to provide comments on the materials by July 22, 2020 in advance of the materials being published as part of the Proposed ToR. Further, the RoC materials for the Indigenous communities that commented on the Draft ToR included responses to their comments. A request for discussion were made to Aroland First Nation and Neskantaga First Nation to seek clarification on the Draft ToR comments. For those Indigenous communities that did not provide comments on the Draft ToR, the letter indicated that MFFN is still open to receive their comments and / or having a discussion about any concerns or comments they may have. Follow-up emails and / or phone calls were made to confirm receipt of the letter with the community-specific RoC materials. Additional comments on the Draft ToR were provided by Fort Albany First Nation and a follow-up call was held with community representatives in July 2020.

Throughout preparation of the ToR, the MFFN Project Team has made many efforts to consult and engage with the identified Indigenous communities as follows:

- Submission of Project notifications and Project updates, including five newsletters;
- Emails and phone calls to confirm interest in being consulted on the Project (a minimum of nine phone calls being made to each Indigenous community);
- Holding conference calls with community representatives and / or in-community meetings with 11 communities;
- Letters sent to the communities (August 2019) from Ontario advising them of the availability of funding to support their involvement in the ToR / EA process;
- Invitations to two PICs;
- Notifications regarding field survey activity;
- Letters and follow-up calls regarding interest in participation in the Indigenous Knowledge Program to support the EA;
- Voluntary release of a Draft ToR and Plain Language Guide (also translated to Oji-Cree) for review and comment;
- Offers to meet / discuss the Draft ToR;
- Extension of the Draft ToR review period to a 63-day comment period and offer of a second opportunity to provide comments in June 2020;
- Receipt of Draft ToR comments from seven communities;
- Receipt of comments and questions from Indigenous communities as documented in the RoC;

- Submission of a letter to advise of the planned Proposed ToR submission date and the second offer to receive comments on the Draft ToR and a willingness to discuss any concerns or comments;
- Copies of community-specific RoC materials in advance of the materials being published as part of the Proposed ToR; and
- Presentations to Matawa First Nations communities on three occasions.

A detailed record of the efforts made to consult and engage with each of the 23 Indigenous communities and correspondence received from the communities from March 6, 2019 to July 31, 2020 is provided in **Appendix C**. The following sections summarize key consultation activities and issues received through consultation and engagement activities during preparation of the ToR. Further details of these events and how the issues have been addressed in the ToR or will be considered in the EA are provided in **Appendix C**.

While not related to the provincial EA process, the communities were also sent a number of letters and notices by the Agency regarding the federal IA process for the Project. From these efforts, comments were received, and this input has been considered in the preparation of the Proposed ToR.

#### 10.2.2.1 Marten Falls First Nation

During a two-year period leading up to the commencement of the ToR in March 2019, many pre-consultation activities occurred with MFFN community members regarding the Project as documented in *Marten Falls First Nation Community Access Road Supporting Document – Alternatives Development* (AECOM 2020). These meetings addressed a variety of topics and issues including: EA process, provincial agreements, baseline studies and routing options. These meetings resulted in the informing of the MFFN community on the required process, the identification of key areas of interest and potential concern, and input to possible routes for the CAR.

During preparation of the ToR, starting in March 2019, meetings were held with the MFFN community to inform them of the Project and to receive their feedback. **Table 10-2** identifies the four series of meetings that were held with MFFN community members up to the preparation of the Proposed ToR, and provides a summary of comments expressed at each meeting. The RoC (**Appendix C**), includes the meeting minutes and details of the comments made at each meeting. The meetings were open to members of MFFN and were held on and off-reserve. Notices were provided via hard and electronic copy circulation (e.g., mail, email) posted on the Marten Falls Community News and Mining Facebook Page, the Ogoki Post #65 Facebook page and the Project website. For the June 2019 and October 2019 meetings, notices were posted on a Project-specific bulletin board in the community's band office and posted on the community's Facebook page.

**Table 10-2: Marten Falls First Nation Community Member Meetings**

Date	Meetings Held	Summary of Input	Addressed in the ToR / Consideration in the EA
2019	<p><b>March:</b> Introduce the Project and discuss the provincial EA process</p> <p>1. Thunder Bay: March 20, 2019</p> <p>2. MFFN (including discussions with Youth): March 21, 2019</p>	<ul style="list-style-type: none"> <li>■ Need to maximize economic development opportunities and questions on what economic opportunities may result from the Project?</li> <li>■ Interest in understanding cumulative effects.</li> <li>■ Questions on whether the road use will be available to the public?</li> <li>■ The western routes make sense as while they are longer they are on higher ground.</li> <li>■ How to combine AK and western science?</li> <li>■ Provided input on various values of interest related to: plants, animals, water, air quality (dust), noise and burial grounds.</li> <li>■ Suggestions provided on how to consult with MFFN community, including elders.</li> </ul>	<p>Section 7.2.10</p> <p>Section 7.2</p> <p>Section 5</p> <p>Section 6.3</p> <p>Section 3.4.2</p> <p>Section 7</p> <p>Consultation Plan (Appendix B)</p>

**Table 10-2: Marten Falls First Nation Community Member Meetings**

Date	Meetings Held	Summary of Input	Addressed in the ToR / Consideration in the EA
		<ul style="list-style-type: none"> <li>▪ Questions why 22 other communities need to be consulted with?</li> <li>▪ Suggestions made on the Project benefits.</li> <li>▪ Need to be aware of government influences on this Project.</li> <li>▪ Questions about the water crossings required by the different routes.</li> <li>▪ Input on key issues that will need to be examined in the EA (e.g., noise and social effects).</li> <li>▪ Question on whether this will be a private or public road?</li> <li>▪ Questions about Project decision-making and the need for the Project to be community driven.</li> <li>▪ Project timelines to be driven by community requirements.</li> </ul>	<p>Section 10.2.2</p> <p>Section 7.2</p> <p>Sections 3.1 to 3.3</p> <p>Section 7.1.4.4</p> <p>Section 7</p> <p>Section 5</p> <p>Section 2.1.1</p> <p>Section 2.1.1</p>
	<b>May:</b> Provide information on the alternative routes and next steps for consultation 1. Thunder Bay: May 6, 2019 2. MFFN: May 7, 2019 3. Geraldton: May 8, 2019	<ul style="list-style-type: none"> <li>▪ Interest in economic benefits and new social activities that could result.</li> <li>▪ After discussion the alternative routes, the participants were generally supportive of the western routes, particularly if the road may be used for industrial purposes – the longer distance was viewed as the only main negative of the western routes.</li> <li>▪ Questions about who will be liable for the road?</li> <li>▪ Comments expressed on the consultation process to date. Speaking with the students is appreciated.</li> <li>▪ Future consultations should clearly explain need for the EA and the Duty to Consult requirements of the Project.</li> </ul>	<p>Section 7.2.10</p> <p>Section 6.3</p> <p>Section 2.1</p> <p>Consultation Plan (Appendix B)</p> <p>Consultation Plan (Appendix B)</p>
	<b>June:</b> Present the Draft ToR, including approach to alternatives evaluation and effects assessment, potential effects and impact management measures, EA process and timing, and approach to consultation through the EA. 1. Thunder Bay: June 25, 2019 2. MFFN: June 26, 2019	<ul style="list-style-type: none"> <li>▪ When decisions will be made when construction will start?</li> <li>▪ Want to avoid the road going through the middle of our community.</li> <li>▪ General support for the western routes.</li> <li>▪ Criteria presented are well thought out.</li> <li>▪ Road should be built wide enough for large trucks.</li> <li>▪ Visual effects need to be considered.</li> <li>▪ Who will be able to use the road? Will outsiders be able to build cabins along it?</li> <li>▪ When will the preferred route be identified?</li> <li>▪ What happened to the train that was proposed?</li> <li>▪ Comments made on future information in terms of what and how it should be presented to MFFN community.</li> </ul>	<p>Sections 5 and 9</p> <p>Section 6.3</p> <p>Section 6.3</p> <p>Appendix A</p> <p>Section 5</p> <p>Section 7.2.10</p> <p>Section 5</p> <p>Consultation Plan (Appendix B)</p> <p>N/A</p> <p>Consultation Plan (Appendix B)</p>
	<b>October:</b> Describe changes to the IAA and implications to the Project; Provide an update on the Project and associated activities that have taken place since the last community meeting; Introduce the Draft ToR; Provide a status update on the study timelines; and Discuss next steps for the EA process. 1. Thunder Bay: October 17, 2019 2. MFFN: October 18, 2019	<ul style="list-style-type: none"> <li>▪ Will this be a mining road?</li> <li>▪ It appears that there is more focus on this road as a route to the Ring of Fire and that the community access is no longer the priority.</li> <li>▪ The need for translator to be present at meetings / that information needs to be translated.</li> <li>▪ Need for education on the new federal IAA</li> <li>▪ Questions asked about the community tiering system.</li> <li>▪ What is the government's responsibility to consult?</li> <li>▪ The information needs to be less technical.</li> <li>▪ How will violence against women and children be addressed with the Project in place? Concerns about human trafficking.</li> <li>▪ Question on assessing the increased hunting and fishing pressure as a result of the road.</li> <li>▪ How do we consult on treaty rights?</li> </ul>	<p>Section 4</p> <p>Sections 4 and 5.1</p> <p>Consultation Plan (Appendix B)</p> <p>Section 11.7</p> <p>Consultation Plan (Appendix B)</p> <p>Section 11.2</p> <p>Section 11.3</p> <p>Section 7.2.10</p> <p>Sections 7.2.7, 7.2.8, 7.2.9 and 7.2.10</p> <p>Section 11.2</p>

The purpose of the meetings was to share information about the ToR process including the ToR consultation program, and for MFFN community members to express concerns and issues regarding the Project, to provide feedback on the ToR content including the alternative routes, and to review the proposed Consultation Plan (**Appendix B**) for the EA.

