

Webequie Supply Road Project

Webequie First Nation

January 30, 2026

AtkinsRéalis Ref: 661910

APPENDIX A-2: TABLE OF CONCORDANCE WITH PROVINCIAL ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE

AtkinsRéalis



WSR
WEBEQUIE
SUPPLY ROAD



Concordance with Provincial Environmental Assessment Terms of Reference (ToR) for the Environmental Assessment Report/Impact Statement (EAR/IS)

Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
1	Introduction	
1.1	Proponent	
	WFN continues to have discussions with the Province on roles and responsibilities with respect to ownership and construction of the WSR; proponentcy for the WSR construction will be determined later in the project development process.	Section 1.2
1.4.1	Purpose of the Undertaking	
	The EA study for the Project will complete an effects assessment and evaluation of the corridor alternatives for the all-season road and the alternatives for supporting infrastructure elements, which include aggregate extraction and processing areas, access roads, laydown/storage yards and construction camps.	Section 3.2.2 Section 3.2.3 Section 3.4
	In accordance with the Ontario Environmental Assessment Act, the EA study will involve an assessment of potential environmental effects, evaluation of alternatives, description of impacts, identification of mitigation measures and conclusions on the overall net effects of the Project on the environment.	Section 1.5
	The level of detail in assessing the preferred alternative(s) is expected to be greater than the level of detail for assessing the broader group of alternative methods, which is not atypical, given that additional technical and consultation input may be gathered/received once the preferred alternative method of implementing a project has been identified.	Section 3.2
1.4.2	Rationale for the Undertaking	
	The significant mineral potential in and around the McFaulds Lake area (Ring of Fire) has been well documented and will not be repeated in this Terms of Reference, although details will be provided in the Environmental Assessment.	Section 1.3.2
1.5	Outline of Terms of Reference (ToR)	
	the EA will be prepared in accordance with the detailed requirements set out in the approved ToR.	Section 1
2	Regulatory Framework for the Project	
2.1.1	Ontario <i>Environmental Assessment Act</i>	
	The Webequie Supply Road Project is following an Individual Environmental Assessment process (refer to ToR Section 3.2 for details). It is Webequie's intent to satisfy the Ministry of Natural Resources and Forestry's <i>Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects</i> ("MNRF RSFD Class EA") ("MNRF RSFD Class EA") requirements through the Individual EA process. The Project will also be subject to meeting the requirements of the federal <i>Impact Assessment Act</i> , the requirements of which are outlined in Section 2.1.2.	Section 1.4.1
2.1.2	Canada <i>Impact Assessment Act</i>	
	The Webequie Supply Road Project is subject to review under the federal <i>Impact Assessment Act</i> (IAA), enacted June 21, 2019, which requires proponents of projects that are described in the Act's Regulations Designating Physical Activities to prepare Initial and Detailed Project Descriptions. ¹ ¹ The WSR Project was initiated under the <i>Canadian Environmental Assessment Act, 2012</i> . Based on the status of the Project Description when the IAA came into force on August 28, 2019, the Project transitioned to the IAA process at that time. "The IAA replaces CEAA, 2012 and establishes an impact assessment process to serve as a project planning tool, which takes into consideration the whole range of environmental, health, social and economic effects of projects. The new regime shifts away from decisions based solely on the significance of adverse environmental effects and will focus instead on whether the adverse effects in areas of federal jurisdiction are in the public interest." (Canada Gazette_g2-15317, August 21, 2019).	Section 1.4.2



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2.1.2	Canada <i>Impact Assessment Act</i>	
	The proponent has three years to prepare and submit a satisfactory Impact Statement in accordance with the Tailored Impact Statement Guidelines	Section 1.4.2
	On a matter also related to the IAA, on February 10, 2020, the Minister of Environment and Climate Change granted requests for conducting a Regional Assessment in the area centred on the Ring of Fire mineral deposits. As a nearby project (within 200 km), the Webequie Supply Road will be included in the Regional Assessment.	Section 1.4.2.1
2.1.3	Process for Federal-Provincial Coordinated EA	
	The Project is subject to both the Ontario <i>Environmental Assessment Act</i> and the federal <i>Impact Assessment Act</i> . For the Webequie Supply Road Project, the two levels of government have indicated a willingness to follow the coordinated EA process to the extent possible, and for the proponent to produce one body of documentation, referred to as the Environmental Assessment Report/Impact Statement (EAR/IS). The EAR/IS will address the requirements of both the provincial ToR and the federal Tailored Impact Statement Guidelines.	Section 1.4.3
	As part of the coordinated federal-provincial EA process, the Webequie Supply Road Environmental Assessment will include the following process milestones, as presented in Figure 2.1 (in the ToR): <ul style="list-style-type: none"> ▪ Pre-EA Planning, including signing of the voluntary agreement between Ontario and Webequie First Nation to participate in the process, development of the ToR and the Tailored Impact Statement Guidelines; ▪ EA commencement; ▪ Environmental baseline studies and preparation of the Environmental Assessment Report/Impact Statement; ▪ EA decision; and ▪ Monitoring and follow-up. 	Section 1.4.3
2.1.4	Other Relevant Federal Legislation and Permits	
	The Project may require permits and approvals under the federal legislation identified in Table 2-1 (in the ToR).	Section 1.4.4
2.1.5	Other Relevant Provincial Legislation and Permits	
	The Project may require permits and approvals under the provincial legislation identified in Table 2-2 (in the ToR).	Section 1.4.5
3	Approach for Preparation of the Environmental Assessment	
3.1	Environmental Assessment Principles	
	The following principles and considerations must be incorporated for the EAR/IS to meet federal and provincial regulatory requirements ² : <p>² As adapted from the MECP Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (January 2014) and Bill C-69, An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts.</p>	Section 5.4
	<ul style="list-style-type: none"> ▪ Engagement with Indigenous communities, federal, provincial and municipal agencies and identified potentially affected stakeholders and other persons who may have an interest in the Project; 	Section 5.2.1.2
	<ul style="list-style-type: none"> ▪ Consideration of alternatives to the Undertaking or Project and alternative methods for carrying out the Project; 	Section 3.1 Section 3.2
	<ul style="list-style-type: none"> ▪ Consideration of the environment, and potential impacts resulting from the Undertaking; 	Section 5.2.3 Section 5.3.1 Section 5.3.2 Section 5.3.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> ▪ Identification of mitigation measures; 	Section 5.2.4
	<ul style="list-style-type: none"> ▪ Evaluation and significance of net environmental effects; and 	Section 5.2.5 Section 5.2.6 Section 5.2.7
	<ul style="list-style-type: none"> ▪ Documentation in the form of a consolidated Environmental Assessment Report/Impact Statement that will document the process followed in a transparent and traceable manner. 	Section 5.4.1
3.2	Indication of How the Environmental Assessment is to be Prepared	
	The EA for the Project will be prepared in accordance with the ToR, as approved by the Minister of the Environment, Conservation and Parks, and in accordance with the requirements of the Ontario <i>Environmental Assessment Act</i> , and the federal Tailored Impact Statement Guidelines provided by the Impact Assessment Agency of Canada.	Section 5
	Under the EA Act, a proponent may prepare the EA under section 6.1(2), which includes an assessment of “alternatives to” the Undertaking and “alternative methods” of carrying out the Undertaking, or it can proceed in accordance with subsections 6(2)(c) and 6.1(3) of the EA Act, which allow focusing of the EA on a more defined range of alternatives and the use of information other than the generic requirements outlined in subsection 6.1(2).	Section 3.1 Section 3.2
	6.1(2) Subject to subsection (3), the environmental assessment must consist of,	
	(a) a description of the purpose of the Undertaking;	Section 1.3.2
	(b) a description of and a statement of the rationale for;	
	(i) the Undertaking;	Section 1.3.2.1
	(ii) the alternative methods of carrying out the Undertaking; and	Section 3.2
	(iii) the alternatives to the Undertaking;	Section 3.1
	(c) a description of,	
	(i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly;	Section 5.1 Section 5.2.1.4
	(ii) the effects that will be caused or that might reasonably be expected to be caused to the environment; and	Section 5.2.3 Section 5.3.1
	(iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the Undertaking, the alternative methods of carrying out the Undertaking and the alternatives to the Undertaking;	Section 3.1 Section 3.2 Section 5.2.4
	(d) an evaluation of the advantages and disadvantages to the environment of the Undertaking, the alternative methods of carrying out the Undertaking and the alternatives to the Undertaking; and,	Section 5.4.1 Section 27.3
	(e) a description of any consultation about the Undertaking by the proponent and the results of the consultation. 1996, c. 27, s. 3.	Section 5.2.1.2
	Section 6.1(3) of the EA Act: 6.1(3) The approved terms of reference may provide that the environmental assessment consists of information other than that required by subsection (2). 1996, c. 27, s. 3.	Section 3.1 and Section 3.2



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	Section 6(2) of the EA Act: 6(2) The proposed terms of reference must,	
	(a) indicate that the environmental assessment will be prepared in accordance with the requirements set out in subsection 6.1 (2);	Section 1.4
	(b) indicate that the environmental assessment will be prepared in accordance with such requirements as may be prescribed for the type of undertaking the proponent wishes to proceed with; or	Section 1.4
	(c) set out in detail the requirements for the preparation of the environmental assessment. 1996, c. 27, s. 3.	Section 1.4
	Proponents may engage in the use of subsections 6(2)(c) and 6.1(3) of the Act if there is a more defined planning process and more details of the Project are already known. This is generally referred to as a "focused EA". As described in Sections 1.3 and 5.1.2.1 of this ToR, addressing the project's background and context, over the last decade, there has been extensive examination (planning and assessment) of alternative road corridors in and around the McFaulds Lake area, as well as alternatives for interconnecting future mine developments and remote First Nations to the provincial highway system.	Section 1.3 Section 3.2 Appendix C-1
	Therefore, this ToR proposes that project alternatives (i.e., alternatives to the Undertaking) have been considered to the point where a planning solution for fulfilling the project purpose, as identified by Webequie First Nation, has been identified (i.e., an all-season road corridor). "Alternative methods" for carrying out the Project (different ways of implementing the all-season road corridor) have also initially been identified in the ToR and these will be carried forward in a focussed evaluation in the EA in accordance with EA Act subsections 6(2)(c) and 6.1(3) and the Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario (January 2014) .	Section 3.2 Section 3.1
	The Webequie Project Team acknowledges that assembly and use of the best available information from all sources will be required to conduct the EA. In the context of subsection 6.1(3) of the EA Act, the EA will place significant importance on Indigenous or Indigenous Knowledge information provided by Indigenous communities. Where conflicts between Indigenous Knowledge information and western science information arise, the approach taken will be the one that is most protective of the environment. The assessment will also be guided by the WFN principles of community consultation (referred to as the Three-Tier approach) to engage and consult with other First Nations (refer to Section 10.1.1 Indigenous Communities Consultation).	Section 5.2.1.2 Section 5.2.1.3
	The EA for the Webequie Supply Road Project will be prepared in accordance with Sections 6(2)(c) and 6.1(3) of the EA Act and will include:	
	<ul style="list-style-type: none"> ▪ A description of the purpose of the Undertaking/the Project; 	Section 1.3.2
	<ul style="list-style-type: none"> ▪ A description of and a statement of the rationale for the Undertaking and alternative methods; 	Section 1.3.2.1 Section 3.1
	<ul style="list-style-type: none"> ▪ A description of the environment that will be affected, or might reasonably be expected to be affected directly or indirectly by the Project and the identified reasonable alternative methods of carrying out the Project; 	Sections 6 to 20 Section 3.2.3 Appendix F Appendix L
	<ul style="list-style-type: none"> ▪ An evaluation of the potential environmental effects and related advantages and disadvantages of the Undertaking and alternative methods to the environment, including measures to mitigate potential adverse effects; net effects; and identification of the preferred alternative method(s) (the Project); 	Section 3.1 Section 3.2 Sections 6 to 20 Section 27.3
	<ul style="list-style-type: none"> ▪ A description of the Project; 	Section 4



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	<ul style="list-style-type: none"> ▪ Anticipated effects to the environment resulting from implementation of the Project; 	Section 6.3 Section 7.3 Section 8.3 Section 9.3 Section 10.3 Section 11.3 Section 12.3 Section 13.3 Section 14.3 Section 15.3 Section 16.3 Section 17.3 Section 18.3 Section 19.3 Section 20.3 Section 23.5 Section 24.3
	<ul style="list-style-type: none"> ▪ Commitments to mitigation and environmental protection measures that are expected to reduce the effects of the Project on valued environmental components; 	Section 4.2 Section 5.2.9 Section 22 Section 23.4 Section 26.5 Sections 7 and 8 in Appendix N Sections 3 and 5 in Appendix E Appendix K-2 Appendix K-3 Appendix K-4 Appendix V
	<ul style="list-style-type: none"> ▪ A description of the Indigenous community, public, government ministry and agency, and stakeholder engagement and consultation undertaken during the EA process; 	Section 2.3
	<ul style="list-style-type: none"> ▪ Identification of other/future permits, licences, approvals and other authorizations required to implement the Project; 	Section 1.3 Section 1.4
	<ul style="list-style-type: none"> ▪ Other commitments and assurances, including follow-up environmental monitoring plans, technical investigations, and engagement and consultation programs; and 	Section 2.7 Section 22 Appendix E Appendix K-3 Appendix K-4
	<ul style="list-style-type: none"> ▪ Supporting documentation, including baseline surveys, mapping, technical memoranda and reports, and a Record of Consultation. 	Appendix D-1 Appendix D-2 Appendices F to T Record of Engagement and Consultation



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	Detailed technical investigations and assessments will be undertaken for the Project and documented in the EAR/IS for the following:	
	<ul style="list-style-type: none"> ▪ Physical Environment (i.e., geology, terrain, soils, including geochemistry) 	Section 6 Section 4 in Appendix F
	<ul style="list-style-type: none"> ▪ Air Quality 	Section 9 Appendix G
	<ul style="list-style-type: none"> ▪ Noise 	Section 9 Appendix J
	<ul style="list-style-type: none"> ▪ Indigenous Knowledge 	Section 19 Section 7 in Appendix L
	<ul style="list-style-type: none"> ▪ Indigenous Land and Resource Use 	Section 19 Section 7 in Appendix L
	<ul style="list-style-type: none"> ▪ Groundwater 	Section 8 Section 6 in Appendix F
	<ul style="list-style-type: none"> ▪ Surface Water 	Section 7 Section 5 in Appendix F
	<ul style="list-style-type: none"> ▪ Vegetation and Wetlands 	Section 11 Section 9 in Appendix F Appendices K-1 to K-4
	<ul style="list-style-type: none"> ▪ Wildlife 	Section 12 Section 10 in Appendix F
	<ul style="list-style-type: none"> ▪ Aquatic Resources (i.e., fish and fish habitat) 	Section 10 Section 8 in Appendix F
	<ul style="list-style-type: none"> ▪ Species at Risk 	Section 13 Section 11 in Appendix F
	<ul style="list-style-type: none"> ▪ Socio-Economic Environment 	Sections 14 and 15 Sections 5 and 6 in Appendix L
	<ul style="list-style-type: none"> ▪ Human Health 	Section 17 Appendices O, P and Q
	<ul style="list-style-type: none"> ▪ Climate Change (mitigation and adaptation) 	Section 9 Appendices H and I
	<ul style="list-style-type: none"> ▪ Cultural Environment (i.e., archaeological resources, built heritage resources and cultural heritage landscapes) 	Section 20 Appendix S
	<ul style="list-style-type: none"> ▪ Visual/Aesthetic Environment 	Section 18 Appendix R