The general format of the meetings in 2019 was typically a short presentation followed by either small group discussions and / or individual discussions associated with the review of information provided on display panels. A copy of the notifications, presentation materials and display panels used at the meetings as well as a meeting summary are available in **Appendix C**.

Opportunities for youth to participate were available at the March 2019 and May 2019 community meetings in Marten Falls. These included a brief presentation to grade school students at the Henry Coaster Elementary School, followed by group discussion to obtain feedback. Discussions with school students planned for the June 2019 in-community meetings were cancelled.

At the May and June 2019 meetings, MFFN community members were provided the opportunity to provide comment on potential alternative routes for the CAR. While attending community members indicated a preference for a CAR with shorter road lengths, community members were also generally supportive of the recommendation to focus the regulatory review process on the western routes (Alternative 1 and Alternative 4). At the October 2019 meetings, when presented with the decision to only carry forward Alternative 1 and Alternative 4 for further study during the EA, the attending community members did not provide further comment.

The MFFN community was provided Notice of Publication of the Draft ToR for comment in December 2019 and provided notice in January 2020 of the ToR comment period extension. Comments on the Draft ToR were not received by MFFN community members. As with all Indigenous communities, consultation activities were paused in March 2020 due to the COVID-19 pandemic. In April 2020, a Project Newsletter was released providing an update to the Project. Due to the continued restrictions on in-person gatherings associated with the COVID-19 pandemic, online virtual engagement to consult MFFN community on the Proposed ToR is planned as part of the community-led process to occur prior to the submission of the Proposed ToR to the MECP.

To update MFFN on changes made to prepare the Proposed ToR, a series of online-based communications and engagement activities are being offered prior to submission to the MECP. These activities are being offered in lieu of in-person consultation and engagement due to COVID-19 health concerns. These activities are listed below:

- Creation of a ‘virtual room’ that provides access to informational videos, links to background documents and text / visual content related to the ToR;
- Opportunity to submit questions and comments;
- Updates to the Project website including Project factsheets and Project Newsletter.; and
- Two teleconferences with Chief and Council anticipated to occur during September 2020.

The RoC (**Appendix C**) provides a listing of all inputs received from the MFFN community, responses to those comments and an indication of how those comments have been addressed in the ToR or will be considered in the EA.

#### 10.2.2.2 Neighbouring Indigenous Communities

**Table 10-3** provides a summary of consultation with neighbouring Indigenous communities that has occurred from March 6, 2020 to July 31, 2020. A summary of key comments and / or issues raised, and how they have been addressed or will be considered in the EA is summarized in the table. Further details regarding the issues raised by the Indigenous communities including comments provided on the Draft ToR, MFFN’s responses to the Draft ToR comments, presentation materials used at the meetings and meeting summaries are available in **Appendix C**.

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
<b>Animbiigoo Zaagi'igan Anishinaabek (AZA)</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Funding available for participation</li> <li>In support of Project</li> </ul>	<ul style="list-style-type: none"> <li>Section 10</li> <li>N/A</li> </ul>
<b>Aroland First Nation</b>	<ul style="list-style-type: none"> <li>One in-person community meeting</li> <li>Three conference calls</li> <li>Five letters were received</li> <li>Two in-person Project updates for Matawa First Nations members</li> <li>Provided Draft ToR for review; comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> <li>Development of Aroland First Nation-MFFN MOU</li> </ul>	<ul style="list-style-type: none"> <li>Request / discussion on Aroland First Nation-MFFN MOU</li> <li>Indigenous Knowledge Sharing Agreement</li> <li>Request for meeting</li> <li>In support of Project</li> <li>Northern Road Link</li> <li>Support for collaborative participation in planning and management of the Project</li> <li>Community Consultation Coordinator role</li> <li>Comments provided on the Draft ToR included, but are not limited, to the following: <ul style="list-style-type: none"> <li>Consultation Methods</li> <li>Federal IA process</li> <li>Provincial EA process</li> <li>Indigenous Knowledge</li> <li>Indigenous use of land and resources</li> <li>Aboriginal and Treaty Rights</li> <li>Monitoring</li> <li>Alternatives To</li> <li>Alternative Means</li> <li>Potential effects on various components on the environment</li> <li>Waste Management</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>MFFN Project Team continues to work with Aroland First Nation to finalize the MOU</li> <li>Section 3</li> <li>MFFN Project Team continues communications with Aroland First Nation to schedule a meeting</li> <li>N/A</li> <li>Section 7</li> <li>Section 10</li> <li>MFFN Project Team is working with Aroland First Nation for the Community Consultation Coordinator role</li> <li>A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>
<b>Attawapiskat First Nation</b>	<ul style="list-style-type: none"> <li>One in-person meeting (a second meeting planned for February 2020 was postponed by ENDM)</li> <li>Three letters were received</li> <li>Provided Draft ToR for review; comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Project purpose (community access vs. multi-use)</li> <li>Request for MOU</li> <li>Consultation challenges due to COVID-19</li> <li>Comments provided on the Draft ToR included, but are not limited, to the following: <ul style="list-style-type: none"> <li>Project purpose</li> <li>Role of the provincial government</li> <li>Northern Road Link</li> <li>Aboriginal and Treaty Rights</li> <li>Consultation and Duty to Consult</li> <li>Study Area</li> <li>Climate change</li> <li>Effect of temporary infrastructure</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 4</li> <li>MFFN Project Team will continue dialogue regarding potential MOU</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
		<ul style="list-style-type: none"> <li>– Field studies</li> <li>– Values of importance</li> <li>– Indigenous knowledge</li> <li>– Human health and community safety</li> </ul>	
<b>Constance Lake First Nation</b>	<ul style="list-style-type: none"> <li>• One teleconference information sharing meeting</li> <li>• Two in-person Project updates for Matawa First Nations members</li> <li>• One letter was received</li> <li>• Provided Draft ToR for review; no comments were received</li> <li>• Provided community-specific RoC for review; comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ Road alignment</li> <li>■ Potential bridge, bridge size and aggregates</li> <li>■ Teleconference details do not fulfill Duty to Consult and are for information only</li> <li>■ EA completion and route selection process</li> <li>■ Funding availability to assess routes</li> <li>■ Consideration of water courses and wildlife.</li> <li>■ Distribution of field studies findings</li> <li>■ Involvement / review of water related information</li> <li>■ Scope and timeline</li> <li>■ MOU between MFFN and the federal government</li> <li>■ Increased accessibility and potential effects to the area</li> <li>■ Timing of Indigenous Knowledge Program</li> <li>■ Pause on consultation until funding is provided and State of Emergency is lifted</li> <li>■ Consultation challenges related to COVID-19</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 6</li> <li>■ Section 5</li> <li>■ This has been reflected in the RoC and meeting minutes</li> <li>■ Sections 3 and 8</li> <li>■ Section 10</li> <li>■ Section 7</li> <li>■ Section 7</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ Section 5 of ToR and Consultation Plan (<b>Appendix B</b>)</li> <li>■ MFFN Project Team confirmed they do not have a MOU with the federal government</li> <li>■ Section 7</li> <li>■ Section 3</li> <li>■ Section 10</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> </ul>
<b>Eabametoong First Nation</b>	<ul style="list-style-type: none"> <li>• One in-person meeting (part one with Chief and Council, part two with broader community)</li> <li>• Two in-person Project updates for Matawa First Nations members</li> <li>• Provided Draft ToR for review; no comments were received</li> <li>• Provided community-specific RoC for review, no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ Level of engagement and involvement</li> <li>■ Understanding technical documents</li> <li>■ Northern Road Link</li> <li>■ Clarification of EA process</li> <li>■ Identification of neighboring Indigenous communities</li> <li>■ Community-Based Land Use Planning approval</li> <li>■ Consultation approach and methods of engagement activities</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 11</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ Section 7</li> <li>■ Section 3</li> <li>■ Section 10</li> <li>■ Section 7</li> <li>■ Sections 10 and 11</li> </ul>
<b>Fort Albany First Nation</b>	<ul style="list-style-type: none"> <li>• One in-person meeting</li> <li>• Two conference calls</li> <li>• Two letters were received</li> <li>• Provided Draft ToR for review; comments were received</li> <li>• Provided community-specific RoC for review; comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ Road access and effects to wildlife</li> <li>■ Economic development plan</li> <li>■ Road access and industrial use</li> <li>■ Consultation methods and request for ongoing engagement</li> <li>■ Request for redistribution of Project materials and amended map</li> <li>■ Northern Road Link and cumulative effects</li> <li>■ Aboriginal / Treaty Rights</li> <li>■ Indigenous Knowledge Program</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 7</li> <li>■ Section 7</li> <li>■ Sections 4 and 5.2</li> <li>■ Sections 10 and 11</li> <li>■ MFFN Project Team provided the requested materials</li> <li>■ Section 7</li> <li>■ Section 7</li> <li>■ Section 3</li> <li>■ Section 7</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
		<ul style="list-style-type: none"> <li>■ Project study area</li> <li>■ Provincial MOU</li> <li>■ Participant funding</li> <li>■ Effects of federal IA timeline on EA</li> <li>■ Consultation challenges due to COVID-19</li> <li>■ Comments on the Draft ToR: <ul style="list-style-type: none"> <li>– Indigenous Knowledge and Values</li> <li>– Construction Methods</li> <li>– Field Investigations</li> <li>– Consultation Methods</li> <li>– Federal IA Process</li> <li>– Environmental Effects</li> <li>– Criteria and Indicators</li> <li>– Cumulative Effects</li> <li>– Economic Benefits</li> <li>– Aboriginal Treaty Rights</li> <li>– Surface Water</li> <li>– Fish and Fish Habitat</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Appendix D</li> <li>■ Section 10</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>
<b>Ginoogaming First Nation</b>	<ul style="list-style-type: none"> <li>• One teleconference call</li> <li>• Two in-person Project updates for Matawa First Nations members</li> <li>• Provided Draft ToR for review; comments were received</li> <li>• Provided community-specific RoC for review; high-level comments were received</li> <li>• One letter was received explaining why only high-level comments on the community-specific RoC were provided</li> </ul>	<ul style="list-style-type: none"> <li>■ Request for Project information</li> <li>■ Consultation challenges due to COVID-19</li> <li>■ Comments on the Draft ToR: <ul style="list-style-type: none"> <li>– Consultation Methods</li> <li>– Indigenous Knowledge</li> <li>– Aboriginal and Treaty Rights</li> <li>– Indigenous use of lands and resources</li> <li>– Impact management measures</li> <li>– Health and community safety</li> <li>– Employment and training</li> <li>– Caribou</li> <li>– Fish and fish habitat</li> <li>– Availability and use of public services and infrastructure</li> <li>– Aggregates</li> </ul> </li> <li>■ Northern Road Link</li> </ul>	<ul style="list-style-type: none"> <li>■ MFFN Project Team provided Project materials</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>
<b>Kasabonika Lake First Nation</b>	<ul style="list-style-type: none"> <li>• Provided Draft ToR for review; no comments were received</li> <li>• Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>■ N/A</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
Kashechewan First Nation	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Request for meeting in 2020</li> <li>Participant funding and route alternatives</li> </ul>	<ul style="list-style-type: none"> <li>Continued discussions to schedule a meeting</li> <li>Sections 10 and 6</li> </ul>
Kingfisher Lake First Nation	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Indigenous community and consultant consultation methods</li> <li>Potential connection to winter road networks</li> <li>Source of aggregates</li> <li>Contributing to Indigenous Knowledge Program</li> <li>Sharing information for environmental baseline studies</li> <li>Participant funding</li> </ul>	<ul style="list-style-type: none"> <li>Section 10 and 11</li> <li>Unsure at this time, future follow-up with more details</li> <li>Section 7</li> <li>Section 3</li> <li>Sections 7 and 11</li> <li>Section 10</li> </ul>
Kitchenuhmaykoo sib Innuuwug First Nation	<ul style="list-style-type: none"> <li>One in-person community meeting</li> <li>Provided Draft ToR for review; no comments were received</li> </ul> <p>Provided community-specific RoC for review; no comments were received</p>	<ul style="list-style-type: none"> <li>Effects on caribou</li> <li>Road length and location</li> <li>Road washouts</li> <li>Stages of consultation</li> <li>Project timeline</li> <li>Questioning involvement since Project location is far away from KI First Nation</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> <li>Section 10</li> <li>Section 7</li> <li>Sections 10 and 11</li> <li>Section 5</li> <li>Section 10</li> </ul>
Long Lake #58 First Nation	<ul style="list-style-type: none"> <li>One conference call</li> <li>Two in-person Project updates for Matawa First Nations members</li> <li>Provided Draft ToR for review; comments were received</li> <li>Provided community-specific RoC for review; high-level comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Request for extension to provide comments on Draft ToR</li> <li>Engaging community Knowledge Keepers</li> <li>Indigenous Knowledge Study Area</li> <li>Provision of Long Lake #58 First Nation Traditional Territory Map</li> <li>EA timelines</li> <li>Aboriginal and Treaty Rights</li> <li>Consultation challenges related to COVID-19</li> <li>Comments on the Draft ToR: <ul style="list-style-type: none"> <li>Consultation methods</li> <li>Aboriginal and Treaty Rights</li> <li>Indigenous Knowledge</li> <li>Role of the provincial government</li> <li>Impact management measures</li> <li>Health and community safety</li> <li>Caribou</li> <li>Fish and fish habitat</li> <li>Availability and use of public services and infrastructure</li> <li>Aggregate</li> <li>Northern Road Link</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 10</li> <li>Section 3</li> <li>Section 7</li> <li>N/A</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>Section 7</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
<b>Métis Nation of Ontario (MNO), Region 2 (Greenstone Métis Council)</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>MNO, Region 2, will not directly engage with the Project</li> </ul>	<ul style="list-style-type: none"> <li>Section 10</li> </ul>
<b>Mishkeegogamang First Nation</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Neskantaga First Nation</b>	<ul style="list-style-type: none"> <li>One conference call</li> <li>Two in-person Project updates for Matawa First Nations members</li> <li>Two letters were received</li> <li>Provided Draft ToR for review; comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Request to consult with the Province not MFFN Project Team</li> <li>Provincial-MFFN MOU</li> <li>Request for collaboration</li> <li>Methods of communication</li> <li>Notification of field studies</li> <li>Request for previous archeological studies / reports</li> <li>Contribution of Indigenous Knowledge to field studies</li> <li>Use of social media for Project communication</li> <li>Project study area</li> <li>Road ownership and maintenance</li> <li>EA deadlines</li> <li>Public road access</li> <li>Effects of mining claims</li> <li>Northern Road Link</li> <li>Alternative routes</li> <li>Regional EA</li> <li>Dispute resolution process</li> <li>Provincial and federal cost sharing</li> <li>EA and IA timelines</li> <li>Provision of transportation infrastructure study</li> <li>Community specific Consultation Plan</li> <li>Tracking of issues and concerns</li> <li>Clarification of “consultation” and “engagement”</li> <li>Inclusion of studies that do not require an Indigenous Knowledge Sharing Agreement</li> <li>Request for ENDM / MECP material to be included in Project meetings</li> <li>Collaboration to obtain LiDAR data</li> </ul>	<ul style="list-style-type: none"> <li>RoC</li> <li>Appendix D</li> <li>Section 10</li> <li>Sections 10 and 11</li> <li>Sections 10 and 11</li> <li>MFFN Project Team provided the reports</li> <li>Section 3</li> <li>Section 11</li> <li>Section 7</li> <li>Section 2</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>Section 5</li> <li>Section 7</li> <li>Section 7</li> <li>Section 6</li> <li>Section 7</li> <li>Section 11</li> <li>Comment referred to Ontario for response</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>Pending applicability for inclusion in EA</li> <li>Consultation Plan (<b>Appendix B</b>)</li> <li>RoC</li> <li>MFFN Project Team provided plain language materials to better define terms.</li> <li>Section 7</li> <li>MECP shared requested information</li> <li>Conversations continue between MFFN and Neskantaga First Nation regarding LiDAR datasets</li> <li>Section 11</li> <li>MFFN Project Team provided archeological studies</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
		<ul style="list-style-type: none"> <li>■ Request to review baseline studies and methodology</li> <li>■ Request for archeological studies and locations of cultural heritage sites</li> <li>■ Socio-economic effects</li> <li>■ Location of cultural heritage sites</li> <li>■ Consultation challenges due to COVID-19</li> <li>■ Comments on the Draft ToR: <ul style="list-style-type: none"> <li>– Role of provincial government</li> <li>– Federal IA Process</li> <li>– Provincial EA Process</li> <li>– Indigenous Knowledge</li> <li>– Indigenous use of land and resources</li> <li>– Aboriginal and Treaty Rights</li> <li>– Consultation methods</li> <li>– Cultural Heritage Resources</li> <li>– Economy</li> <li>– Alternative means</li> <li>– Cumulative effects</li> <li>– Aggregates</li> <li>– Human health and community safety</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Section 7</li> <li>■ Section 7</li> <li>■ Consultation Plan (<b>Appendix B</b>)</li> <li>■ A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>
<b>Nibinamik First Nation</b>	<ul style="list-style-type: none"> <li>• One in-person meeting</li> <li>• Two in-person Project updates for Matawa First Nations members</li> <li>• Provided Draft ToR for review; no comments were received</li> <li>• Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ Opportunities for local employment</li> <li>■ Provincial funding for community participation</li> <li>■ Allocation of Project funding</li> <li>■ Duty to Consult</li> <li>■ Offer to work with Nibinamik corporation for sourcing aggregates</li> <li>■ Request for potential community meeting</li> <li>■ Critique of community funding application process (<i>directed to the province</i>)</li> <li>■ Request to prioritize Aboriginal / community involvement and training during construction (<i>directed to the province</i>)</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 7</li> <li>■ Section 10</li> <li>■ Section 10</li> <li>■ Section 11</li> <li>■ Section 7</li> <li>■ MFFN Project Team will continue to follow-up for a potential community meeting.</li> <li>■ N/A</li> <li>■ Section 7</li> </ul>
<b>Red Sky Métis Independent Nation (RSMIN)</b>	<ul style="list-style-type: none"> <li>• One in-person meeting</li> <li>• One letter was received</li> <li>• Provided Draft ToR for review; no comments were received</li> <li>• Provided community-specific RoC for review, no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>■ Participant funding</li> <li>■ Wetlands and groundwater</li> <li>■ Aggregate sources</li> <li>■ Economic development opportunities</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 10</li> <li>■ Section 7</li> <li>■ Section 7</li> <li>■ Section 7</li> </ul>