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	<ul style="list-style-type: none"> ▪ Preliminary Engineering Design 	Appendix D-1
	It is important to note that investigations/assessments additional to the ones listed above may be undertaken should they be deemed necessary.	Section 16 Section 23 Section 24 Section 25 Section 26 Section 8 in Appendix L Appendix M
4	Description of the Undertaking	
	The project description provided in this ToR represents a “Base Case” or preliminary description of the Project. A more detailed description of the Undertaking will be provided in the EA. The description within the EA will be sufficiently detailed to enable the identification and assessment of potential effects for the construction and operation phases of the Project.	Section 4.3
4.1	Design Considerations and Criteria	
	Design considerations will be incorporated and evaluated in the EA, and will be aligned with the purpose of the Project.	Section 4.2
	Alternative design considerations, such as those involving waterbody crossing structure types (i.e., culverts, bridges) and span lengths, road alignment and aggregate extraction areas will be evaluated based on site-specific environmental, technical and cost considerations, with input from Indigenous communities (e.g., Indigenous Knowledge), government ministries and agencies, the public and stakeholders.	Sections 3.2.2, 3.2.4, 3.4.1, and 3.4.3 Section 3.3 in Appendix D-1
	Changes to the project design may be made to accommodate Indigenous community, government ministry and agency, public or stakeholder concerns, such as protection/avoidance of cultural or spiritually significant sites, sensitive traditional land use areas (e.g., hunting, gathering, trapping, etc.) and environmental features of importance that include, among others: Environmentally Sensitive Areas (ESAs), waterbodies, wetlands, rare vegetation communities or Significant Wildlife Habitat (SWH). WFN will document how design decisions were made in the context of the issues raised by its community members, other First Nation communities, provincial/federal ministries and agencies, the public and stakeholders.	Section 3.3 Section 2.6 Section 2.7
	Basic elements to be included in the road design, or that may be considered to mitigate potential environmental effects, include:	
	<ul style="list-style-type: none"> ▪ Structure types (i.e., culverts, bridges), span length, lifecycle, and construction staging methods at waterbody crossings; 	Section 4.3.2.2
	<ul style="list-style-type: none"> ▪ Road attributes, including horizontal alignment, vertical alignment (elevation/profile) and adjustments to the cross-section and right-of-way (ROW) width of the corridor; 	Section 4.3.1
	<ul style="list-style-type: none"> ▪ Alternative sites for supportive infrastructure (i.e., temporary laydown and storage areas, construction camps, including access roads to these areas); 	Sections 3.4.2 and 3.4.3
	<ul style="list-style-type: none"> ▪ Alternative sites for temporary and/or permanent aggregate extraction pits and production facilities needed for construction and operation of the road, including access roads to these sites; and 	Section 3.4.1 Section 3.4.2
	<ul style="list-style-type: none"> ▪ Construction timing (seasonal) and staging along the ROW to minimize potential effects on the natural environment and traditional Indigenous land and resource use. 	Section 4.4
4.1.1	Preliminary Design Criteria	
	For the purposes of developing the preliminary design criteria for the WSR, a relatively low Annual Average Daily Traffic (AADT) volume of less than 500 vehicles has been assumed for the Project. The design standards for the WSR with respect to vertical curvature, maximum grade and minimum road shoulder width will adhere to those established by the Ministry of Transportation of Ontario (MTO) for provincial highways. The design speed for the WSR is 100 km/h, with an anticipated posted speed limit of 80 km/h.	Section 4.2.1 Appendix D-1



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	The road will be gravel surfaced, including shoulders, with material from aggregate source areas that have suitable sand and gravel deposits (e.g., eskers). The design of the underlying subgrade material and its depth below the granular surface of the road will have consideration for the typical vehicle types (e.g., light pick-up trucks, heavy industrial/commercial transport trucks and trailers, etc.) that are envisioned to use the road, including their weight/load. It should be noted that traffic operations will not include mineral ore or mine product hauling. The specific traffic mix (%) of heavy vehicles (e.g., trucks) versus light vehicles will be further examined in the EA.	Section 4.3.1.3 Appendix D-1
	For the purposes of drainage, the gravel surface of the road will have a cross-fall of 4%. All roadside ditches will be sized for the 10-year Minor System Design Flow and a minimum 100-year Major System Design Flow in accordance with MTO Drainage Standards. Culverts at waterbody crossings will be sized to accommodate a minimum 25-year return period design flow for structures with a total span less than or equal to 6.0 m, and a minimum 50-year return period design flow for structures with a total span greater than 6.0 m (MTO Drainage Standards WC-1, WC-7). A minimum culvert diameter or rise of 600 mm will be provided for circular, elliptical or arch culverts. A minimum 900 mm rise will be provided for box culverts (MTO Drainage Standards WC-8). Structural design for bridges and culverts at waterbody crossings will be carried out upon selection of a preferred road alignment and will take into consideration remote access constraints, material availabilities and the Canadian Highway Bridge Design Code.	Section 4.2.1 Section 4.3.2.1 Section 4.3.2.2.2 Section 4.3.2 Appendix D-1
	Road intersections will be designed in accordance with Transportation Association of Canada (TAC) Geometric Design Standards and the MTO/TAC supplemental standards used for municipal roads and provincial highways. Road intersections, as well as other design elements, such as signage, illumination, and commercial/recreational entrances, will be considered in the detail Design Phase of the Project.	Section 4.3.1.7 Appendix D-1
	Roadside safety is paramount to the Undertaking and, as such, the WSR will be designed in accordance with the MTO Roadside Design Guide (December 2017).	Section 4.3.1.4 Appendix D-1
4.2	Components and Activities of the Project	
	The major components and activities for the Project are as follows:	Section 4.3
	<ul style="list-style-type: none"> ▪ Field surveys and other investigations to support the road design and EA, such as LiDAR survey, Ground Penetrating Radar (GPR) survey, geotechnical and environmental; 	Section 4.3.1.1, Section 4.4.2.1
	<ul style="list-style-type: none"> ▪ Vegetation clearing and grubbing of road right-of-way and supportive infrastructure (access road, camps, laydown areas aggregate extraction areas); 	Section 4.4.2.2
	<ul style="list-style-type: none"> ▪ Road construction within an approximately 35 m right-of-way width over a distance of 107 km: 	Section 4.4.2.4
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ earth excavation and grading activities, including drainage ditches; 	Section 4.4.2.4, Section 4.3.2
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ construction/installation of permanent culverts and bridges at minor and major waterbody crossings; 	Section 4.4.2.5,
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ multi-span bridge waterbody crossings ranging in length from 20 m to 250 m; 	Section 4.4.2.5
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ single-span bridge or culvert waterbody crossings ranging in length from 5 m to 20 m; 	Section 4.4.2.5
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ placement, grading and compaction of aggregate material for roadbed; 	Section 4.4.2.3.3
	<ul style="list-style-type: none"> ▪ Construction of supportive infrastructure: 	Section 4.4.2.3
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ storage and laydown yards; 	Section 4.4.2.3.1
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ temporary access roads, of which some may remain and be formalized as permanent access roads for use during the operations phase of the Project; 	Section 4.4.2.3.2



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	<ul style="list-style-type: none"> ▫ construction camps (approximately 3), of which one may be retained and formalized as a maintenance yard for use in the operations phase of the Project; 	Section 4.4.2.3.1
	<ul style="list-style-type: none"> ▪ Development of aggregate extraction areas (i.e., pits and quarries) with crushing/processing facilities which are subject to receiving an Aggregate Permit. One or more aggregate extraction areas may be retained for use during the operations phase of the Project; 	Section 4.4.2.3.3
	<ul style="list-style-type: none"> ▪ Post-construction clean-up and site restoration; 	Section 4.4.2.6
	<ul style="list-style-type: none"> ▪ Road operation and maintenance: 	Section 4.4.3
	<ul style="list-style-type: none"> ▫ inspection and maintenance/repairs of road and structures at waterbody crossings, including emergency repairs; 	Section 4.4.3.1.1
	<ul style="list-style-type: none"> ▫ localized surface repairs and full granular resurfacing of road base and shoulder; 	Section 4.4.3.1.4
	<ul style="list-style-type: none"> ▫ winter maintenance – snow clearing and de-icing; 	Section 4.4.3.1.10
	<ul style="list-style-type: none"> ▫ management of vegetation/brush within the corridor; 	Section 4.4.3.1.2
	<ul style="list-style-type: none"> ▫ road drainage system – clean-out/repairs to culverts, ditches and outfalls or ditch inlet structures; 	Section 4.4.3.1.7
	<ul style="list-style-type: none"> ▪ Environmental effects and compliance monitoring during construction and operations phases. 	Section 4.4.2.9, Section 4.4.2.10, Section 4.4.3.3, Section 4.4.3.4 Section 22.5 Section 22.6 Section 22.7 Sections 2, 4, and 5 in Appendix E Appendix K-4
4.3	Project Phases	
	Implementation of the Project will occur in phases (refer to Section 4.3.4 for projected timing). The potential interactions with the natural, cultural and socio-economic environments and the potential occurrence of residual impacts are anticipated to be different in each phase. In order to focus the impact assessment, the above key activities can be divided into the three main phases:	Section 4.4
	<ul style="list-style-type: none"> ▪ Construction Phase: All the activities associated with the initial development of the road and supportive infrastructure; 	Section 4.4.2
	<ul style="list-style-type: none"> ▪ Operations Phase: All activities associated with operation and maintenance of the road and any other permanent supportive infrastructure (e.g., operations and maintenance yard, aggregate pits) that will be needed for the life of the road; and 	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Decommissioning/Closure Phase: All activities required to decommission/close the road. The Project will be operated for an indeterminate time period; therefore, retirement (or decommissioning) is not anticipated. 	Section 4.4.1
4.3.1	Construction Phase	
	The construction and commissioning of the WSR is expected to occur within an approximately 33-month period, after securing all the necessary approvals, permits, licences, authorizations and clearances to construct. Pre-construction activities will include field delineation of vegetation buffers and known nearby features of cultural or environmental importance that may require specialized application of mitigation measures or monitoring during construction. Construction activities will continue year-round, with some construction activities being staged and implemented to avoid or minimize potential effects to Indigenous traditional land and resource use areas and/or culturally sensitive areas/uses, and life cycle periods of wildlife, such as avoiding the clearing of vegetation during the migratory bird nesting period.	Section 4.4.2