**Table 10-3: Consultation with Neighbouring Indigenous Communities**

Community	Summary of Key Community-Specific Consultation Activities <sup>1</sup>	Key Comments and / or Issues Raised	Addressed in the ToR / Consideration in the EA
<b>Wapekeka First Nation</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review, no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Wawakapewin First Nation</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review, no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Webequie First Nation</b>	<ul style="list-style-type: none"> <li>One in-person community meeting</li> <li>Two in-person Project updates for Matawa First Nations members</li> <li>Provided Draft ToR for review, comments were received</li> <li>Provided community-specific RoC for review; comments were received</li> </ul>	<ul style="list-style-type: none"> <li>Aggregate sources</li> <li>River crossings</li> <li>Funding for community participation</li> <li>Potential for collaborative Indigenous Knowledge program with the Webequie Project</li> <li>Mushkegowuk Council water studies in the region</li> <li>Comments on the Draft ToR: <ul style="list-style-type: none"> <li>Consultation Methods</li> <li>Community-led process</li> <li>Provincial EA process</li> <li>Federal IA process</li> <li>Indigenous Knowledge</li> <li>Human health and community safety</li> <li>Groundwater</li> <li>Vegetation</li> <li>Cultural Heritage Resources</li> <li>Monitoring</li> <li>Issues resolution process</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> <li>Alternatives Development supporting document,</li> <li>Section 10</li> <li>A future Indigenous Knowledge session can be arranged with Webequie during the EA</li> <li>The MFFN Project Team reached out to Webequie once and to Mushkegowuk Council twice to obtain a copy of the studies</li> <li>A detailed listing of the community's comments on the Draft ToR, including MFFN's response on how the comment has been considered in the ToR, or will be addressed in the EA is provided in the RoC (<b>Appendix C</b>)</li> </ul>
<b>Weenusk First Nation</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review; no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>
<b>Wunnumin Lake First Nation</b>	<ul style="list-style-type: none"> <li>Provided Draft ToR for review; no comments were received</li> <li>Provided community-specific RoC for review, no comments were received</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>	<ul style="list-style-type: none"> <li>No comments or issues raised</li> </ul>

Note: 1.. Further details regarding the issues raised by the Indigenous communities including dates of activities, comments received, responses provided, presentation materials used at the meetings and meeting summaries are available in **Appendix C**.

### **10.2.3 Interested Persons**

Consultation and engagement with interested persons undertaken during preparation of the ToR included the release of Project Notices, the development and update of the Project website, two rounds of PICs and meetings with interest groups. An initial list of contact information of interested persons was developed based on discussions prior to the initiation of the provincial EA and during preparation of the ToR. Interested persons are individuals and groups (e.g., associations, non-governmental organizations, industry and academia) who could have an interest in the Project, including but not limited to communities in the region, those with commercial interests (e.g., forestry, trappers, outfitters, other mineral tenure holders in the area) and recreational users or those with recreational interest (e.g., campers, hunters and environmental groups).

The first round of PICs (PIC #1) were held April 30 and May 1, 2019 in Thunder Bay and the Municipality of Greenstone (Geraldton), respectively. The Notices for the PICs was circulated and advertised as detailed in **Section 10.2.1**. PIC #1 provided an update on the Project, including a look at possible alternatives and outlined information that would be presented in the ToR. The meetings were held as an open house format and featured a series of 25 display boards. Participants were encouraged to review the display boards and provide comments using the materials and comment forms provided or by having one-on-one discussions with members of the MFFN Project Team. Subject matter experts from the MFFN Project Team were stationed alongside corresponding display board groups to answer questions and comments accordingly.

Approximately 39 individuals attended PIC #1 (30 people on April 30 and nine people on May 1, 2019). Attendees included Indigenous community members, provincial agencies, members of the public and industry representatives (including small business owners and union representatives). A full description of the event is provided in **Appendix C**, including presentation material used and key issues raised.

On May 22, 2019, a meeting was held with Geraldton Area Natural Resource Advisory Committee to introduce the Project, discuss the EA process and answer questions of the attendees. A copy of the presentation materials used at the meeting, as well as a summary of issues raised, is available in **Appendix C**.

MFFN submitted an advertisement in September 2019 to be published in the Fall 2019 issue of the Assembly of First Nations' official semi-annual publication, *The Circle*. *The Circle* has a circulation list of 3,500 and is distributed at assemblies, trade shows, meetings and other events across Canada. The advertisement provided a snapshot of the Project, along with the community benefits tree design, and directed readers to the Project website and Project contacts for more information.

MFFN hosted a booth at the Northern Ontario First Nations Environment Conference trade show on October 9, 2019 to raise awareness about the Project. As a result, 19 new email addresses were added to the electronic mailing list.

The MFFN Project Team also attended the Women in Mining Northwestern Ontario and local chapter of the Canadian Institute of Mining, Metallurgy and Petroleum's Winter Showcase on December 3, 2019 and gave a presentation to an audience of individuals who work in mining, exploration and associated service industries. The presentation introduced the Project, discussed the community-led approach and provided a Project update in regard to the EA / IA processes.

The availability of the Draft ToR for review was advertised in early December 2019 as previously described in **Section 10.2.1**. Interested persons were sent an email with details about the Draft ToR and a link to its location on the Project website. Follow-up phone calls were made to tourism operators to confirm if they received the documents and were planning to provide comments. Only one interested person commented on the Draft ToR. Their feedback focused on potential effects to Anishinaabe ancestral landowners, land and water rights, shared

profits from the use of the CAR and consent. The detailed comments, responses, and how the issues have been addressed in the ToR or will be considered in the EA are provided in **Appendix C**.

A second round of PICs (PIC #2) was held on December 10, 2019 in Thunder Bay and on December 11, 2019 in the Municipality of Greenstone (Longlac). PIC #2 was held later in the evening as the Matawa Environment Gathering was held on the same day (and in the same hotel) and the attendees from the Gathering were encouraged to drop-in to PIC #2. Notices for PIC #2 were placed in local newspapers in advance of the meeting and mailed / emailed to those on the Project Contact List as described in **Section 10.2.1**.

The purpose of PIC #2 was to:

- Provide background information on the CAR;
- Provide updates on the CAR and activities that have taken place since PIC #1;
- Communicate feedback heard to-date and how they have been considered;
- Inform and update the public about the provincial EA process;
- Introduce the Draft ToR and inform the public about how they can review and provide feedback;
- Communicate the western corridor alternatives to be further evaluated in the EA, and explain why Alternatives 1 and 4 are preferred over the eastern corridor routes;
- Provide updates on ongoing field studies and the Indigenous Knowledge Program;
- Discuss future consultation activities and opportunities;
- Gather comments, ideas and community values related to the CAR; and
- Outline next steps, including the EA schedule.