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	The detailed construction staging and sequencing of the Project will be determined in the Detail Design phase through discussions between Indigenous communities and the construction contractor. Construction activities will typically occur during the working hours of 07:00 to 19:00 from Monday to Friday. However, regularly scheduled weekend work may be required to address schedule delays caused by weather or other unexpected conditions. Commissioning of the road for operation will occur shortly after construction is deemed substantially complete. The main construction activities that have the potential to affect the natural, cultural and socio-economic environments include the following:	Section 4.4.2
	<ul style="list-style-type: none"> ▪ Field surveys, staking and layout; 	Section 4.4.2.1
	<ul style="list-style-type: none"> ▪ Vegetation clearing and grubbing; 	Section 4.4.2.2
	<ul style="list-style-type: none"> ▪ Construction of supportive temporary infrastructure that includes storage and laydown yards, access roads/trails, construction camps and aggregate extraction areas; 	Section 4.4.2.3
	<ul style="list-style-type: none"> ▪ Earth excavation, grading and hauling operations; 	Section 4.4.2.4
	<ul style="list-style-type: none"> ▪ Aggregate extraction, processing and hauling operations; 	Section 4.4.2.3.3
	<ul style="list-style-type: none"> ▪ Construction of the road, including waterbody crossings; 	Section 4.4.2.4, Section 4.4.2.5, Section 4.3.2.11
	<ul style="list-style-type: none"> ▪ Emissions, discharges and waste: <ul style="list-style-type: none"> ▫ transport, handling and storage of fuel for equipment and vehicles; ▫ handling and disposal of waste oil, lubricants and other fluid products used for the maintenance of equipment and vehicles; ▫ storage, handling and disposal of solid waste generated at temporary construction camps/work sites and during operations and maintenance activities (e.g., construction waste, domestic waste, wood, cardboard, plastics, foods, metals, etc.); ▫ management and/or disposal of wastewater and sewage, both hazardous and non-hazardous, in the form of liquid effluent generated by the temporary workforce/construction camps; ▫ air emissions from the operation of equipment and vehicles, including engine exhaust and dust generation; ▫ greenhouse gas (GHG) emissions as result of the construction and operation of the Project; ▫ noise emissions from equipment and vehicles; ▫ sediment mobilization and discharges from earthwork activities; and 	Section 4.4.3.1.12, Section 4.4.2.8
		Section 4.4.2.7 Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
		Section 4.4.2.8
	<ul style="list-style-type: none"> ▪ Clean-up and site restoration, including the decommissioning and removal of temporary infrastructure (e.g., access roads), excluding those which may be formalized and used for the operations phase of the Project. 	Section 4.4.2.6
4.3.2	Operations Phase	
	During the operations phase of the Project, activities such as the assessment of the condition and operating performance of the road surface, drainage system and structures at waterbody crossings will be conducted regularly along the road corridor. The objective of these routine inspections will be to ensure the road meets the minimum standards for roadside safety and is a reliable connection to allow for the movement of materials, supplies and people from WFN in support of mineral exploration and mine developments in the McFaulds Lake area.	Section 4.4.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	The operator of the WSR is unknown at this time and is part of future discussions and agreement on the ownership and governance of the facility. However, it is expected that the designated operator of the WSR will develop specific operational and maintenance procedures and standards for the road that will be consistent with municipal and/or provincial guidelines for level of service. It is anticipated that the operating and maintenance activities to be conducted for the Project will include:	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Visual patrols and inspections of the road and structures (bridges/culverts) at waterbody crossings; 	Section 4.4.1.1
	<ul style="list-style-type: none"> ▪ Localized surface repairs and full granular resurfacing of road base and shoulder; 	Section 4.4.3.1.4
	<ul style="list-style-type: none"> ▪ Dust control; 	Section 4.4.3.1.6
	<ul style="list-style-type: none"> ▪ Control of vegetation/brush within the ROW; 	Section 4.4.3.1.2
	<ul style="list-style-type: none"> ▪ Winter maintenance – snow clearing and de-icing; and 	Section 4.4.3.1.10
	<ul style="list-style-type: none"> ▪ Road drainage system maintenance work – clean-out/repairs to culverts, ditches and outfalls or ditch inlet structures. 	Section 4.4.3.1.7
	There will also be consideration of a number of road use controls that will be discussed between Webequie First Nation and the Province of Ontario during the EA process. How these controls will be executed and enforced will be a function of road ownership and jurisdictional aspects of road operation. It will be particularly important to clarify this for the portion of the roadway that will cross the Webequie First Nation Reserve lands, which fall under federal jurisdiction and are controlled by the First Nation. Some of the road control elements to be discussed include:	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Road access (who will be allowed to use the road and under what conditions); 	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Access to and use of adjacent lands for traditional uses or other activities (e.g., mineral exploration, outfitters); 	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Vehicle and operator licensing requirements; 	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Insurance coverage requirements and general liability; and 	Section 4.4.3
	<ul style="list-style-type: none"> ▪ Enforcement/policing responsibility. 	Section 4.4.3
4.3.4	Project Phasing Schedule	Section 4.4.3
	Site Preparation	Section 4.4.1
	Construction	Section 4.4.1
	Commence Operations	Section 4.4.1
	The Webequie Supply Road will be operated for an indeterminate time period (i.e., as a permanent facility, beyond the life span of mining operations in the McFaulds Lake area); therefore, decommissioning of the Project is not anticipated.	Section 4.4.1
5	Description of and Rationale for Alternatives	Section 3
5.1	Range of Alternatives Considered	Section 3
5.1.1	Alternatives to the Undertaking	Section 3.1
5.1.1.1	Alternative 1: Do Nothing – Null Alternative	Section 3.1.2.1
5.1.1.2	Alternative 2: Upgrade Existing Trail System to Seasonal Winter Road	Section 3.1.2.2
5.1.1.3	Alternative 3: Alternative Modes of Transportation	Section 3.1.2.3
5.1.1.4	Alternative 4: Manage Transportation Demand	Section 3.1.2.4
5.1.1.5	Alternative 5: New All-Season Road	Section 3.1.2.5
5.1.1.6	Preferred Planning Alternative	Section 3.1.3
5.1.2	Alternative Methods of Carrying Out the Undertaking	Section 3.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
5.1.2.1	Background and Context	Section 3.2.1
5.1.2.2	Alternative Supply Road Corridors	Section 3.2.2
5.1.2.3	Initial Identification of Webequie Supply Road Corridor Alternative Concepts	Section 3.2.2.1
5.2	Initial Screening of Webequie Supply Road Corridor Alternative Concepts	Section 3.2.2
5.3	Rationale for the Preferred Corridor Alternative	Section 3.2.3
5.4	Development of Routing Sub-Alternatives within Preferred Supply Road Corridor	Section 3.2.4
5.4.1	Initial Geotechnical Assessment - Terrain Mapping	Appendix A in Appendix D-1
5.4.1.1	Routing Considerations	Section 3.2.5
5.4.1.2	Alternative Routes	Section 3.2.4.1 Section 3.2.4.3
5.4.1.3	Optimal Geotechnical Route	Section 3.2.4.2
5.5	Project Infrastructure Alternatives	Section 3.4
5.5.1	Construction Camps	Section 3.4.3
5.5.2	Aggregate Source Locations and Access Roads	Section 3.4.2
5.6	Alternative Methods Carried Forward for Environmental Assessment	
5.6.1	Webequie Supply Road Alternatives	Section 3.1
	The proposed set of supply road alternatives within the proposed preliminary corridor that will be subject to the environmental assessment is presented in Figure 5.8 (in the ToR). These include the Webequie First Nation community's preferred route for the supply road (35 m right-of-way width) along the centreline of the approximately 2 km wide preliminary corridor and the optimal geotechnical route, also as shown in Figure 5.6.	Section 3.1.3
5.6.2	Project Infrastructure Alternatives	Section 3.4
	Pursuant to the discussion on project infrastructure alternatives in Section 5.5, the following alternative methods will also be included in the scope of the environmental assessment:	
	1) Alternative sites for temporary and/or permanent aggregate extraction pits and production facilities needed for construction and operation of the road, including access roads to these sites;	Section 3.4.1 Section 3.4.2
	2) Alternative sites for supportive infrastructure (i.e., temporary laydown and storage areas, construction camps, including access roads to these areas);	Section 3.4.3
	3) Watercourse crossing structure types (i.e., culverts, bridges), span length, lifecycle, and construction staging methods at waterbody crossings;	Section 3.2.2
	4) Road attributes, including roadbed foundation; horizontal alignment, vertical alignment (elevation/profile), and adjustments to the cross-section and right-of-way (ROW) width of the corridor; and	Section 4.3.1
	5) Construction timing (seasonal) and staging along the ROW to facilitate construction and minimize potential effects on the natural environment and traditional Indigenous land and resource use.	Sections 4.4.1 and 4.4.2
	In addition, as indicated in Section 5.1.1.6, the Do Nothing option will also be carried forward as a comparator in the EA study for the purposes of assessing the overall advantages and disadvantages of proceeding with the preferred method of implementing the Project.	Section 3.1.2 Section 27.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
6	Existing Environmental Conditions	
	The EA will adopt a multi-scale approach for describing existing environmental conditions and predicting effects from the Project. As such, study areas will be used to define the geographic extent within which to capture the potential direct and indirect effects of the Project. The preliminary study area definitions for the purposes of the EA are provided in Section 8.1.	Section 5.2.1.4
6.1	General Environmental Setting	
6.2	Natural Environment	
	All information collected as part of the natural environment field program and obtained through Indigenous Knowledge transfer from WFN and other Indigenous communities will be used in the EA to determine the preferred corridor and to identify potential effects and proposed mitigation measures for the Project. Information collected for the EA may also be used by WFN to obtain other permits, approvals and/or licences that may be required to proceed to construction.	Section 3.2.2 Section 3.2.3 Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3 Sections 8.1.2 and 8.1.3 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4
	The description of the existing natural environment conditions in this section includes the preliminary results from the 2017 baseline studies conducted for the Webequie Supply Road as reported in the <i>Baseline Environmental and Geotechnical Studies Report - Webequie Community Supply Road (TPA1B) and Nibinamik-Webequie Community Road (TPA1A)</i> (2018). This baseline data is considered preliminary and the full details of these studies and other supplemental studies, including field collection methodologies and results, will be available for review during the EA phase of the Project.	Section 1.1 in Appendix F Appendix F Appendix G Appendix H Appendix J
6.2.1	Geology, Terrain and Soils	Section 6.2.1 Section 6.2.2 Sections 4.2 and 4.3 in Appendix F
6.2.2	Groundwater and Surface Water	Section 7.2.1 Section 7.2.2 Section 8.2.1 Section 8.2.2 Sections 5.2, 5.3, 6.2 and 6.3 in Appendix F
6.2.3	Wildlife and Wildlife Habitat	Section 12.2.1 Section 12.2.2 Sections 10.2 and 10.3 in Appendix F
	Mammals	Section 12.2.1 Section 12.2.2.1 Sections 10.2 and 10.3.1 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	Bats and Bat Habitat	Section 12.2.1 Section 12.2.2.1 Sections 10.2 and 10.3.1 in Appendix F
	Birds	Section 12.2.1.3 Section 12.2.2.2 Section 12.2.2.3 Section 13.2.1.2 Section 13.2.2.2 Sections 10.2, 10.3.2, 11.2, 11.3.5, 11.3.6, 11.3.7, and 11.3.11 in Appendix F
	Waterfowl Stopover and Staging (Aquatic)	Section 12.2.1 Section 12.2.2.2 Section 13.2.1.2 Section 13.2.2.2 Sections 10.2, 10.3.2, 11.2, 11.3.5, 11.3.6, 11.3.7, 11.3.8, 11.3.9, 11.3.10, and 11.3.11 in Appendix F
	Eagle and Osprey Concentration Area and Nesting Habitat	Sections 11.3.8 and 11.3.9 in Appendix F
	Woodland Raptor Nesting Habitat	Section 11.3.10 in Appendix F
	Reptiles and Amphibians	Section 12.2.1.3 Section 12.2.2.3 Sections 10.2, 10.2.5.6, and 10.3.3 in Appendix F
6.2.4	Vegetation	Section 11.2.1 Section 11.2.2 Sections 9.2 and 9.3 in Appendix F
	Vegetation Communities	Section 11.2.1 Section 11.2.2 Sections 9.2 and 9.3 in Appendix F
	From the review of available information sources and the 2017 field surveys, as documented in the <i>Baseline Environmental and Geotechnical Studies Report - Webequie Community Supply Road (TPA1B) and Nibinamik-Webequie Community Road (TPA1A)</i> (2018), the following is a description of the vegetation communities in the project area. Further vegetation assessments in accordance with established regional and provincial protocols along the preliminary preferred corridor for the WSR will be undertaken as part of the EA, including conducting additional seasonal (spring/fall) surveys to capture early and late flowering species and develop a comprehensive three-season species list for the Project.	Section 11.2.2 Sections 9.2.1 and 9.3 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	Coniferous Treed	Section 11.2.2.2 Sections 9.3.3, 9.3.4, and 9.5 in Appendix F
	Mixed Treed	Section 11.2.2.2 Sections 9.3.3, 9.3.4, and 9.5 in Appendix F
	Deciduous Treed	Section 11.2.2.2 Sections 9.3.3, 9.3.4, and 9.5 in Appendix F
	Coniferous Swamp	Section 11.2.2 Sections 9.3.1.5, 9.3.2, 9.3.4, 9.3.5, 9.4, and 9.5 in Appendix F
	Sparse Treed Fen	Section 11.2.2 Sections 9.3.1.5, 9.3.2, 9.3.4, 9.3.5, 9.4, and 9.5 in Appendix F
	Open Fen	Section 11.2.2 Sections 9.3.1.5, 9.3.2, 9.3.4, 9.3.5, 9.4, and 9.5 in Appendix F
	Rare Plant Species and Communities	Section 11.2.2.4 Section 11.2.2.6 Sections 9.3.5, 9.3.6, and 9.4 in Appendix F
6.2.5	Fish and Fish Habitat	Section 10 Section 8 in Appendix F
	Fish Habitat	Section 10.2.1.2.1 Section 10.2.2.1.1 Sections 8.2.2.2 and 8.3.2 in Appendix F
	As part of the EA for the Project, aquatic investigations will be conducted to collect data on biophysical habitat conditions and sensitivity, spawning habitat, species at risk, surface water quality and fish community present.	Section 10.2.1.2 Section 10.2.1.3 Section 7.2.2.2 Section 8.2.2 in Appendix F
6.2.6	Species at Risk	Section 13 Section 11 in Appendix F
	The EA will assess and document the general locations of known incidences of Species at Risk, endangered and threatened species, and species of special concern for the Project. This assessment will be based on review of secondary sources and conducting targeted species-specific field surveys and personal communications, published and unpublished information, such as Indigenous Knowledge gathered through consultation.	Section 13.1.3 Section 13.1.4 Section 13.2.1 Section 13.2.2 Sections 11.2 and 11.3 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	Consultation with the MECP and Environment and Climate Change Canada (ECCC) is currently being undertaken to determine the scope and extent of field studies to be completed during the EA specific to Species at Risk and species of conservation concern.	Section 2.5.1.4 Section 2.5.2
6.2.7	Climate	Section 9 Appendices G, H, and I
6.2.8	Air Quality	Section 9 Appendices G, H, and I
	The Project is located in a remote region of Ontario away from any significant sources of human induced air emissions. Air quality data from several monitoring stations in northern Ontario (e.g., Thunder Bay) and other remote locations in Canada will be used to estimate concentrations of background air quality parameters for the Project. All of the regional background air quality values reviewed are well within acceptable applicable Ontario Ambient Air Quality Criteria (AAQC) and Canadian Ambient Air Quality Standards (CAAQS). The EA will assess trends from existing air quality data and studies; and incorporate Indigenous Knowledge and information from stakeholders to identify potential project emission sources and assess project effects. Potential project emission sources will be evaluated against regulatory standards in the EA.	Section 9.1.1 Section 9.1.2 Section 9.1.3 Section 9.1.4.1 Section 9.2.1.1 Section 9.2.2.1 Section 9.3.1 Sections 2, 3, 4, 5 and 6 in Appendix G
6.2.9	Acoustic Environment	Section 9.2.1.3 Section 9.2.2.3 Section 9.3.3 Sections 4, 5, 6, 7, 10, and 11 in Appendix J
6.3	Socio-Economic Environment	Section 14 Section 15 Section 16 Appendix L
6.3.1	Regional Planning/Policy Initiatives	
	The Project is subject to both federal and provincial planning policy initiatives that dictate how projects will be undertaken. The principal planning and policy documents related to the rationale for the Project are cited in Section 1.4.2 and summarized in Appendix A . Two other important provincial regional planning/policy initiatives that will influence how the ToR and the EA are undertaken are the <i>Far North Act</i> , and the <i>Planning Act</i> .	Section 16.1.1 Section 16.2.2.1 Section 16.2.2.2 Section 16.2.2.3 Sections 8.1, 8.2 and 8.3 in Appendix L
	<ul style="list-style-type: none"> ▪ The <i>Far North Act</i> facilitates land use planning decisions in the Far North by governing how the Province will work with First Nation communities to identify areas where development can occur, and areas that should be protected. The main purpose of the Act is to establish land use planning that: <ul style="list-style-type: none"> ▫ Is based on a joint planning process between First Nation communities and the Government of Ontario; ▫ Supports environmental, social and economic objectives for land use planning in Ontario; and ▫ Is conducted in a manner consistent with the recognition and affirmation of existing Aboriginal and treat rights enshrined in Section 35 of the Constitution Act, 1982, including the duty to consult. 	Section 16.2.2.2.1 Section 16.2.2.2.2 Sections 8.2.1.1.1 and 8.2.1.2 in Appendix L