The meetings were held in open house format and featured a series of display boards and large printed maps illustrating the study area, route alternatives and locations of field studies completed to-date. A Project newsletter, two-page fact sheet and Plain Language Guide to accompany the Draft ToR were available as handouts. The guide was available in both English and Oji-Cree. MFFN Community Member Advisors and MFFN Project Team members were available to guide attendees through the display boards and answer questions. Participants were encouraged to review display boards and provide comments using the comment forms, or by having one-on-one discussions with MFFN Community Member Advisors and MFFN Project Team members.

Approximately 50 individuals attended PIC #2 (47 people in Thunder Bay on December 10, 2019 and three people in Longlac on December 11, 2019). Attendees included Indigenous community members, members of provincial and federal agencies, members of the public, environmental groups and industry representatives.

A number of comments and questions were raised at the PICs relating to the following topics:

- Community benefits and effects;
- Study process and construction timelines;
- Potential effects to the environment;
- Timing and details of field studies;
- Alternatives;
- Northern road to the Ring of Fire; and
- Request for more information in audio and visual formats.

A detailed description of PIC #2 including the materials presented, comments, questions and responses is available in **Appendix C**.

### **10.2.4 Crown Government Agencies**

Throughout the course of the ToR development, MFFN has discussed the Project with municipal, provincial and federal government agencies during meetings on various aspects of the EA including timing for reviews of the ToR, data availability, alternative routes identification and consultation and engagement activities, particularly as they relate to Indigenous communities.

MFFN has met with the MECP, ENDM, MNRF, MHSTCI, the Ministry of Indigenous Affairs, the Agency, CIRNAC, Health Canada, the Municipality of Greenstone and Environment and Climate Change Canada during the ToR development to seek input and guidance on specific aspects of the ToR (**Table 10-4**).

**Table 10-4: Crown Government Agency Meetings**

Agency	Date	Location	Notes
MECP, MNRF, ENDM, Ministry of Indigenous Affairs and the Agency	March 7, 2019	Thunder Bay	Consultation Workshop
MECP, MNRF and ENDM	April 4, 2019	Teleconference	Meeting to discuss approach to alternatives in ToR
MECP, MNRF and ENDM	May 22, 2019	Thunder Bay	Consultation Workshop #2
Municipality of Greenstone	May 23, 2019	In-person	Meeting with the Mayor of Greenstone to inform him of the Project and to advise him of future consultation activities
MECP and ENDM	May 30, 2019	Teleconference	Overview of Draft ToR and anticipated schedule
MECP and ENDM	June 6, 2019	Teleconference	Meeting to discuss alternatives assessment for Draft ToR
MECP and ENDM	June 20, 2019	Teleconference	Meeting to discuss consultation materials
MECP	July 31, 2019	Teleconference	Meeting to discuss caribou baseline and effects assessment
MECP and ENDM	August 22, 2019	Toronto and Teleconference	Meeting to discuss comments on Draft ToR
MECP and ENDM	August 28, 2019	Toronto and Teleconference	Meeting to discuss comments on Draft ToR
MECP and ENDM	September 19, 2019	Toronto and Teleconference	Meeting to discuss comments on Draft ToR related to consultation
MECP and ENDM	October 11, 2019	Toronto and Teleconference	Meeting to discuss comments on Record of Consultation
MECP	December 18, 2019	Teleconference	Meeting to discuss Caribou
MECP and ENDM	January 28, 2020	Teleconference	Meeting to discuss Caribou baseline and field studies
MECP, MNRF and ENDM	March 05, 2020	Teleconference	Meeting to discuss Caribou collaring
ENDM	March 23, 2020	Teleconference	Meeting to discuss Indigenous Knowledge
MECP and ENDM	April 8, 2020	Teleconference	Meeting to discuss Indigenous Engagement Strategy
MNRF	April 21, 2020	Teleconference	Meeting to discuss comments on the Draft ToR
ENDM	April 23, 2020	Teleconference	Meeting to discuss comments on the Draft ToR
CIRNAC	May 6, 2020	Teleconference	Meeting to discuss land claims for the Project
MHSTCI	May 7, 2020	Teleconference	Meeting to discuss cultural heritage study approach
MECP	May 19, 2020	Teleconference	Meeting to discuss comments on the Draft ToR
MECP, the Agency and ENDM	May 20, 2020	Teleconference	Meeting to discuss provincial-federal coordination
MECP, ENDM and the Agency	June 18, 2020	Teleconference	Meeting to discuss comments on coordinated Consultation Plan ( <b>Appendix B</b> )
MECP, ENDM, the Agency, Health Canada and Environment and Climate Change Canada	June 30, 2020	Teleconference	Meeting to discuss alternative approach for air quality baseline monitoring during COVID-19 pandemic
MECP and ENDM	July 23, 2020	Teleconference	Meeting to discuss flexibility within the ToR for accommodating new circumstances

The MFFN Project Team met with MECP, ENDM and MNRF on April 4, 2019 to seek input on the proposed alternatives and method of evaluation. MECP, ENDM and MNRF provided written comments on May 29, 2019. Follow-up meetings occurred on May 30, 2019 and June 6, 2019. Responses to these written comments have been included in **Appendix C** and, where applicable, include references to sections of the Draft ToR (AECOM 2019) that were edited in response to the comments.

The MFFN Project Team met with MECP and ENDM on August 22 and 28, 2019 and September 19, 2019 to discuss written comments provided by MECP on their review of the Draft ToR (which was submitted to MECP by MFFN on July 2, 2019). The August 22, 2019 meeting largely focused on a discussion of the historical development of the alternative methods. The August 28, 2019 meeting involved a detailed review of the Draft ToR comments. The September 19, 2019 meeting was focused on the comments related to consultation. Responses to the written comments have been included in **Appendix C** and, where applicable, include references to sections of the Draft ToR (MFFN 2019) that were edited in response to the comments.

The MFFN Project Team has engaged MECP and MNRF specifically with respect to characterization of existing conditions including field investigations and studies, permit applications, data requests, and the methodology and scope to be used for the caribou baseline and effects assessment. A meeting was held with MECP and MNRF on July 31, 2019 to review the information shared in the May 29, 2019 comments and to discuss the effects assessment on caribou. On December 19, 2019 and March 6, 2020, the MFFN Project Team met with the MECP and provided the necessary information for the MECP to run the Caribou Screening Tool for the Project. MECP later confirmed that the MECP will run the Caribou Screening Tool once the preferred alternative is identified.

The City of Thunder Bay and the Municipality of Greenstone are the closest municipalities in proximity to the Project and therefore have been included in the Project Contact List. Prior to the release of the Proposed ToR the Municipality of Sioux Lookout was added to the Project Contact List as a municipality who may also have an interest in the Project. On May 23, 2019, a meeting was held with the Mayor of Greenstone (Mayor Renald Beaulieu) to inform him of the Project and to advise him of future consultation activities. A copy of the presentation materials used at the meeting, as well as a summary of issues raised, is available in **Appendix C**.

The Notice of Publication of a Draft ToR was sent to 37 municipal, provincial and federal agencies on November 29, 2019 including a link to the Project website and location of the Draft ToR (MFFN 2019). Some agencies were also mailed USB's and hard copies of the Draft ToR. In response to the Notice of Publication of Draft ToR, seven government agency representatives requested to be removed from the Project Contact List due to Project location and / or the Project's announcement to undergo a federal IA. The following six government agencies submitted comments on the Draft ToR:

- MECP;
- ENDM;
- MNRF;
- MTO;
- Ministry of Economic Development, Job Creation and Trade; and
- MHSTCI.

Government agency comments on the Draft ToR were related to their area of jurisdiction. The MFFN Project Team met with MECP, MNRF, ENDM, MHSTCI and CIRNAC in April 2020 and May 2020 to review specific comments on the Draft ToR that required clarification or further discussion. The government agency comments received throughout development of the ToR, including comments on the Draft ToR, responses, and how the issues raised have been addressed in the ToR or will be considered in the EA are provided in **Appendix C**.

ENDM, MNRF and the Agency also reviewed and provided comments on a coordinated provincial and federal Consultation Plan (**Appendix B**). The MFFN Project Team met with these agencies on May 20 and June 18, 2020, and comments received have been addressed.

On July 23, 2020, the MFFN Project Team met with the MECP and ENDM to discuss flexibility within the ToR for accommodating new circumstances, including the possibility for changes to the alternative routes due to evolution of the Project throughout the EA process as information becomes known. The ToR has been updated to more clearly identify possible changes that may occur throughout the EA process.