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<p>The Far North is defined in the Act as:</p> <p>(a) the portion of Ontario that lies north of the land consisting of,</p> <ul style="list-style-type: none"> (i) Woodland Caribou Provincial Park, (ii) the following management units designated under Section 7 of the <i>Crown Forest Sustainability Act</i>, 1994 as of May 1, 2009: Red Lake Forest, Trout Lake Forest, Lac Seul Forest and Caribou Forest, (iii) Wabakimi Provincial Park, and (iv) the following management units designated under Section 7 of the <i>Crown Forest Sustainability Act</i>, 1994 as of May 1, 2009: Ogoki Forest, Kenogami Forest, Hearst Forest, Gordon Cosens Forest and Cochrane-Moose River, or <p>(b) the area, if any, that is set out in the regulations made under this Act and that describes the area described in clause (a) more specifically (“Grand Nord”).</p>	Section 8.1.6.3 in Appendix L
	<p>Section 12(1) of the <i>Far North Act</i> stipulates that constructing or expanding all-weather transportation infrastructure and any other infrastructure that is associated with it cannot occur without a community based land use plan (CBLUP) in place. However, Section 12.(2) of the Act includes provisions for exemption from this stipulation through the issuance of an exception order by the Minister of Natural Resources and Forestry. The exemption provisions involve concurrent planning, and applicants must meet additional conditions prior to issuance of the exception order. Alternatively, Section 12.(4) of the Act allows the activity granted an exception to occur if the Lieutenant Governor in Council determines that the development is in the social and economic interests of Ontario. The issuance and approval of an Order permitting development under the aforementioned sections of the Act cannot occur until after the EA is approved, and must occur before the issuance of other permits and approvals (such as work permits under the <i>Public Lands Act</i>). Preparation of the Webequie CBLUP is in progress, and WFN applied to MNRF for an exception order for the Supply Road Project on January 29, 2018. The application was accepted by the Minister on March 2, 2018. In addition to this application, other requirements under Section 12.(2) must be met before the Minister could consider making an Order.</p>	Section 16.2.2.1.6 (*Section 12 of the Far North Act was repealed in 2021.)
	<p>The <i>Planning Act</i> establishes guidelines for land use planning decisions in Ontario. The purpose of the Act is to:</p> <ul style="list-style-type: none"> ▪ Promote sustainable economic development in a healthy natural environment within a provincial policy framework; ▪ Provide for a land use planning system led by provincial policy; ▪ Integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Policy Statement and conform/not conflict with provincial plans; ▪ Provide for planning processes that are fair, by making them open, accessible, timely and efficient; ▪ Encourage co-operation and coordination among various interests; and ▪ Recognize the decision-making authority and accountability of municipal councils in planning. 	Section 16.2.2.1.6 Sections 8.1.6.1 and 8.2.2.2 in Appendix L
	<p>Under the Act, the Minister of Municipal Affairs and Housing may issue Provincial Policy Statements (PPS), which are province wide policy directions related to land use planning and development. Any PPS that are relevant to this project will be incorporated into the planning and design for this project.</p>	Section 16.1.1 Section 16.2.2.1.6
	<p>Of particular importance for this project is the ‘Places to Grow, Growth Plan for Northern Ontario’ published by the Ministry of Municipal Affairs and Housing, which documents the growth plan for Northern Ontario for the next 25 years. The plan has a goal of strengthening Northern Ontario’s economy through the following (MMA, 2011):</p> <ul style="list-style-type: none"> ▪ Diversifying the region’s traditional resource-based industries; ▪ Stimulating new investment and entrepreneurship; and ▪ Nurturing new and emerging sectors with high growth potential. 	Section 16.1.1. Section 16.2.2.1.6
	<p>These two pieces of regional planning/policy initiatives will influence the planning process for the Webequie Supply Road Project.</p>	Section 16.2.2.1.6



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
6.3.2	Economy, Resources, Commercial and Industrial Activities	Section 15 Section 16 Sections 6, 8.3, and 8.4 in Appendix L
	The EA document will fully describe and assess existing commercial, recreational and industrial activities that contribute to the economic vitality of the region. The EA will also describe and characterize economic development and economic sectors, businesses, governmental finances, and housing characteristics in the project area.	Section 14.2.2.2 Section 14.3.2 Section 15.2.2 Section 15.3 Section 16.2.2.3 Section 16.2.2.4 Section 16.2.2.5 Section 16.3.2 Section 16.3.3 Sections 5.2, 5.4, 5.4, 6, 8.3, and 8.4 in Appendix L **"governmental finances" renamed "public and Indigenous community finances"
6.3.3	Population, Demographics and Community Profile	Section 14.2.2 Sections 4 and 5 in Appendix L
6.3.4	Human Health	Section 17 Section 14.2.2.7 Section 14.3.7 Section 5 in Appendix Q
	In addressing potential health issues, the Webequie Supply Road Project will examine human health and well-being by assessing potential changes in surface water, air quality, noise, and public safety (including social issues, such as drugs and alcohol abuse in the community) likely to result from project activities. These changes can act as pathways to potential effects on human health. These criteria will be drawn upon to inform human health and well-being assessments in the EA.	Section 14.3.7 Section 17.3 Section 6 in Appendix Q Section 3.3 and Section 8 in Appendix P
6.3.5	Infrastructure and Services	
	The EA document will describe available housing, infrastructure and services, such as nearby road connections and the Webequie Airport, which have the potential to interact with or connect to the proposed project. In addition, the Project may also have the potential to interact with other community infrastructure and services, such as policing, fire rescue, health clinics/nursing stations, schools, churches and other religious buildings, as well as local businesses and residential areas.	Section 14.2.2.3 Section 14.2.2.4 Section 14.2.2.5 Section 14.2.2.6 Section 16.2.2.3 Section 16.2.2.7 Sections 4, 5.2, 5.3, 5.5, 5.6, 5.7, 5.8, 8.3 in Appendix L



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
6.3.6	Land and Resource Use	Section 16.2.2.1 Section 16.2.2.2 Sections 8.1 and 8.2 in Appendix L
	<i>Webequie Community Based Land Use Plan and Comprehensive Community Plan</i>	Section 16.2.2.2 Section 8.2 in Appendix L
	<i>Other Land and Resource Use</i>	Section 16.2.2.6 Section 8.5 in Appendix L
	Other information regarding land and resource use along the proposed road corridor will be collected through engagement and consultation activities, and review of various published and unpublished sources and Indigenous Knowledge information made available by First Nation communities, and will be documented in the EA.	Section 2 Section 16.1.3 Section 16.2.2.
6.4	Cultural Environment	
	From the perspective of the WFN and other Indigenous communities, the cultural environment encompasses a broad series of aspects for consideration and evaluation in the EA. Specifically, this includes, but is not limited to:	
	<ul style="list-style-type: none"> ▪ Aboriginal and Treaty rights; 	Section 7 in Appendix L Section 19.2.2
	<ul style="list-style-type: none"> ▪ Current land resource uses, such as hunting, gathering, fishing and trapping, within their traditional territories for cultural and socio-economic purposes; 	Section 7 in Appendix L Section 19.2.2
	<ul style="list-style-type: none"> ▪ Socio-cultural character of remote communities (i.e., language, traditions, etc.) and potential for outside influences of non-Indigenous peoples; 	Section 7 in Appendix L Section 19.2.2
	<ul style="list-style-type: none"> ▪ Built heritage resources (e.g., hunting or trapping camps/cabins) and/or cultural heritage landscapes (e.g., natural features – rivers or hills) that may have spiritual and symbolic meaning to Indigenous communities; and 	Section 7 in Appendix L Section 19.2.2
	<ul style="list-style-type: none"> ▪ Known burial or sacred sites of cultural importance to communities. 	Section 7.2 in Appendix L Section 19.2.2
	A description of the existing cultural environment from an Indigenous perspective will be gathered from Indigenous Knowledge information received from communities and will be documented in the EAR/IS.	Section 7 in Appendix L Section 19.2.2 Section 20.2.2
6.4.1	Cultural Heritage Resources	
	A Stage 1 Archaeological Assessment will be conducted to identify and confirm areas of archaeological potential. The findings from this assessment will be documented in the EA and all archaeological assessment report(s) will be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries, in accordance with the <i>Ontario Heritage Act</i> and the <i>Standards and Guidelines for Consultant Archaeologists</i> (Ontario). To assess potential effects to archaeological resources, the Stage 1 Archaeological Assessment will involve consultation with Indigenous communities, review of existing published data sources and information obtained from other stakeholders and agencies.	Section 20.2.1.2 Appendix S Appendix T



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
6.5	Data Collection Methods and Baseline Studies	
	This section describes the general data collection methods and baseline studies that will be conducted to characterize and describe the existing (or baseline) natural, socio-economic and cultural conditions for the Project.	Appendix F Appendix L
	Initially, desktop studies will be utilized to collect data and pertinent knowledge for the environmental factors to be considered in the EA. This knowledge will serve to inform preliminary project design and direct efforts for further assessment of the effects to the environment. Information used for the purpose of documenting existing natural, socio-economic and cultural conditions will be gathered from background information provided by government agencies and other stakeholders, as well as published and unpublished data sources, and will be updated as required. An important information source will be Indigenous Knowledge from WFN and other Indigenous communities that will be incorporated into aspects of the EA, subject to consultation with and willingness of traditional knowledge holders and communities.	Section 6.2.1 Section 7.2.1 Section 8.2.1 Section 9.2.1 Section 10.2.1 Section 11.2.1 Section 12.2.1
	Information to characterize existing environmental conditions and features for the Project will draw upon the following secondary sources:	Section 13.2.1 Section 14.2.1
	<ul style="list-style-type: none"> ▪ Previously conducted environmental studies, including Indigenous Knowledge information obtained through consultation with Indigenous communities, will be reviewed and dated information updated as required; 	Section 15.2.1 Section 16.2.1
	<ul style="list-style-type: none"> ▪ Regulatory databases; 	Section 17.2.1
	<ul style="list-style-type: none"> ▪ Aerial photography; 	Section 18.2.1
	<ul style="list-style-type: none"> ▪ Geographic Information System (GIS) databases; 	Section 19.2.1
	<ul style="list-style-type: none"> ▪ Academic literature; and 	Section 20.2.1
	<ul style="list-style-type: none"> ▪ Information obtained from regulatory agencies and other stakeholders. 	Sections 3, 4.2, 5.2, 6.2, 7.2, 8.2, 9.2, 10.2, 11.2 in Appendix F Section 2 in Appendix G Section 4 in Appendix J Appendix K-1 Section 3 in Appendix L Section 2 in Appendix M Section 4 in Appendix O Section 2 in Appendix Q Section 4 in Appendix R Section 2 in Appendix S Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3 Sections 8.1.2 and 8.1.3 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4 Sections 14.1.3 and 14.1.4 Sections 15.1.2 and 15.1.3 Sections 16.1.3 and 16.1.4 Sections 17.1.2 and 17.1.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Sections 18.1.2 and 18.1.3 Sections 19.1.2 and 19.1.3 Sections 20.1.2 and 20.1.3
	In addition to the review of background data sources, field investigations and first-hand consultation with Indigenous communities and stakeholders will be used to characterize and describe existing environmental conditions for the project area. Field work studies will focus on the identified preliminary preferred corridor (2 km wide corridor) as identified in Section 5.3, which includes the two (2) supply road alternative routes (i.e., Webequie community route and optimal geotechnical route, each 35 m in width) that are proposed to be carried forward in the EA for further examination and analysis. Field investigations will also focus on the areas where project related temporary or permanent supportive infrastructure such as aggregate pits/quarries, construction camps and access roads are proposed.	Section 2.5 Section 2.6 Consultation Progress Report – Round 1 Consultation Progress Report – Round 2
	<p>The scope and intensity of the field studies and the associated data collection and effects assessment methodologies will be defined during the EA process through consultation with Indigenous communities, the public, federal/provincial authorities and stakeholders. This will include the development of work plans at the outset of the EA phase for valued environmental components, including the opportunity for federal and provincial agencies to review the plans and provide guidance. The contents of the work plans will also be presented to Indigenous communities to seek their input. The anticipated work plans, including the data collection methodologies, that will be developed early in the EA process include:</p> <ul style="list-style-type: none"> ▪ Aquatic ▪ Species at Risk ▪ Vegetation ▪ Wildlife ▪ Breeding Birds ▪ Groundwater and Surface Water ▪ Geology, Terrain, and Soils ▪ Climate Change and Air Quality ▪ Noise and Vibration ▪ Human Health ▪ Socio-Economic ▪ Visual Environment ▪ Cumulative Effects 	Section 2.4.4 Section 2.5.1.4
6.5.1	Published Sources of Information	
	Table 6-3 (in the ToR) presents a list of the preliminary published sources of information to be used to determine the existing environmental conditions.	Section 7.11 Section 8.11 Section 9.12 Section 10.11 Section 11.14 Section 12.12 Section 13.12 Section 14.11 Section 15.11 Section 16.11



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
6.5.2	Baseline Studies	
	Baseline studies will include the following to characterize the environment.	
	<ul style="list-style-type: none"> ▪ Natural (Biophysical) Environment, including: <ul style="list-style-type: none"> ▫ Terrestrial Environment (vegetation, wildlife and wildlife habitat) ▫ Aquatic Environment (fish and fish habitat) ▫ Species at Risk (terrestrial and aquatic) ▫ Air quality ▫ Climate Change ▫ Acoustic Environment (Noise & Vibration) ▫ Surface Water, including hydrology and water quality ▫ Groundwater ▫ Geology, Terrain and Soils, including geochemistry ▪ Socio-Economic Environment, including: <ul style="list-style-type: none"> ▫ Profiles of Indigenous Communities - population, demographics, education, employment, household composition and infrastructure and social services, with specific focus on the Indigenous communities surrounding Webequie First Nation, including: Attawapiskat First Nation, Eabametoong First Nation; Kasabonika Lake First Nation; Marten Falls First Nation; Neskantaga First Nation; Nibinamik First Nation; Aroland First Nation and Weenusk (Peawanuck) First Nation ▫ Human Health and Social Issues ▫ Traditional Land and Resource Uses 	
		Section 12.2.2 Section 10.3 in Appendix F
		Section 10.2.2 Section 8.3 in Appendix F
		Section 13.2.2 Section 11.3 in Appendix F
		Section 9.2.2.1 Section 7.3.2 in Appendix F Section 2 in Appendix G
		Section 9.2.2.2 Sections 7.3.1, 7.3.3 in Appendix F Section 2 in Appendix G Sections 2 and 3 in Appendix I
		Section 9.2.2.3 Section 9.2.2.4 Sections 7.3.4 and 7.2.4.3 in Appendix F Appendix J
		Section 7.2.2 Section 5.3 in Appendix F
		Section 8.2.2 Section 6.3 in Appendix F
		Section 6.2.2 Section 4.3 in Appendix F
		Section 14.2.2 Section 15.2.2 Sections 4, 5 and 6 in Appendix L
		Section 17.2.2 Section 5 in Appendix Q
		Section 19.2.2 Section 7.1 in Appendix L



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> ▪ Cultural Environment, including: 	
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ Archaeological Resources 	Section 20.2.2.3 Section 3 in Appendix S Section 1.3 in Appendix T
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ Built Heritage and Cultural Heritage Landscapes 	Section 20.2.2.1 Section 20.2.2.2 Section 5 in Appendix S
	The specific objectives of the baseline studies are to:	
	<ul style="list-style-type: none"> ▪ Describe the existing natural, socio-economic and cultural environments for the project area; 	Section 6.2.2 Section 7.2.2 Section 8.2.2 Section 9.2.2.1 Section 9.2.2.2 Section 9.2.2.3 Section 9.2.2.4 Section 10.2.2 Section 12.2.2 Section 13.2.2 Section 14.2.2 Section 15.2.2 Section 17.2.2 Section 19.2.2 Section 20.2.2 Sections 4, 4.3, 5, 5.3, 6, 6.3, 7.1, 7.2.4.3, 7.3.1, 7.3.2, 7.3.3, 7.3.4, 8.3, 10.3, and 11.3 in Appendix F Section 2 in Appendix G Sections 2 and 3 in Appendix I Section 5 in Appendix Q Sections 3 and 5 in Appendix S Section 1.3 in Appendix T
	<ul style="list-style-type: none"> ▪ Facilitate the assessment of potential environmental effects for all phases of the Project; 	Section 6.2.1 Section 7.2.1 Section 8.2.1 Section 9.2.1 Section 10.2.1 Section 11.2.1 Section 12.2.1



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Section 13.2.1 Section 14.2.1 Section 15.2.1 Section 16.2.1 Section 17.2.1 Section 19.2.1 Section 20.2.1 Section 23.3 Section 3, 5.2, 6.2, 7.2, 8.2, 9.2, 10.2, and 11.2 in Appendix F Section 3 in Appendix L Section 2 in Appendix Q
	<ul style="list-style-type: none"> ▪ Provide the basis for the identification and development of appropriate impact management measures (i.e., mitigation) to avoid or reduce the identified potential adverse environmental effects and enhance potential benefits of the Project; 	Section 5.2.4 Section 6.4 Section 7.4 Section 8.4 Section 9.4 Section 10.4 Section 11.4 Section 12.4 Section 13.4 Section 14.4 Section 15.4 Section 16.4 Section 19.4 Section 20.4 Appendix E
	<ul style="list-style-type: none"> ▪ Identify and evaluate project alternatives to minimize potential adverse environmental effects and optimize benefits; and 	Section 3 Sections 3, 5.2, 6.2, 7.2, 8.2, 9.2, 10.2, 11.2 in Appendix F Section 3 in Appendix L Section 2 in Appendix Q
	<ul style="list-style-type: none"> ▪ Establish benchmarks for environmental effects and compliance monitoring that will be implemented during the construction, operation and maintenance of the Project, as required. 	Section 22 Section 2 in Appendix E
	<p>The Webequie Project Team will interact with potentially affected Indigenous communities and/or other interested groups during the baseline data collection period to facilitate the two-way exchange of information (i.e., Indigenous Knowledge) and opportunities to express their concerns and preferences with regard to the project development.</p>	Section 2 Section 5.2.1.2 Section 5.2.1.3 Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Sections 8.1.2 and 8.1.4 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4 Sections 14.1.2 and 14.1.3 Sections 15.1.2 and 15.1.3 Sections 16.1.2 and 16.1.3 Sections 17.1.2 and 17.1.3 Sections 19.1.2 and 19.1.3 Sections 20.1.2 and 20.1.13 Consultation Progress Report – Round 1 Consultation Progress Report – Round 2 Consultation Progress Report – Round 3
	<p>The description and characterization of the existing environmental conditions provided in the ToR (Sections 6.3, 6.4 and 6.5) will be presented in greater detail in the EAR/IS and will include the detailed methodologies and results of the baseline field programs that were completed to support the EA.</p>	Section 6.2.1 Section 7.2.1 Section 8.2.1 Section 9.2.1 Section 10.2.1 Section 11.2.1 Section 12.2.1 Section 13.2.1 Section 14.2.1 Section 15.2.1 Section 16.2.1 Section 17.2.1 Section 19.2.1 Section 20.2.1 Section 23.3 Sections 3, 5.2, 6.2, 7.2, 8.2, 9.2, 10.2, 11.2 in Appendix F Section 3 in Appendix L Section 2 in Appendix Q Section 6.2.2 Section 7.2.2 Section 8.2.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Section 9.2.2.1 Section 9.2.2.2 Section 9.2.2.3 Section 9.2.2.4 Section 10.2.2 Section 12.2.2 Section 13.2.2 Section 14.2.2 Section 15.2.2 Section 17.2.2 Section 19.2.2 Section 20.2.2 Sections 4, 4.3, 5, 5.3, 6, 6.3, 7.1, 7.2.4.3, 7.3.1, 7.3.2, 7.3.3, 7.3.4, 8.3, 10.3, and 11.3 in Appendix F Section 2 in Appendix G Sections 2 and 3 in Appendix I Section 5 in Appendix Q Sections 3 and 5 in Appendix S Section 1.3 in Appendix T
7	Potential Environmental Effects	Section 6 to Section 20
	<p>The Project will likely result in a number of potential environmental effects, which will be identified and assessed as part of the EA. Potential environmental effects as result of the Project can be positive or negative, direct or indirect, short-term or long-term, and can occur throughout all of the project phases (construction, operation and maintenance, and retirement). The environmental effects will be evaluated on the basis of their direction (positive, negative or neutral), magnitude, geographic extent, duration, frequency and reversibility, using applicable criteria and indicators to be fully developed during the EA.</p>	Section 6.3 Section 7.3 Section 8.3 Section 9.3 Section 10.3 Section 11.3 Section 12.3 Section 13.3 Section 14.3 Section 15.3 Section 20.3
	<p><i>The assessment will incorporate input from potentially affected and/or interested Indigenous communities, government ministries and agencies, the public and stakeholders. It is expected that a broader and more detailed range of potential effects will be identified once the final baseline studies are completed and the results of the consultation and engagement program have been considered.</i></p>	Section 6.1.2 Section 7.1.2 Section 8.1.2 Section 9.1.2 Section 10.1.2 Section 11.1.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Section 12.1.2 Section 13.1.2 Section 14.1.2 Section 15.1.2 Section 20.1.2
	It is possible that some of the potential effects, such as impacts to wildlife movement from the development of a linear road corridor, and increased human access to remote areas, may require more detailed field investigations or surveys to determine their full extent/scope.	Section 12.3 Section 13.3
	As part of the assessment, consideration will also be given to confirming whether environmental effects of the Project could combine with the effects of other present and reasonably foreseeable developments (cumulative effects).	Section 21
	Additionally, as part of the effects assessment process, WFN will document existing Aboriginal and Treaty rights, including traditional and current land uses and other socio-economic aspects. This process will include seeking Indigenous Knowledge information from Indigenous communities during the consultation/engagement program for the Project.	Section 19.1.5
	Indigenous Knowledge information, where provided, will be integrated into all relevant aspects of the EA, but the data will remain proprietary property of the communities that provide it. The EAR/IS will describe Indigenous communities, their traditional uses of the land and their established and asserted claims, including accommodation as necessary to address potential effects to Aboriginal and Treaty rights.	Section 6.1.3 Section 7.1.3 Section 8.1.3 Section 9.1.3 Section 10.1.3 Section 11.1.3 Section 12.1.3 Section 13.1.3 Section 14.1.3 Section 15.1.3 Section 20.1.3
	Section 10 of the ToR details the consultation process in greater detail. Design considerations and mitigation/remedial measures recommended to reduce or eliminate potential environmental effects will be described in the EAR/IS. Mitigation measures will be developed in consultation with Indigenous communities, government ministries and agencies, stakeholders and other interested parties.	Section 2.4 Section 2.5 Appendix E
	The EA will also include an Environmental Protection Plan (EPP) specific to the construction and operations phases of the Project. The EPP will specify procedures and mitigation measures to be implemented to reduce or eliminate potential negative effects of the Project and will utilize standard industry guidelines and BMPs, with input from Indigenous communities.	Appendix E
	It is also anticipated that the EPP will include a series of contingency plans and management plans, such as a spill prevention and response plan, a waste management plan, an environmental contingency and emergency preparedness plan, and a blast management plan, should blasting be required.	Appendix E
7.1	Natural Environment	
7.1.1	Geology, Terrain and Soils	Section 6.3
7.1.2	Groundwater	Section 8.3
7.1.3	Hydrology and Surface Water	Section 7.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
7.1.4	Wildlife	Section 12.3
	The project activities also have the potential to adversely affect migratory birds, as defined under the <i>Migratory Birds Convention Act</i> (MBCA). The greatest potential impact on migratory birds would occur if vegetation clearing activities were conducted during the Primary Nesting Period for birds. This is the period when the percent of total nesting species is greater than 10%, and occurs between April 21 and August 14 for the project area, although nesting also infrequently occurs outside of this period. Potential effects to migratory birds, including mitigation measures, will be identified as part of the EA. A key mitigation and preliminary recommendation to prevent harm to migratory birds is to avoid any vegetation clearing between April 21 and August 14.	Section 12.3, Section 12.4.4.3, Table 12-14
7.1.5	Vegetation	Section 11.3
7.1.6	Fish and Fish Habitat	Section 10.3
7.1.7	Species at Risk	Section 13.3
7.1.8	Air Quality	Section 9.3
7.1.9	Climate Change	
	The environmental assessment will include the following three principal considerations of climate change addressed in the MECP guide entitled <i>Considering Climate Change in Environmental Assessment in Ontario</i> , which is a companion to the MECP Codes of Practice for preparing and reviewing Terms of Reference and Environmental Assessments:	
	1) The impacts of the Project on climate change;	Section 25 Section 9.3.2
	2) The impacts of climate change on the Project; and	Section 24.3
	3) Identifying and minimizing negative climate change impacts during implementation of the Project.	Section 24.4 Section 9.4.2
	The assessment will respond to MECP's expectation that the proponent takes into account:	
	<ul style="list-style-type: none"> ▪ The project's expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and 	Section 9.3.2 Sections 3 and 4 in Appendix H Section 9.4.2 Section 25.3
	<ul style="list-style-type: none"> ▪ Vulnerability and resilience of the Project and adjacent ecosystems to changing climatic conditions (climate change adaptation). 	Section 9.10
	Project Impacts on Climate Change	
	Greenhouse Gases - The Project Team recognizes that carbon dioxide is only one of many greenhouse gases in the earth's atmosphere (others include methane, nitrous oxide and halogenated carbon compounds). However, the WSR assessment will focus on carbon dioxide, principally in relation to direct contributions of emissions from equipment/machinery and vehicles during both the construction and operations phases. The project team's preliminary estimate of GHG emissions will be updated for both the construction and operations phases.	Section 9.3.2.1. Section 9.3.2.2.
	Landscape Changes - Recognizing the key role that forested areas and the Hudson Bay and James Bay Lowlands play in sequestering carbon, the assessment will address the effects of deforestation and the removal of peatlands in reducing the capacity of carbon sinks in the region to remove and store carbon dioxide from the atmosphere. The peatland analysis will include, as applicable, the effects of peat removal, covering, dewatering, storage, restoration and other disturbances associated with the Project on carbon storage and greenhouse gas responses.	Section 4.3.1.3.1 Section 11.3.3.2 Section 11.3.3.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	Impacts of Climate Change on the Project	Appendix I
	The assessment of climate change effects on the Project will assist in identifying unintended potential risks and impacts to adjacent ecosystems and human health. These will be related principally in terms of risk and vulnerability levels to the road infrastructure during the construction and operations phases, in the context of trending severe weather events. It will also include consideration of the degree to which the cumulative effects of climate change on the Project (and the Project itself) contribute directly or indirectly to the vulnerability or resilience of adjacent ecosystems, such as watercourses and peatlands.	Section 24.2 Section 4 and 5 in Appendix I
	The considerations above will be based on both quantitative and qualitative assessments. For example, it is expected that the assessment of greenhouse gases will be quantitative, entailing an estimation of the generation of carbon equivalents based on a determination of the type, number and duration of equipment operation, and with the use of manufacturers' information on equipment and machinery exhaust emission rates/content. Methods and calculations based on the Ontario and International Panel on Climate Change Guidelines for National Greenhouse Gas Inventories will be documented. The degree of calculation and estimation effort will be aligned with the level of significance the Project Team attaches to climate change effects associated with the Project.	Section 9.2.1.2 Section 9.2.2.2. Section 9.3.2 Sections 3 and 4 in Appendix H
	The assessment of means to reduce or mitigate potential climate change effects will be more qualitative in nature, including consideration of other measures that may have been used on similar projects. Examples include: the use of different construction materials and methods; optimization of transportation of materials and equipment; means to achieve energy efficiencies; waste reduction measures; construction schedule changes; and site restoration measures (e.g., tree planting to offset generated emissions).	Section 9.4.2 Appendix E
	The climate change assessment will be conducted primarily in the context of potential impacts to Indigenous peoples. In addition to placing some reliance on historical recorded meteorological data to establish climatic trends, the Project Team will seek input from First Nation communities with respect to their observations and perceptions of changes and trends in climatic parameters and dependent resources and amenities, including:	Appendix I
	<ul style="list-style-type: none"> ▪ Seasonal precipitation, temperature and wind, including effects on infrastructure (e.g., winter roads); 	Section 9.1.2 Section 9.1.3
	<ul style="list-style-type: none"> ▪ Trees, birds, animals and medicinal/edible plants in the bush; 	Section 10.1.2 Section 10.1.3 Section 11.1.2 Section 11.1.3 Section 12.1.3 Section 12.1.4 Section 13.1.3 Section 13.1.4 Section 19.1.3 Section 19.1.4 Section 20.1.2 Section 20.1.3
	<ul style="list-style-type: none"> ▪ Lakes, rivers, wetlands and soils (hydrology, permafrost, water quality/levels, fish, birds, animals, insects); 	Section 6.1.2 Section 6.1.3 Section 7.1.2 Section 7.1.3 Section 8.1.2 Section 8.1.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> ▪ Severe weather and other major related events/emergencies (thunderstorms, water funnels, tornados, fire and flooding); and 	Section 9.1.2 Section 9.1.3 Section 24.1.3 Section 24.1.4
	<ul style="list-style-type: none"> ▪ Related changes in community health and well-being. 	Section 14.1.2 Section 14.1.3 Section 17.1.2 Section 17.1.3
	The EA will also include a discrete concluding statement detailing how climate change was considered in the overall assessment of effects and the development of mitigation measures.	Section 9.10
7.1.10	Noise	
	Potential environmental impacts related to the acoustic environment will be further assessed in the EA, including potential effects to human health and wildlife sensory disturbance.	Section 17.3.3.2 Section 3.3.6 in Appendix P Section 6.2 in Appendix Q Section 14.3.7 Section 10.3.2 Section 12.3 Section 13.3
7.2	Socio-Economic Environment	
	Socio-economic impacts can be positive or negative; and can occur at various units of social order: individuals, families/clans, businesses, communities and economic sectors. Both potential positive and negative socio-economic effects of all phases of the Project will be assessed as part of the EA process, including identifying appropriate impact management measures to reduce or eliminate any significant negative effects and identifying means of enhancing potential benefits.	Section 14.3 Section 15.3
	Effects assessment linkages with other environmental disciplines will be determined, if applicable (e.g., links between socio-economic environment and visual aesthetics, noise, terrestrial and aquatic environments, and human health).	
7.2.1	Effects on Traditional/Indigenous Land Use	Section 19
	The EA will specifically and directly consider potential project effects on Aboriginal or Treaty rights. Through WFN discussions and engagement/consultation with other Indigenous communities, the assessment will evaluate and take into account potential changes in the traditional availability of, access to and use of resources, and the ability of communities to exercise their Aboriginal or Treaty rights.	Section 19.5
	In coordination with other provincial government ministries and agencies, Ontario (MECP) has provided a list of twenty-two (22) Indigenous communities where WFN should undertake consultation and engagement activities. The list is Ontario's (MECP) current understanding of those communities whose Aboriginal and Treaty rights may be potentially affected by the Project, and/or that may have interests in the Project. At present, sixteen (16) of these Indigenous communities may have Aboriginal or treaty rights that may be adversely affected by the Project, whereas the other six (6) Indigenous communities are considered to have potential interests in the Project.	Section 2.3.1
	A Consultation Plan to engage communities during the EA, including WFN's overall approach to engagement and consultation, is detailed in Section 10 of the ToR. The Consultation Plan outlines the degree and manner in which the identified Indigenous communities will be engaged and consulted.	Section 1.4.2 Section 2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
7.3	Cultural Environment	
	The Project may have the potential to affect the cultural environment, including, but not limited to, the following areas of interest and value to Indigenous communities:	
	<ul style="list-style-type: none"> ▪ Aboriginal and Treaty rights, which are the collective rights of Indigenous communities flowing from their status as the original peoples of Canada. These rights are recognized and affirmed by Section 35 of the Constitution Act (refer to Section 7.2.1 above); 	Section 19.5
	<ul style="list-style-type: none"> ▪ Effects to land resource uses, such as hunting, gathering, fishing and trapping, within their traditional territories; 	Section 19.3.1
	<ul style="list-style-type: none"> ▪ Effects to the socio-cultural character of remote Indigenous communities (e.g., language, traditions, etc.) from potential outside influences of non-Indigenous peoples; 	Section 19.3.2 Section 14.3.7
	<ul style="list-style-type: none"> ▪ Loss of, or adverse effects to known archaeological sites and areas of archaeological potential; 	Section 20.3.2 Section 5.5 in Appendix S
	<ul style="list-style-type: none"> ▪ Effects to known burial sites (to address the possibility that the Ontario Funeral, Burial and Cremation Services Act may apply); and 	Section 20.3.2
	<ul style="list-style-type: none"> ▪ Effects to known and potential built heritage resources (e.g., old hunting or trapping camps) and/or cultural heritage landscapes, including historic, spiritual and symbolic sites of interest or value to Indigenous communities. 	Section 20.3.1 Section 19.3.1 Section 19.3.2
	Consultation and engagement with Indigenous communities, including receiving Indigenous Knowledge information where available, will be used to characterize and describe the existing cultural environment and assess potential impacts.	Section 19.1.3 Section 20.1.3 Section 2.5 in Appendix S
	To assess the potential effects of the Project on cultural heritage resources, as defined under the <i>Ontario Heritage Act</i> , a Stage 1 Archaeological Assessment will be undertaken by a licensed archaeologist in accordance with the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) <i>Standards and Guidelines for Consultant Archaeologists (2011)</i> . The assessment will involve review and research of geographic and historical features and land use history of the preferred corridor and its surroundings. The purpose of the Stage 1 Archaeological Assessment will be to evaluate in appropriate detail the preferred corridor's archaeological potential (i.e., the likelihood that the area contains archaeological resources).	Section 20.2.2.3 Appendix T
	The MHSTCI requirements for Stage 1 Archaeological Assessment include Aboriginal consultation and engagement, and establishing protocols to be implemented in the event that unexpected archaeological finds are encountered during construction of the Project.	Section 20.1.2 Section 20.1.3 Section 20.10 Section 22.7
	With respect to encountering unknown archaeological resources during construction, typical contingency or mitigation measures to be implemented by the construction contractor in such an event would include:	Section 20.4
	<ul style="list-style-type: none"> ▪ Notifying MHSTCI if any archaeological resources are impacted by the EA work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the <i>Ontario Heritage Act</i> and the <i>Standards and Guidelines for Consultant Archaeologists</i>. 	Section 20.3.2 Section 20.4 Section 20.10
	<ul style="list-style-type: none"> ▪ If human remains are encountered, all activities must cease immediately and the local police and the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations, which would be a contravention of the <i>Ontario Heritage Act</i>. 	Section 20.3.2 Section 20.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	The assessment of effects to built heritage resources and cultural heritage landscapes, including historical and cultural components (e.g., sacred or spiritual sites to Indigenous communities) will be documented in a Cultural Heritage Existing Conditions and Preliminary Impact Assessment Report prepared by a qualified person with recent and relevant experience in consultation with Indigenous communities.	Section 20.3 Section 5.5 of Appendix S
	The archaeological, built heritage and cultural heritage landscape assessments will identify potential impacts and recommend measures to avoid or mitigate potential negative impacts (e.g., refinement of road alignment, fencing of sensitive sites during construction, monitoring by qualified heritage conservation/archaeological professionals during construction), where appropriate. Should potential effects to cultural heritage resources be identified during the EA process, WFN will engage with potentially affected Indigenous communities and the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries to review avoidance and other mitigation options.	Section 20.3 Section 20.4 Section 20.10 Section 22.7
8	Approach to Assessment and Evaluation of Effects	
	This section describes the proposed approach to carrying out the assessment and evaluation of environmental effects for the Webequie Supply Road Project. The effects assessment and evaluation will be completed on the proposed preliminary corridor, alternative routing alignments and supporting infrastructure elements (e.g., aggregate source sites) to accommodate the all-season road and potential future power/telecommunication lines. The Ontario Environmental Assessment Act requires an assessment of the potential environmental effects, evaluation of alternatives, description of impacts, identification of mitigation measures and description of the net effects of the Project on the environment.	Section 5.2.3 Section 5.3
	The assessment approach for the Project will be guided by the Webequie First Nation Three-Tier approach to consultation, whereby neighbouring First Nations are engaged/consulted in a respectful manner that acknowledges and reflects the culture, traditions and beliefs of their people and ancestors, and the shared history and aspirations of its neighbouring communities. The Three-Tier approach has been passed on through generations by Indigenous Knowledge Keepers and forms part of the Elders' Guiding Principles. The Three-Tier approach consists of a: Core Tier – Webequie First Nation; a Regional Tier – First Nation Neighbours and Government Agencies; and a Foundational Tier - Social and Economic Benefits from the Land. Details on the Three-Tier framework with respect to the approach to engagement and consultation are presented in Section 10 – Consultation.	Section 5.2.1.2 Section 2.4.1.3
	The Webequie Project Team's approach to the assessment of effects is intended to satisfy the regulatory requirements of the Ontario Environmental Assessment Act and the federal Impact Assessment Act. The assessment will be based on the approved Terms of Reference, the Ministry of the Environment and Climate Change (now MECP) Code of Practice: Preparing and Reviewing Environmental Assessments in Ontario (MOECC, 2014a) and the Impact Assessment Agency of Canada's Tailored Impact Statement Guidelines developed specifically for this project.	Section 5.4
	An overview of the effects assessment and evaluation approach is shown in Figure 8.1 and involves the following steps:	
	<ul style="list-style-type: none"> ▪ Describe the purpose of the Project; 	Section 1.3.2 Section 5.2.1
	<ul style="list-style-type: none"> ▪ Identify natural, socio-economic and cultural environmental factors/criteria of value or interest that could be potentially directly or indirectly affected by the project activities, including related assessment indicators (e.g., changes to harvesting, wildlife populations and their movement, etc.) for the effects assessment. A list of preliminary criteria and indicators for the environmental effects evaluation are discussed below and presented in Appendix B; 	Section 5.1
	<ul style="list-style-type: none"> ▪ Determine the assessment boundaries/study areas for each factor/criterion; 	Section 5.2.1.4 Section 6.1.5 Section 7.1.5 Section 8.1.5 Section 9.1.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Section 10.1.5 Section 11.1.5 Section 12.1.6 Section 13.1.6 Section 14.1.5 Section 15.1.5 Section 16.1.5 Section 17.1.5 Section 18.1.5 Section 19.1.5 Section 20.1.5
	<ul style="list-style-type: none"> ▪ Compile information on and characterize existing environmental baseline conditions based on Indigenous Knowledge from WFN and other Indigenous communities, as well as a combination of existing data/information sources and field programs; 	Section 5.2.2 Section 6.2.2 Section 7.2.2 Section 8.2.2 Section 9.2.2 Section 10.2.2 Section 11.2.2 Section 12.2.2 Section 13.2.2 Section 14.2.2 Section 15.2.2 Section 16.2.2 Section 17.2.2 Section 18.2.2 Sections 4.3, 5.3, 6.3, 7.3, 8.3, 9.3, 10.3, 11.3 in Appendix F Section 2.5 in Appendix G Section 2.2 in Appendix H Section 3 in Appendix I
	<ul style="list-style-type: none"> ▪ Identify and evaluate potential environmental effects, advantages and disadvantages of alternative methods of carrying out the Project, including measures to mitigate potential adverse effects; net effects; and identification of the preferred alternative method(s) (the Project); 	Section 5.2.2 Section 5.2.3 Section 5.2.4 Section 5.2.5 Section 3.2 Section 3.2.3
	<ul style="list-style-type: none"> ▪ Assess net effects (positive and negative) from implementation of the Project, which involves: 	
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ identify potential impacts and associated positive and negative environmental effects; 	Section 5.2.3
	<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▫ identify mitigation measures to address negative effects; 	Section 5.2.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> ▫ predict the net effects; 	Section 5.2.5
	<ul style="list-style-type: none"> ▫ characterize the net effects (i.e., after mitigation measures) of the Project on environmental criteria; 	Section 5.2.5
	<ul style="list-style-type: none"> ▫ assess the significance of the net effects (positive and negative); 	Section 5.2.6
	<ul style="list-style-type: none"> ▫ conduct a cumulative effects assessment of the net effects of the Project in combination with other present, or reasonably foreseeable developments in the local and regional area and assess the significance of those effects; 	Section 5.2.7
	<ul style="list-style-type: none"> ▪ Identify follow-up, inspection, and monitoring programs that will be completed during and after construction to verify prediction of the projects effects and the effectiveness of mitigation measures. This would also include a compliance monitoring program to evaluate and demonstrate that the Project has been constructed and operated in accordance with commitments made in the EAR/IS; and 	Section 5.2.9
	<ul style="list-style-type: none"> ▪ Evaluate the overall advantages and disadvantages of proceeding with the Project against the Do Nothing Alternative. 	Section 5.3
	A more detailed assessment method, including discipline-specific criteria and indicators, will be developed during the EA and presented in the EAR/IS.	Section 6.2.1 Section 7.2.1 Section 8.2.1 Section 9.2.1 Section 10.2.1 Section 11.2.1 Section 12.2.1 Section 13.2.1 Section 14.2.1 Section 15.2.1 Section 16.2.1 Section 17.2.1 Section 18.2.1 Section 19.2.1 Section 20.2.1 Appendix F Appendix G Appendix H Appendix I Appendix J Appendix K-1 Appendix L Appendix M Appendix Q Appendix R Appendix S Appendix T