### **10.2.5 Summary of Changes to the Terms of Reference**

Issues and concerns raised throughout the development of the ToR were focused on consultation, Indigenous knowledge in the planning and design process, purpose and description of the Project, alternatives, and effects assessment methods. Where appropriate, the ToR was updated to address the issues and responses as described in **Appendix C**. The following is a high-level summary of the changes made to the ToR based on the issues raised and comments received:

- Update on the status of the Project within the EA / IA processes, as well as a narrowed down list of Class EAs potentially applicable to the Project;
- Information on the Marten Falls-Ontario MOU on Shared Consultation Responsibilities;
- Clarification on the targeted input at each key milestone during EA consultation, including when key decisions of the EA are anticipated to occur;
- Described consultation activities that have taken place since publication of the Draft ToR, and adjusted the RoC and **Section 10** to identify issues and concerns raised, and how they have been addressed in the ToR or will be considered in the EA;
- Emphasis on the importance of Indigenous Knowledge in the planning and design process of the Project;
- Emphasis on the needs of the MFFN community and potential benefits that road may provide as the purpose of the Project;
- Additional information on the rationale to not examine alternatives to within the EA;
- Additional detail on the history of the development of the alternative routes for the EA;
- Clarification that the EA will assess multi-purpose use of the CAR and alternative temporary infrastructure; and
- Clarification that the EA will identify positive, negative, direct, indirect and cumulative effects of the Project.

Some issues and concerns could not be addressed at the time of preparing the ToR and have been identified as commitments for consideration during the EA. Commitments for the EA are included in Appendix C and summarized in **Section 9.1.1**.

## **10.3 Release of Proposed Terms of Reference**

As per the MECP ToR review and approval decision process, the Proposed ToR submitted to MECP for review and an approval decision will be publicly released for review by Indigenous communities, government agencies and interested persons. The Notice of Submission and availability of the Proposed ToR will be advertised, and the Proposed ToR will be distributed in the same manner as was done for the Draft ToR, which has been detailed in **Section 10.2.1**.

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# 11. Consultation and Engagement Plan to Support the Environmental Assessment

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As further detailed in **Section 3.3**, the Project is undertaking a coordinated provincial and federal assessment resulting in one body of Proponent documentation related to the assessment, known as the Environmental Assessment report for MECP and as the Impact Statement for the Agency. To support the coordinated assessment, MFFN has prepared one Consultation Plan (**Appendix B**) to meet the requirements of the EA / IA processes. The ToR has been prepared to focus on the aspects of the Consultation Plan (**Appendix B**) that pertain to the EA process.

As part of the EA, the Proponent is required to submit an EA report to MECP for review and an approval decision. This section provides an overview of the planned Proponent-led approach to consultation and engagement leading up to the submission of the EA, with details related to the key interested persons, planned approach, activities, milestones and scheduling provided in the Consultation Plan (**Appendix B**). Input received to-date from MFFN community members, neighbouring Indigenous communities, government agencies and interested persons has helped shape the planned approach to consultation and engagement proposed in the Consultation Plan (**Appendix B**).

The Consultation Plan (**Appendix B**) has been designed to meet consultation requirements outlined in section 5.1 of the EAA, the Code of Practice for Consultation in Ontario's Environmental Assessment Process (MECP 2014a) and Code of Practice on Preparing and Reviewing Environmental Assessments in Ontario (MECP 2014b). The Draft Guidelines for Consultation with Indigenous Peoples related to Aboriginal Rights and Treaty Rights (Government of Ontario 2019c) and the Nishnawbe Aski Nation Handbook on Consultation in Natural Resource Development (Nishnawbe Aski Nation 2007) were also used for guidance where appropriate.

MFFN's proposed approach to consultation and engagement is subject to revision based on input received during the ToR and future consultation and engagement during the preparation of the EA, including input from neighbouring Indigenous communities, government agencies and interested persons. As such, it is expected that the Consultation Plan (**Appendix B**) may evolve to include the development of tailored Consultation and Engagement Plans for select interested Indigenous communities.

While the Consultation Plan (**Appendix B**) is focused on the consultation and engagement efforts of MFFN during preparation of the EA, Ontario (MECP and END) may also undertake consultation and engagement activities to satisfy its own obligations. Input received from government activities and provided to MFFN will also be considered in the EA.

## 11.1 Importance of Consultation

MFFN's primary consultation and engagement objectives during the EA are to: effectively communicate information about the proposed CAR, to consult and engage with those who may be potentially affected by, or have an interest in the Project or the lands potentially affected by the Project, and to receive the input of interested persons and communities so that any issues or concerns can be addressed in the EA or design process.

MFFN is committed to creating and sustaining constructive dialogue and relationships with interested persons, including MFFN community membership, neighbouring Indigenous communities and their memberships,

government agencies and interested persons to support the environmental, social and economic sustainability of the proposed CAR. The Consultation Plan (**Appendix B**):

- Guides the collection of input / feedback from Indigenous communities and interested persons (i.e., any person or body that has an interest in the Project) to help inform the preparation of the EA;
- Outlines the methods that will be used to consult and engage during preparation of the EA;
- Identifies key milestones when consultation and engagement will occur, timing and targeted input;
- Provides an issue resolution process;
- Provides information about how correspondence and input will be recorded and tracked; and
- Provides details on assessing the effectiveness of consultation and engagement efforts.

More information regarding the guiding principles and key elements that will guide consultation during EA is provided in **Section 10** and **Appendix B**.

## 11.2 Duty to Consult

Aboriginal and Treaty Rights of Aboriginal peoples<sup>15</sup> in Canada are recognized and affirmed under section 35 of the *Constitution Act, 1982*. Aboriginal and Treaty Rights include, but are not limited to, hunting, fishing and gathering, as set out in treaties with the Crown or stemming from practices, customs or traditions which are integral to the distinctive culture of the Aboriginal community claiming the right. The Crown has a Duty to Consult and, where appropriate, accommodate Aboriginal communities when it has actual or constructive knowledge of an established or asserted Aboriginal or Treaty Right and contemplates conduct that may adversely affect that right. Procedural aspects of consultation may be delegated to a third party or proponent. However, the Duty to Consult rests with the Crown. As part of these rights, the Governments of Canada and Ontario have the Duty to Consult Aboriginal communities for this Project. Refer to **Section 10.2.2** for the list of neighbouring Indigenous communities to be consulted and engaged.

Ontario (MECP and ENDM) has delegated some procedural aspects of Ontario's Duty to Consult to MFFN (the Proponent) and a Marten Falls-Ontario MOU on Shared Consultation Responsibilities has been developed to set out how the responsibilities will be shared through the EA process. The Marten Falls-Ontario MOU on Shared Consultation Responsibilities (**Appendix D**) was signed on January 7, 2020 and defines the roles and responsibilities of both parties regarding the consultation of Indigenous communities whose Aboriginal or Treaty Rights may be adversely affected by the Project and interested persons.

The MFFN Project Team will work with Ontario (MECP and ENDM) to coordinate consultation activities and identify appropriate times for Ontario participation in Proponent-led activities. More information on the roles and responsibilities can be found in **Appendix D**.

## 11.3 Neighbouring Indigenous Communities, Government Agencies and Interested Persons

An initial list of Indigenous communities, government agencies and interested persons was developed based on discussions and Project development prior to the initiation of the provincial EA, and during preparation of the ToR.

The Project Contact List developed during the ToR will be expanded on throughout the EA and will be used to inform neighbouring Indigenous communities, government agencies and interested persons about the EA and planned consultation and engagement activities.

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<sup>15</sup>. The term, *Aboriginal*, is used rather than *Indigenous* to reflect the definitions provided in the *Constitution Act, 1982* and specifically s.35 (2), including Indian, Inuit and Métis people in Canada.

### **11.3.1 Identification of Neighbouring Indigenous Communities**

MFFN is currently consulting and engaging the neighbouring Indigenous communities identified to-date by the MECP and the Agency and will continue to do so throughout the EA, as per the level of interest expressed by each community. MFFN will also work with neighbouring Indigenous communities to collect Indigenous Knowledge to incorporate into the EA. **Section 10** provides the list of identified Indigenous communities for the Project.

Participation of neighbouring Indigenous communities during preparation of the EA is intended for MFFN to identify, consider and respond to potential concerns and issues of interested Indigenous communities, including MFFN community membership, and to share information with those communities and receive their input into the EA process. It is MFFN's intent throughout preparation of the EA to consult and engage neighbouring Indigenous communities and organizations at a level that considers interest and potential for effects related to the CAR. MFFN recognizes that the level of consultation and engagement desired by each community will vary and could evolve through ongoing discussions, and are accepting of these changes.

Underpinning each planned consultation and engagement activity related to all milestones is a commitment to work towards providing technical information that is easy to understand, encourages feedback and inputs and is provided in a timely manner that allows for sufficient review time. The MFFN Project Team commits to following-up with communities to confirm they received and understand the information provided, confirm that their feedback has been interpreted appropriately and to demonstrate how feedback has been considered and may inform the EA.

It is not the MFFN Project Team's intent to dictate the form of consultation and engagement to be offered to each community, although effort has been made to predict the appropriate level of consultation and engagement using established criteria (**Appendix B**). The activities outlined in the Consultation Plan (**Appendix B**) will be used as the foundation for consultation and engagement with Indigenous communities. Once discussions are held with each interested community, more focused consultation and engagement efforts will be developed and uniquely applied as needed, and will align with the community's own consultation and engagement process and documents.