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
8.1	Cumulative Effects	
	The EA will examine the incremental net environmental effects of the Project. The assessment will also evaluate and assess the significance of net effects from the Project that overlap temporally and spatially with effects from present and reasonably foreseeable developments and activities.	Section 21.3.3 Section 21.4
	In addition, the assessment will evaluate and assess the significance of net effects from the Project that overlap temporally and spatially with effects from all present and reasonably foreseeable developments and activities. The Impact Assessment Agency of Canada describes cumulative effects as the sum of net effects from all past, current and reasonably foreseeable projects or activities on the physical, biological, cultural and socio-economic valued components of the environment.	Section 21.3.3 Section 21.3.4 Section 21.3.2
	In general, a cumulative effects assessment for a project should include the following five (5) key steps: scoping, analysis, mitigation, significance, and follow-up.	Section 21.3.1
	As part of the EA, Webequie First Nation will identify and assess the project's cumulative effects using the approaches described in provincial and federal guidance documents, such as the <i>Operational Policy Statement: Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2015b); and <i>Interim Technical Guidance for Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2018b). Based on these guidance documents, the cumulative effects assessment will generally include the following tasks:	
	<ul style="list-style-type: none"> ▪ Identify and characterize net effects of the Project; 	Section 6 to Section 20
	<ul style="list-style-type: none"> ▪ Define spatial (i.e., Regional Study Area) and temporal boundaries (i.e., construction, operations) for each criterion where net effects have been identified; 	Section 6 to Section 20
	<ul style="list-style-type: none"> ▪ Identify current and reasonably foreseeable projects with effects likely to overlap both spatially and temporally with the predicted net effects of the Project; 	Section 21.3.4
	<ul style="list-style-type: none"> ▪ Predict likely cumulative effects and develop appropriate additional mitigation measures, if warranted; and 	Section 21.3.5
	<ul style="list-style-type: none"> ▪ Evaluate and determine the significance of the likely cumulative effects. 	Section 21.3.6
	A technical work plan for the cumulative effects assessment will be prepared at the outset of the EA, including identification of which other developments will be assessed and the methodology for assessing effects. The work plan will be provided to MECP and IAAC for review and guidance, and will be summarized and presented to the public, Indigenous communities and stakeholders as part of the consultation and engagement activities for the Project.	Section 2
ToR Amendments – 1. Cumulative Effects	1.1 Cumulative effects consultation: During the preparation of its environmental assessment (EA), Webequie First Nation (WFN) will consult with Indigenous communities on the cumulative effects assessment work plan, methodology, results and impact management measures. As part of the consultation on these items, WFN will offer targeted consultation opportunities to each Indigenous community. WFN will also consider any methods of engagement that Indigenous communities request in order to facilitate the consultation required by this section.	Section 2.4.3 Section 2.4.4 Section 2.4.5 Section 2.7
	1.2 Consideration of other cumulative effects assessments: As part of the development of its EA, WFN will consider, where appropriate, any publicly available information that may be generated through the following which WFN considers relevant: <ul style="list-style-type: none"> ▪ Any cumulative effects assessment developed as part of any EA in respect of the proposed Marten Falls Community Access Road; and ▪ Any cumulative effects assessment developed as part of any EA in respect of the proposed Norther Road Link. 	Section 21.3.4



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	WFN will determine how to use any information described in this section in its EA including the cumulative effects assessment. If information described in this section is not available at the time WFN is prepared to submit its final EA to the Ministry of the Environment, Conservation and Parks (MECP), this will not delay the submission of the final EA.	
	<p><u>1.3 Consideration of Regional Assessment:</u> If there is an ongoing or completed Regional Assessment for the Ring of Fire area, as part of the development of its EA WFN will consider, where appropriate, any publicly available information that may be generated through that process which WFN considers relevant. WFN will determine how to use any information described in this section in its EA including the cumulative effects assessment. If information described in this section is not available at the time WFN is prepared to submit its final EA to MECP, this will not delay the submission of the final EA.</p>	Pending
	<p><u>1.4 Cumulative effects consultation report:</u> As part of the draft EA and final EA, WFN will prepare a cumulative effects consultation report to accompany the cumulative effects assessment within the EA. The report will include:</p> <ul style="list-style-type: none"> ▪ A summary of the consultation completed with Indigenous communities and any other organizations/agencies regarding the development of the cumulative effects assessment; and ▪ Comment-response tables showing how comments from Indigenous communities and any other organizations/agencies were considered and incorporated, as appropriate, in the development of the cumulative effects assessment. 	As agreed with the MECP on conditions in the Notice of Approval of the Terms of Reference, consultation for cumulative effects is documented in Section 2 of the Draft EAR/IS. The cumulative effects consultation report has been provided in the Final EAR/IS.
	<p><u>1.5 Draft and final EA report documentation:</u> The draft EA and final EA will contain draft and final cumulative effects assessments, respectively.</p>	See above response.
ToR Amendments – 2. Table 10-8 and Cumulative Effects	Table 10-8: EA Consultation Milestones is amended by adding the following to the list of outcomes for each consultation activity: "Input into the cumulative effects assessment, including methods, results and impact management measures."	Section 21 (further input during review of Draft EAR/IS has been incorporated in Final EAR/IS)
8.2	Study Area Definitions	
	The EA will describe the spatial and temporal boundaries for each valued component of the environment. The geographic boundaries for the Project will indicate the areas within which potential effects are reasonably anticipated, including cumulative effects. The temporal boundaries for the Project will be generally based on the planned phases that include the construction phase: the period from the start of construction to the start of operation; and the operations phase: the operation and maintenance activities throughout the life of the Project. As such, the EA will adopt a multi-scale approach for describing existing environmental conditions and predicting effects from the Project. Specifically, the following study areas will be used to define the geographic extent within which to capture the potential direct and indirect effects of the Project.	Section 6.1.5 Section 7.1.5 Section 8.1.5 Section 9.1.5 Section 10.1.5 Section 11.1.5 Section 12.1.6 Section 13.1.6 Section 14.1.5 Section 15.1.5 Section 16.1.5 Section 17.1.5
	Project Footprint: established to identify areas of direct disturbance (i.e., the physical area required for construction and operation of the Project). The project footprint is the preferred corridor (35 m right-of-way width) and temporary or permanent areas needed to support the Project that include laydown yards, storage yards, construction camps, access roads and aggregate extraction sites.	
	Local Study Area (LSA): established to assess the potential, largely direct, and immediate indirect effects of the Project on the local environment. The boundaries of each LSA will extend a specified distance from the project footprint boundary to capture the direct and nearby indirect effects on an environmental component/criterion.	



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	Regional Study Area (RSA): established to assess the potential, largely indirect and cumulative effects of the Project in the broader, regional context. The RSA extends beyond the LSA to include the maximum geographical extent to which impacts from the Project may be expected.	Section 18.1.5 Section 19.1.5 Section 20.1.5
	The EA will further define the LSA and RSA boundaries for each environmental factor/criterion (e.g., surface water, fish, wildlife, air, socio-economic, etc.) depending on the nature of likely effects and the geographic extent and characteristics of each factor. The selection of study areas will also consider comments and input received from Indigenous communities, regulatory agencies, the public and stakeholders. Study areas will also be designed to capture the maximum spatial extent of potential effects from the Project, including other existing developments and proposed reasonably foreseeable developments as in the case of the cumulative effects assessment. In general, each environmental factor/criterion or valued component will be assessed within the context of the project footprint, LSA and RSA. For example, in some cases, larger or separate study areas will be developed to address select potential natural heritage and socio-economic features, including but not limited to Caribou (Boreal population), archaeology, air/noise and socio-economic elements, to allow for greater accuracy in the prediction of project effects and development of mitigation measures.	
8.3	Identification and Evaluation of Alternatives	Section 3
	Section 6.1(2) of the Environmental Assessment Act (EA Act) requires proponents to conduct an alternatives assessment to demonstrate the advantages and disadvantages of the preferred alternative in comparison to other alternatives considered. As discussed in Section 5 of the ToR – Description of and Rationale for Alternatives, the Ontario EA process requires that two types of project alternatives be considered: “alternatives to” the Undertaking (i.e., functionally different ways of addressing an identified problem or opportunity to arrive at the preferred planning solution) and “alternative methods” of carrying out the Undertaking (options for implementing the preferred planning solution).	Section 3.1 Section 3.2
	An assessment of alternatives to the Undertaking to meet the project purpose as defined by WFN has been completed and is presented in Section 5.1 of the ToR. Alternatives to the Undertaking (the Project) that were examined included: do nothing; upgrade the existing trail system to a seasonal winter road; alternative modes of transportation (hoverbarge, airship, rail); manage travel demand; and a new all-season road. Based on the evaluation, and having considered the balance of advantages and disadvantages of each alternative, the preferred alternative is the construction of a new all-season road between Webequie First Nation and the mineral exploration and proposed mine activities in the McFaulds Lake area, as described in Section 4 – Description of the Undertaking. A new all-season road is the most reasonable planning alternative, as it best meets the objectives of Webequie First Nation by providing new and enhanced opportunities to improve Webequie’s economic and social well-being; and, given the current and projected available resources (people and financing), it is the likeliest alternative to be within Webequie’s technical and economic abilities to implement. In addition, the preferred planning alternative is consistent with provincial government plans and policies for development of the region, including the Ring of Fire area.	Section 3.1.2 Section 3.1.3
	Based on the conclusion from the assessment of alternatives to the Undertaking, this ToR proposes that a focused EA be prepared in accordance with subsections 6(2)(c) and 6.1(3) of the EA Act. As such, the opportunities and goals of the Project have been clearly identified and the EA will not contain any further assessment of alternatives to the Undertaking, but instead will focus on alternative methods of carrying out the Project.	Section 3.1.3 Section 5.4.1 Section 3.1.3
	With respect to determining alternative methods of carrying out the Project, it is relevant to understand the background of the various road/transportation studies that have been conducted in the Webequie First Nation/McFaulds Lake region over recent years, and Webequie First Nation’s community based land use planning process, to provide the context for the identification and screening of the alternative concept corridors for the WSR.	Section 3.2.1 Appendix C-1
	In addition to the previous transportation studies and Community Based Land Use Plan that is currently being prepared by Webequie, in 2017, WFN conducted an initial screening of supply road corridor alternatives of approximately 2 km in width between Webequie and mineral deposit area near McFaulds Lake. The screening and analysis of corridors was guided by a Local Working	Section 3.2.2 Section 3.2.4



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	<p>Group made up of community members of land users, harvesters, elders, and youth representatives. The corridor screening process included the identification of the advantages and disadvantages of corridor concept alternatives against the broad range of assessment factors (caribou habitat, culturally significant features, areas used for traditional activities, etc.), which were identified based on discussions with community members as to features and sensitivities that may be affected by the Project and what constituted valued environmental components for the community. In addition to the community based traditional land and resource use evaluation criteria, the alternative concepts were screened against criteria inherent in the broader definition of the environment that included natural, socio-economic, cultural and built environment factors and technical considerations. The result of this community based planning exercise was the identification of a preliminary preferred corridor for the supply road (35 m right-of-way width) along the centreline of the approximately 2 km wide corridor. As further described in Section 5 of the ToR, the community's preliminary preferred route has been overlain with terrain mapping and assessment to identify a geotechnical optimal route within the 2 km wide preliminary proposed corridor. This yielded the proposed initial alternatives to be carried forward for assessment in the EA, as shown in Figure 5.8 (in the ToR).</p>	<p>Section 3.2.5.1 Section 3.2.5.3 Section 3.2.5.6 Section 3.3 Section 3.1 in Appendix D-1 Appendix A in Appendix D-1</p>
	<p>Therefore, it is proposed that, in addition to the initial alternatives and with the benefit of additional engagement and consultation, the EA may further identify and evaluate additional routing alignment alternatives within the preliminary preferred corridor, as appropriate. The 2 km corridor width will be retained to provide flexibility for refining/developing other route options for evaluation, if identified during the EA process. As indicated in Section 5.5, alternative supportive temporary and/or permanent infrastructure elements for the Project (e.g., aggregate sites, sites for temporary laydown and storage areas, sites for construction camps, and access road locations) will be evaluated during the EA.</p>	<p>Section 3.2.4 Section 3.4</p>
	<p>The assessment of alternative designs and/or locations will involve a comparative evaluation of the advantages and disadvantages against a set of natural environment, socio-economic environment and cultural environment and technical considerations (e.g., cost, constructability) to provide a clear rationale for the selection of a preferred alternative.</p>	<p>Section 3.2.4 Section 3.2.5.6 Section 3.3 Appendix C-2</p>
	<p>The principles for evaluating alternative methods are intended to yield a balanced design solution that maximizes the degree to which potential project benefits and opportunities can be realized, while minimizing significant adverse environmental effects. Significance of environmental net effects, including their characterization, will be determined during the EA process. It is anticipated that modifications to the project design will occur throughout the project planning process in conjunction with discussions with Indigenous communities, government ministries and agencies, the public and stakeholders. Evaluation methodologies will be fully documented within the EA.</p>	<p>Section 3.2.5.2 Section 3.2.5.3 Section 5.2.1 Section 2.7</p>
8.3.1	Evaluation Criteria and Indicators	
	<p>In order to evaluate alternative methods for carrying out the Project and effects of the Undertaking, it will be necessary to establish criteria and indicators. Sufficient information about the criteria and indicators and how they will be developed is presented in the ToR to ensure the approach is understood by interested persons and communities, who are then able to provide informed comments. Each criterion will have one or more indicators that will identify how the potential environmental effects will be measured. A preliminary list of criteria and indicators is presented in Appendix B of the ToR. The preliminary list details the rationale for the selection of each of the proposed criteria and indicators, data sources, and an explanation about how each criterion and indicator will be further developed during the EA process. The preliminary list of criteria and indicators has been developed by the Webequie Project Team and includes input received during the engagement and consultation activities undertaken to date. The criteria, indicators and evaluation methods will be further developed, refined and finalized during the EA process in consultation with Indigenous communities, government ministries and agencies, the public and any other interested persons or groups. Some examples of the criteria and indicators proposed to be used for the EA are presented in Table 8-1 (in the ToR).</p>	<p>Appendix C-2 Consultation Progress Report - Round 1 Consultation Progress Report - Round 2</p>



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9	Commitments and Monitoring	
9.1	Environmental Commitments	
	In accordance with Section 5.2.8 of the MECP Code of Practice, the EA will include a comprehensive list of commitments made by Webequie First Nation during the course of the ToR and the EA processes, and how they will be addressed. These commitments may relate to the project construction, operation and maintenance, impact management measures (i.e., mitigation measures), consultation/engagement with other Indigenous communities and compliance monitoring.	Section 22.4 Section 22.7 Section 23.4.1 Section 26.5 Sections 7 and 8 in Appendix N Sections 3 and 5 in Appendix E Appendix K-4
	WFN is committed to environmental protection, responsible environmental management and overall stewardship of the land, consistent with its cultural/spiritual beliefs and its respect for and connection to the land and water. The Project will be carried out in full compliance with federal/provincial laws and Best Management Practices and environmental procedures for road construction and operations. The EAR/IS will provide information to ensure that the supply road facility is designed, constructed and operated in a manner that makes efficient use of resources, prevents pollution and reduces environmental effects to the greatest extent reasonably achievable.	Section 4.2.1 Section 4.2.2 Section 5.2.4 Section 5.3
9.2	Monitoring	
	Webequie First Nation will prepare a monitoring framework, which will initially be developed during the EA process. The framework for monitoring would be identified for each project phase (construction and operations). As noted in Section 4.3.3, the Project will be operated for an indeterminate time period (i.e., as a permanent facility). Decommissioning/retirement of the Webequie Supply Road is not anticipated; therefore, no decommissioning monitoring program will be developed during the EA. An approach to two primary types of monitoring will be developed, as follows:	Section 4.6.1 Section 4.6.2 Section 5.2.9 Section 22.3 Section 22.4 Section 22.7 Section 2 in Appendix E
	<ul style="list-style-type: none"> ▪ Compliance monitoring; and 	Section 5.2.9
	<ul style="list-style-type: none"> ▪ Effects monitoring. 	Section 5.2.9
	Compliance monitoring is the assessment and evaluation of whether an undertaking has been constructed, implemented and/or operated in accordance with commitments made during the EA process, and any conditions of the EA approval and other approvals required to implement the Project. During the Detail Design phase for the Project, compliance with EAR/IS commitments will be regularly reviewed and incorporated in the project implementation proposals. Consistent with EAR/IS commitments, it is expected that WFN will continue external notification and engagement/consultation with Indigenous communities, government ministries and agencies and stakeholders after completion of the EAR/IS. WFN will also develop a monitoring strategy that sets out how and when all commitments made in the EAR/IS will be fulfilled and how they will report to the Ministry of the Environment, Conservation and Parks about compliance.	Section 4.4.2.9 Section 4.4.2.10 Section 4.4.3.3 Section 4.6 Section 22.3 Section 22.4 Section 22.5 Section 22.7
	The compliance monitoring program will be further described in the EAR/IS, including the preparation of supportive plans, such as an Environmental Management Plan and discipline-specific management plans, to ensure compliance with all commitments identified during the EA process. The duration of the monitoring and follow-up programs will vary and will depend on the conditions of EAR/IS approval and other applicable permits and approvals granted by regulatory bodies.	Section 23.4 Section 26.4 Sections 2, 3 and 5 in Appendix E Sections 5, 7 and 8 in Appendix N Section 3.5 in Appendix E