All MECP / Agency identified communities will continue to receive Project notices, including notices of public meetings, key website updates, and draft documentation releases. Plain language summaries and updates will also be periodically prepared and distributed at key milestones during the EA (e.g., identification of preferred alternatives). The information provided will clearly identify the MFFN contacts, should more information be desired and / or to provide questions or concerns to.

A complete list of EA consultation activities is outlined in **Table 11-1** below including those that could be undertaken with neighbouring Indigenous communities. Where possible, community-specific Consultation Plans will be developed and shared with Ontario (MECP and END) as per the terms of the Marten Falls-Ontario MOU on Shared Consultation Responsibilities (**Appendix D**) and with the Agency if requested. Ontario (MECP and END) will review and provide input to these community-specific Consultation Plans.

More information regarding the manner in which MFFN intends to consult with Indigenous communities and the proposed activities and milestones to obtain their feedback throughout the EA is provided in **Appendix B**.

## **11.4 Crown Government Agencies**

### **11.4.1 Provincial and Federal Agencies**

The MFFN Project Team has discussed the Project with provincial and federal government agencies during conference calls and meetings on various aspects of the EA, including timing for reviews of the ToR, data

availability, alternatives selection process, and consultation and engagement activities (particularly as they relate to Indigenous communities).

For EAs, the MECP provides an EA Government Review Team Master Distribution List (MECP 2019). This list was reviewed to identify the provincial and federal agencies who may have an interest in the Project and be consulted on the Project. Where there was any uncertainty, an agency was included in the Project Contact List unless the agency previously indicated they would like to be removed from Project communications. The Project-specific EA Government Review Team is provided in **Appendix B** for reference.

It is anticipated that the EA Government Review Team will provide information and guidance for MFFN to consider in preparation of the EA and will contribute to the review of EA documentation by providing comments from their mandated areas of responsibility. Considering the Project components and the potential environmental effects, provincial and federal agencies are expected to participate in the EA to varying levels.

In addition, it is expected that the MFFN Project Team will continue to receive guidance from an EA Coordination Team that includes a select group of agencies, including ENDM, MECP, MNRF, MTO and the Agency. This team will meet regularly throughout the EA process to provide updates, exchange information, consider opportunities and concerns, and to discuss opportunities to progress and improve the coordinated provincial and federal assessment process.

#### **11.4.2 Municipalities**

The City of Thunder Bay, the Municipality of Greenstone and Municipality of Sioux Lookout will be consulted and engaged during the EA.

### **11.5 Interested Persons**

An initial list of interested persons was developed based on discussions and Project development prior to the initiation of the provincial EA and during preparation of the ToR. Interested persons are individuals and groups (e.g., associations, non-governmental organizations, industry and academia) who could have an interest in the Project, including but not limited to communities in the region, those with commercial interests (e.g., forestry, trappers, outfitters, other mineral tenure holders in the area) and recreational users or those with recreational interest (e.g., campers, hunters and environmental groups). Many interested persons within the area meet frequently (monthly) as part of the Geraldton Area Natural Resource Advisory Committee; this group has been and will continue to be consulted and engaged throughout the EA.

### **11.6 Consultation Activities During the Environmental Assessment**

Communication, consultation and engagement will be planned and executed to align with the Guiding Principles and consultation and engagement key elements (**Section 10**), to provide interested persons, including MFFN community membership, neighbouring Indigenous communities and their membership, government organizations and interested persons with opportunities to learn about and understand the Project, and to provide input to help identify potential effects and impact management measures.

Consultation and engagement efforts undertaken during the ToR phase will continue into the EA. Any feedback received from these efforts related to the consultation approach, activities, milestones and scheduling will also be taken into consideration during the EA.

The following EA milestones will help guide efforts to consult and engage Indigenous communities, government agencies and interested persons:

- NoC of provincial EA;
- Effects Assessment Methods;
- Identification of Preferred Alternatives;
- Review of Draft EA; and
- Review of Final EA.

A variety of communication, engagement and consultation tools will be used throughout the EA process to build positive, respectful relationships, share information with Indigenous communities and interested persons and obtain input on the Project. Input received through these activities, including how that input was considered, will be documented in the EA. The list of activities outlined in **Table 11-1** is a broad range of activities that will be considered; not all activities will necessarily be used throughout the EA. As part of the consultation and engagement, information will be provided for review, materials will be presented, and questions will be asked by the MFFN Project Team. As per the Marten Falls-Ontario MOU on Shared Consultation Responsibilities, Ontario (MECP and ENDM) will work to coordinate consultation and engagement activities and identify appropriate times for Ontario's participation in Proponent-led activities, and may review EA consultation and engagement-related materials.

**Table 11-1: Consultation Activities**

Consultation Activity/ Tool
<b>Indigenous Communities</b>
<b>Chief and Council and / or Community Meetings</b> (in-person, by phone or online), are expected with the most potentially interested / affected communities, including MFFN. Three visits for each of these communities are anticipated, to introduce the Project and gather feedback throughout the EA. Communication materials will be developed to support these meetings, including: presentation decks, display boards and fact sheets. These will be plain language and visually inviting. Note that the undertaking of in-person community meetings will depend on the communities being open to receiving visitors as a result of the COVID-19 pandemic. Alternative means of consultation and engagement may be required as outlined further below in this table.  Community discussions with / visits to other neighbouring Indigenous communities will also be encouraged and planned on request.
<b>Community Member Discussions</b> with members of Indigenous communities may be held to discuss the Project and obtain input, and will include applicable and relevant subgroups (e.g., women, youth, elders). These discussions will be coordinated with data gathering needs for preparation of the EA.
<b>Topic-Specific Community Member Discussions</b> , potentially as an additional follow-up consultation and engagement activity for Indigenous communities who would like to attend a focused conversation around a specific topic, for example Caribou. The meeting would be held in a central location that is easy for all interested groups to attend.
<b>Social Media/ Facebook</b> will be leveraged to communicate more broadly with the MFFN community; MFFN's existing Facebook page will be used. Information related to Project notices and MFFN community meetings will be shared with the MFFN Consultation Coordinator for posting to the existing community site(s). Neighbouring Indigenous communities can also be provided with social media posts, if appropriate (e.g., to advertise a community meeting).  Note: comments or private messages received through social media will not be tracked or used in consultation and engagement summary reports, unless requested by the individual. This tool is strictly for sharing information. Direction will be provided on how to formally submit comments to be tracked and considered.
<b>Community Consultation Coordinators</b> may be engaged to assist those communities with the highest potential to be affected by the Project and have a high level of Project interest (and therefore the highest level of consultation and engagement), coordinate in-community events, assist with Indigenous Knowledge Programs and inform the MFFN Project Team of consultation and engagement requirements and cultural protocols.
<b>Web conferencing (e.g., Microsoft Teams, Zoom or WebEx)</b> will be leveraged to host Project discussions as an alternative to face-to-face meetings with Indigenous communities, decided at the preference of each Indigenous community.

**Table 11-1: Consultation Activities**

Consultation Activity/ Tool
<b>Local Radio Stations</b> can be used to reach remote Indigenous communities and share upcoming consultation and engagement opportunities, interviews with the MFFN Project Team or general Project promotion.
<b>All (including Indigenous Communities, Government Agencies and Interested Persons)</b>
<b>Project Statutory Notices</b> will be provided throughout the EA process at key milestones, via registered mail and email, and published in local newspapers and on the radio. Additional notices (e.g., Field Study notices) will be directed to appropriate audiences via email / mail and posted on social media. All Project Statutory notices will also be mailed and emailed to individuals on the Contact List.
A <b>Project Website</b> ( <a href="http://www.martenfallsaccessroad.ca">www.martenfallsaccessroad.ca</a> ) will provide ongoing access to information, employment opportunities and planned consultation and engagement activities, and will serve as a method to receive feedback and comments. The website will be updated through the EA to include all published information about the Project and be populated with Project updates at key Project milestones. The website will be maintained and updated in a way that allows for users with low bandwidth and slow internet connection to access information.
Electronic versions of any newsletters / Project updates will also be available through the blog function of the website.
<b>Project Hotline / Email Address and contact information</b> (e.g., telephone number and email address) will be included on Project communication materials so that people know who to contact to solicit information or discuss Project activities and provide feedback.
<b>Newsletters and Email Updates</b> will be provided throughout the EA to keep people informed and up-to-date on Project progress; distribution will be scheduled around the timing of planned PIC / off-reserve community meetings. Each update will be distributed to MFFN community members, neighbouring Indigenous communities and persons who have expressed an interest in the Project. Newsletters will also be made available at the MFFN Band Office, on the website and through the electronic mailing list. Paper copies of newsletters can also be provided to interested Indigenous communities or interested persons, if requested.
<b>Comment Forms / Questionnaires</b> will be developed and used to gather feedback at PICs and community meetings.
<b>Key Informant Interviews</b> will be scheduled with select interested persons / organizations (e.g., Geraldton Area Natural Resources Advisory Committee, business operators and resource users) to gather information regarding key issues and possible concerns. Presentations to key groups will be an important component of soliciting feedback for decision-making.
<b>Public Information Centres</b> will be held at key Project milestones in Thunder Bay on three occasions, with consideration of additional locations including the Municipality of Greenstone, Sioux Lookout and Longlac. These events will serve to discuss the Project and obtain input from interested persons. PICs will be advertised in local newspapers, and through the Project Contact List and website.
Note that the undertaking of PICs will depend on the status of the COVID-19 pandemic and willingness of interested persons to come together for these types of events. An online PIC may be hosted as an alternative for one or more of these planned events.
<b>Environmental Assessment Report (Draft and Final)</b> may be reviewed by interested persons during public review periods. These documents will be made available on the Project website ( <a href="http://www.martenfallsaccessroad.ca">www.martenfallsaccessroad.ca</a> ), will be posted at select locations and provided to all Indigenous communities identified in Section 10 and any others that express interest in receiving documents by mail, electronic copy and USB. Plain language and translated copies of the documents can be provided.

The approach to engagement through the EA is designed to provide flexibility and adaptability to evolving Project needs, and may involve community-specific Consultation and Engagement Plans. As with any project, it is anticipated that there will be individuals, groups or interested persons who may require additional consultation not reflected in this approach. In addition, communication and engagement tools will be regularly evaluated to gauge effectiveness and adjustments will be made as necessary for the implementation of a robust and effective consultation program.

The Consultation Plan (**Appendix B**) is subject to revision based on input received on the ToR and future engagement during the preparation of the EA, including input from Indigenous communities, government agencies and interested persons.

### **A Note on In-person Meetings**

On March 11, 2020, the World Health Organization officially classified the COVID-19 outbreak as a pandemic. As a result, physical / social distancing measures have been recommended across the world, and specifically, many of the Indigenous communities identified for the Project have had to close and / or limit access in and out of the community to limit the risk to their members. MFFN recognizes that this evolving situation may require changes to the proposed Consultation Plan (**Appendix B**) schedule and activities. MFFN will offer alternatives to face-to-face meetings, such as teleconferences (that do not require an internet connection) and online consultation and engagement opportunities, and work with the community's preference in how they would like to be consulted and engaged. Online consultation and engagement opportunities will be provided in consideration of an Indigenous community's knowledge of and access to technology and broadband limitations. Should they be requested and / or needed, the MFFN Project Team has the required skills and knowledge to leverage digital tools and platforms. The MFFN Project Team will work with neighbouring Indigenous communities to understand their capacity to participate in the Project, and the manner(s) in which they would like to be consulted and engaged.

The full details related to the planned EA consultation and engagement activities, milestones and scheduling is provided in **Appendix B**.

## **11.7 Milestones and Targeted Input**

The targeted input of each consultation and engagement milestone is provided in **Table 11-2**. Consultation at each milestone has been designed in a stepwise manner to receive feedback on targeted input prior to advancing to the next stage of the EA process. The anticipated timing of each consultation and engagement milestone, and Project decision-making points are identified in **Appendix B**.

**Table 11-2: Milestones and Targeted Input**

Milestone	Targeted Input
<b>NoC of Provincial EA</b>	<ul style="list-style-type: none"> <li>◆ Request information to determine and identify: <ul style="list-style-type: none"> <li>– Level of interest in Project</li> <li>– Level of interest in meeting / discussions with Chiefs and Councils and / or Indigenous communities</li> <li>– How Indigenous communities would like to be kept informed during the EA</li> <li>– Level of interest in creating Indigenous community-specific Consultation and Engagement Plan(s) as they relate to the EA</li> </ul> </li> </ul>
<b>Effects Assessment Methods</b>	<ul style="list-style-type: none"> <li>◆ Obtain feedback on: <ul style="list-style-type: none"> <li>– Consultation and engagement approach</li> <li>– Planned baseline field studies</li> <li>– Existing conditions and results of baseline field studies completed</li> <li>– EA process</li> <li>– Local and regional study areas, Project phases, criteria and indicators, Project-environment interactions and net effects characteristics</li> </ul> </li> <li>◆ Request information to identify: <ul style="list-style-type: none"> <li>– Indigenous community values and topics of interest</li> <li>– Potential effects and impact management measures to be considered</li> <li>– Effects of Project on Aboriginal or Treaty Rights and potential impact management measures to avoid, mitigate and off-set the effects(s)</li> </ul> </li> <li>◆ Seek confirmation whether input and feedback provided during the previous milestone was captured appropriately</li> </ul>
<b>Identification of Preferred Alternatives</b>	<ul style="list-style-type: none"> <li>◆ Obtain feedback on effects assessment: <ul style="list-style-type: none"> <li>– Identified potential effects, including effects of Project on Aboriginal and Treaty Rights</li> <li>– Proposed impact management measures</li> <li>– Predicted net effects</li> <li>– Results of the comparative analysis of advantages and disadvantages</li> </ul> </li> </ul>

**Table 11-2: Milestones and Targeted Input**

Milestone	Targeted Input
	<ul style="list-style-type: none"> <li>– Preferred alternative selected</li> <li>– Preliminary road design, to the extent available</li> <li>– Cumulative effects assessment methods</li> <li>◆ Request information to identify: <ul style="list-style-type: none"> <li>– Potential follow-up program measures including monitoring measures and adaptive management</li> <li>– Potential projects and activities that could act cumulatively with the Project</li> <li>– How Indigenous communities can participate in the Project</li> <li>– Potential cumulative effects to be considered</li> </ul> </li> <li>◆ Seek confirmation (i.e., through early release of community-specific RoC) whether input and feedback provided during the previous milestone was captured appropriately</li> </ul>
<b>Review of Draft EA</b>	<ul style="list-style-type: none"> <li>◆ Obtain feedback on: <ul style="list-style-type: none"> <li>– Draft EA</li> <li>– Proposed impact management measure and follow-up program measures, including monitoring measures and adaptive management plan(s)</li> <li>– Cumulative effects assessment results</li> <li>– EA conclusions</li> </ul> </li> <li>◆ Seek confirmation whether input and feedback provided during the previous milestone was captured appropriately</li> </ul>
<b>Review of Final EA</b>	◆ Review of Final EA

## 11.8 Issue Resolution

Consultation and engagement is expected to bring to light issues that must be carefully addressed and considered in the EA process. Comments and input received throughout the EA will be documented and included in a RoC for the EA. Each issue or comment received will be considered and responded to by MFFN and documented in the EA. If an issue persists, continued discussions, including face-to-face (or online) meetings, are proposed to explore potential solutions. If resolution cannot be reached, mediation by a neutral, mutually acceptable third party will be considered. Issues that cannot be resolved will be noted along with documentation of attempts to resolve the issue.

If issues are raised outside of the mandate of the MFFN as the Proponent, the Marten Falls-Ontario MOU on Shared Consultation Responsibilities allows that these issues are referred to Ontario (MECP and ENDM) to address.

## 11.9 Record of Consultation

For successful completion of the EA, it is essential that the consultation and engagement process be documented to appropriately categorize, and address feedback received. To support the ToR, a RoC has been developed to track all incoming and outgoing discussions, correspondence and meetings since the NoC of the ToR. The RoC for the ToR is provided as **Appendix C**. The RoC includes notes on how questions and concerns may have been addressed in the ToR or will be considered in the EA. The RoC provides a detailed account of all communication exchanged with neighbouring Indigenous communities, government agencies and interested persons. A similar RoC will be prepared that documents engagement and consultation undertaken during the EA and will include the following:

- Summary of Key Consultation Activities Undertaken During Preparation of the EA;
- Summary of Feedback Received and Response / Action;
- Consultation Log; and
- Appendices of supporting consultation materials (e.g., presentations, minutes).

The EA RoC will describe engagement and consultation activities undertaken with neighbouring Indigenous communities, government agencies and interested persons.

Logistical correspondence (e.g., scheduling a meeting) will not be included in the appendices to the RoC but will be tracked in the appropriate consultation and engagement log. The only instance when logistical correspondence will be included as an appendix to the RoC will be when a meeting was not scheduled or was postponed; this information is included to show level of effort.

A copy of the RoC will be provided to agencies. Each neighbouring Indigenous community will be provided with a copy of their community-specific record for their consideration and review before it is included in the public record. This is an opportunity for neighbouring Indigenous communities to comment on the contents of their community-specific record and review how their feedback was considered or may have been incorporated into the EA, and where changes may have been made in specific documents. A final RoC including all incoming and outgoing Project correspondence will be provided as an appendix to the EA. A section summarizing consultation and engagement efforts will be included in the body of the EA.