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	Effects monitoring involves activities designed to verify the prediction of the effects assessment (e.g., water quality and effects on fish communities), and to verify the effectiveness of the impact management measures (i.e., mitigation). The effects monitoring program will initially be developed during the latter stages of the EA process. Both physical and risk-based monitoring of the effects and associated mitigation will be employed, where appropriate.	Section 22
	Construction and operational monitoring will identify actual effects, assess the effectiveness of the mitigation/restoration/enhancement measures to minimize, eliminate or (in the case of potential benefits) optimize these effects, and evaluate the need for any additional action to ensure that environmental commitments and obligations are fulfilled and mitigation/restoration/enhancement measures are effective.	
	It is anticipated that WFN community members will be actively involved in the implementation of the compliance and effects monitoring programs for the Project.	Section 22 Section 1.2 in Appendix E
10	Engagement and Consultation	Section 2
	This section of the ToR presents the plan that outlines the engagement and consultation activities that will occur during preparation of the Terms of Reference and the environmental assessment.	Section 2.2.1 Record of Engagement and Consultation
	In support of this ToR, a Record of Consultation (RoC) has been prepared. The RoC identifies and details all of the consultation and engagement activities undertaken during the preparation of the ToR, and will be maintained during the EA phase of the Project to ensure continuity in the documentation process.	Record of Engagement and Consultation
10f.1	Principles and Approach	
10.1.1	Webequie-led Indigenous Communities Consultation	Section 2
	The plan for Indigenous communities consultation was developed in accordance with the following components: <ul style="list-style-type: none"> ▪ Elders' guiding principles; ▪ Webequie First Nation Three-Tier approach to Indigenous community consultation/engagement; and ▪ Requirements of applicable legislation, policies and guidelines. 	Section 2.4.1.2 Section 2.4.1.3 Section 2.2.2
10.1.1.1	Elders' Guiding Principles	
	Guidance has been provided to the Webequie Project Team by elders. This guidance has been provided to ensure that the Webequie First Nation conducts consultation/engagement for the Project in a respectful manner that reflects the culture and traditions of the Webequie people and their clans and neighbours outside the Webequie First Nation. As guided, the Project Team will ensure that all project-related consultation and engagement activities will be inclusive of the following guiding principles:	Section 2.4.1.2 Consultation Progress Report – Round 2
	<ul style="list-style-type: none"> ▪ Mutual recognition of nation to nation; 	Section 2.4.1.2
	<ul style="list-style-type: none"> ▪ Mutual recognition of ancestral knowledge; 	Section 2.4.1.3
	<ul style="list-style-type: none"> ▪ Mutual recognition of traditional knowledge and practices; 	
	<ul style="list-style-type: none"> ▪ Mutual recognition of clan families and relationships; 	
	<ul style="list-style-type: none"> ▪ Mutual recognition of sustainable livelihood; and 	
	<ul style="list-style-type: none"> ▪ Mutual recognition of traditional protocols. 	
	When visiting other communities, the Project Team will respect their protocols and processes, their values and traditions, and their lands. Additionally, consultation activities will include the key elements of consultation as outlined in the Nishnawbe Aski Nation <i>Handbook on Consultation in Natural Resource Development</i> (2007) to ensure that consultation is:	
	<ul style="list-style-type: none"> ▪ A continuous process; 	



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	<ul style="list-style-type: none"> ▪ About exchanging information; ▪ About building relationships; ▪ About getting feedback; ▪ About exchanging additional information, as required; ▪ About identifying issues; ▪ About accommodation and reconciliation; ▪ About fairness; and ▪ About negotiating with the right attitude. 	
10.1.1.2	Webequie First Nation Three-Tier Approach	Section 2.4.1.3
	Webequie First Nation has developed a Three-Tier framework for their approach to Indigenous consultation. The Three-Tier approach is consistent with the Webequie First Nation's traditional cultural values, customs and beliefs, as shown in Figure 10.1 (in the ToR) and described below.	Section 2.4.1.3
	This consultation approach has been inherently passed on through generations by Webequie First Nation's Indigenous Knowledge Keepers and forms part of the Elders' Guiding Principles that harmonize with regulatory requirements for consultation.	
	Core Tier - Webequie First Nation	
	The community approach to project development and consultation in Webequie First Nation is based on <i>Bimachiowiin</i> (life sustaining or sustainable), <i>Ondatissiwiiin</i> (source of life) and <i>Minobiimatissiwiiin</i> (prosperity and good life agreements).	
	<i>Bimachiowiin</i> is a result of sustainable community, which relies on the Foundational Tier. This is the tier where relationships are made with the Ontario Government and its various ministries undertaking the projects. The benefits are brought back to flow to the community, which triggers federal judiciary responsibility and involvement.	
	<i>Ondatissiwiiin</i> is the source of life. The source of livelihood depends on the relationship and benefit agreements with First Nation Partners, governments and industry, which is a benefit for the community. The source is realized through project development or exploring and it either must be found or created. For this project, access to the source of <i>bimachiowiin</i> is a supply road project and, as such, must be explored and created.	
	<i>Minobiimatissiwiiin</i> is the result of prosperity and good life agreements. It is measurable through baseline studies of existing social and economic conditions today. The ToR and the EA will identify the socio-economic benefits for the community.	
	Relational Tier – First Nations Neighbours and Government Agencies	Section 2.4.1.3
	In order to sustain its way of life, the community must breathe and the people must be able to practice their way of life with the land, as well as their languages and culture. The Relational Tier next to the core of the community is an adaptive transitional tier supporting the fixed location of the community, and relies on the land animals and wildlife to allow community members to practice the creator-given rights to hunt and fish without having to move the family to different locations for harvesting purposes.	
	It is well understood by the people of the Webequie First Nation that any project developed within their traditional territory could have effects on others. It is also well understood that the regulatory environment to develop projects, requires approvals and authorizations from government agencies.	
	The Relational Tier of Webequie's approach to consultation and project development involves outreach to and involvement of other potentially affected First Nations, many of whom are home to Webequie family/clan members; and developing relationships with and working closely with agencies of the provincial and federal governments. It is recognized that these relationships and connections are important to maintain in a positive way.	



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	<p>Foundational Tier – Social and Economic Benefits from the Land</p> <p>The approach to project development and consultation is based on the overarching objective to create social and economic benefits for the members of the Webequie First Nation through the use and development of resources on their lands.</p> <p>Social and economic benefits will result in a number of positive outcomes for the community, including improved standard of living through increased revenues; and self-determination – reduced reliance on provincial and federal government sources of funding, and the ability for the community to make decisions about activities and development within their traditional territory.</p> <p>The social benefits of increased economic activity and revenues into the community are many, including improved housing and family well-being through reduced crowding that will also lead to improved health conditions. Creating economic activity will also increase skill levels and employment opportunities, all of which contribute to economic prosperity, which will then contribute to the improvement of all social outcomes for the community. One of those opportunities is mining potential within the mineralized zone in and around McFaulds Lake. This area is located approximately 75 km east of the Webequie First Nation, and lies within their traditional lands. Increased mineral exploration and the proposed mine developments within and around the mineralized zone of McFaulds Lake is considered an important and long-term economic opportunity by the Webequie First Nation.</p> <p>Economic prosperity, social well-being and self-determination are at the foundation of the Three-Tier approach. Development opportunities must, in and of themselves, also be sustainable, providing long-term benefits to the community, and not at any cost. Any development within the traditional territory of the Webequie First Nation must be respectful of and consistent with the values, traditions and culture of the community.</p>	Section 2.4.1.3
10.1.1.3	Requirements of Applicable Legislation, Policies and Guidelines	
	<p>The Webequie Project Team will also conduct the EA based on conventional principles and approaches that are consistent with legislative requirements and the Ministry of the Environment, Conservation and Parks Code of Practice and recognized best practices in Indigenous community, public and stakeholder engagement and consultation. In this context, the Webequie Project Team recognizes that adhering to the following principles will be important in conducting a successful engagement and consultation program for the Project:</p> <ul style="list-style-type: none"> ▪ Early, ongoing, clear, timely and respectful communication and dialogue with all identified Indigenous communities, government agencies, stakeholders and other affected/interested parties; ▪ Providing multiple and ongoing opportunities for all affected and interested parties to communicate with members of the Project Team and to provide input and responses in a way that meets their needs; ▪ Open, transparent, traceable and flexible planning and decision-making processes; and ▪ Documenting input received during the consultation process and follow-up with all participants on how their input was considered and (as appropriate) incorporated into project plans, or an explanation of why it could not be incorporated. 	Section 2.2.2
10.1.2	Duty to Consult with Indigenous Peoples	
	<p>A Memorandum of Understanding (MOU) between MECP, ENDM and Webequie First Nation, setting out how roles and responsibilities related to the Duty to Consult will be shared between the Crown and the proponent, was finalized on February 7, 2020. In general, Webequie First Nation is responsible for carrying out Statutory Consultation in respect of the Project in accordance with the EA Act and will consult with the Aboriginal Communities for that purpose; and the Crown may rely on Statutory Consultation in fulfilling its Duty to Consult.</p> <p>As established in the MOU, Webequie First Nation's roles and responsibilities in conducting Statutory Consultation for the Project include the following:</p>	Section 2.2.2.1
	1. Consultation and Planning Notification	
	a. Works with Ontario to delineate clear roles and responsibilities for consultation as set out in this MOU;	Section 1.4.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	b. Prepares Aboriginal consultation plans for the preparation of the terms of reference and the environmental assessment and submits to Ontario for review. The consultation plan for the environmental assessment must be submitted as part of the terms of reference. Consultation plans must include:	Section 2.4.3 Consultation Progress Reports – Rounds 1, 2, and 3 Record of Engagement and Consultation
	i. Outline of how the Proponent will engage with the Aboriginal Communities and meet Statutory Consultation requirements as part of the Ontario's environmental assessment process and the procedural aspects of consultation delegated in this MOU; Outline how any community consultation protocols have been incorporated, and if not, the reasons why they haven't;	
	ii. Timetable for completion of all responsibilities;	
	c. During the consultation process, considers whether separate engagement plans for each community should be developed in consultation with the Aboriginal Communities for each phase of the environmental assessment process;	
	d. Refers any requests for financial or other support received from Aboriginal Communities to Ontario;	
	e. Drafts notices associated with the environmental assessment process (e.g., Notice of Commencement of Terms of Reference) for MECP review, and the proponent circulates with input from Ontario on appropriate distribution;	
	f. Provides Aboriginal Communities with timely notice of the Project to consider possible impacts (e.g., notices required under the Environmental Assessment Act);	
	g. Provides copies of all environmental assessment related documents to Aboriginal Communities for review and comment;	Section 2.4 Consultation Progress Reports – Rounds 1, 2, and 3
	h. Requests acknowledgement of receipt of all statutory notices from Aboriginal Communities (including the notice of submission of final terms of reference, notice of commencement of environmental assessment, and notice of submission of final environmental assessment), and follows up with Aboriginal Communities to confirm receipt if acknowledgement is not received (and maintains a record of these communications);	Consultation Progress Reports – Rounds 1, 2, and 3 Record of Engagement and Consultation
	i. Requests confirmation of receipt of draft terms of reference and environmental assessment documents, and follows up with Aboriginal Communities to confirm receipt if acknowledgement is not received (and maintains a record of these communications).	Record of Engagement and Consultation
	2. Undertaking Consultation Activities, including Issues Resolution and Follow-Up	Section 2.2.2.2
	a. Works with MECP and ENDM to coordinate consultation activities and identify appropriate times for Ontario participation in Proponent-led activities, with the goals of ensuring meaningful consultation and to avoid duplication of effort by Aboriginal Communities, the Proponent, and Ontario (e.g., coordination through bi-weekly calls);	Section 2 Record of Engagement and Consultation
	b. Leads the procedural aspects of consultation activities throughout the environmental assessment process to:	
	i. Provide Aboriginal Communities with information about the Project;	Section 2.2.2
	ii. Explain the role the Proponent will have in consultation related to the Duty and Statutory Consultation;	Section 1.2 Section 2.2.2.1
	iii. Identify concerns Aboriginal Communities may have about potential adverse impacts the Project may have on Aboriginal or treaty rights, including inviting Aboriginal Communities to share Indigenous Knowledge or information about traditional land use that may be impacted by the Project;	Section 2.4.5 Section 4 in Consultation Progress Report – Round 1, Round 2 and Round 3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	iv. Seek input on measures to avoid, mitigate, or offset potential impacts; and	Section 2.4.4.3
	v. Provide opportunity for Aboriginal Communities to discuss changes to project design, monitoring and adaptive management plans;	Section 2.4.4.3
	c. Prepares materials in plain language and arranges for translation, if required, sets up meetings with Aboriginal Communities, arranges logistics for Proponent-led activities;	Section 2 Record of Engagement and Consultation
	d. Provides funding for logistics for Proponent-led consultation activities (meeting spaces, hospitality, including costs associated with translation, document printing and distribution);	Section 1.2.5 Section 2.4.2
	e. Refers any concerns raised by Aboriginal Communities with respect to the regulatory approvals process, timing of review of documents, meeting delays which may impact scheduling, etc. to Ontario;	Section 2.4.4 Section 2.4.5
	f. Refers any requests for financial or other support, including capacity funding, received from Aboriginal Communities to Ontario;	
	g. Works with Aboriginal Communities to resolve issues and address concerns raised throughout the process, including:	Section 2.2.2.2 Section 2.7
	i. Providing additional information about the Project and discuss how any changes to the Project could address potential impacts to rights (e.g., changes to project design to avoid impacts, mitigation strategies, monitoring, adaptive management plans); and	Section 2 Consultation Progress Reports – Round 1, 2 and 3
	ii. Following up with Aboriginal Communities on issues related to project impacts and documents how issues were addressed during all phases of the environmental assessment process;	Record of Engagement and Consultation
	h. Refers questions, comment or concerns raised by Aboriginal communities to Ontario that may be out of scope of the Proponent, the Project or the environmental assessment;	
	i. Integrates Indigenous Knowledge, and land use studies received from Aboriginal Communities into environmental assessment documentation, as appropriate, and documents how information was incorporated in the Record of Consultation;	Section 2.4.2 Section 5.2.1 Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3 Sections 8.1.2 and 8.1.4 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4 Sections 14.1.2 and 14.1.3 Sections 15.1.2 and 15.1.3 Sections 16.1.2 and 16.1.3 Sections 17.1.2 and 17.1.3 Sections 19.1.2 and 19.1.3 Sections 20.1.2 and 20.1.13 Record of Engagement and Consultation



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	j. Advises Ontario within a month of receipt of:	
	i. Any actual, potential or asserted adverse impact of the Project on established or asserted Aboriginal or treaty rights, whether Webequie First Nation becomes aware of such impact or assertion through its consultation activities or otherwise;	Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
	ii. Any notice or statement by any Aboriginal Community that some or all of its Aboriginal or treaty rights concerns in connection with the Project have been resolved, how they have been addressed and whether the Aboriginal Community is supportive of the Project; and	
	iii. Any questions, comments or concerns raised by Aboriginal Communities that fall outside the scope of the Project and the environmental assessment.	
	3. Record Keeping	
	a. Works with Ontario to develop common templates to record consultation that meets both Statutory Consultation and Duty obligations;	Consultation Progress Reports – Rounds 1, 2, and 3
	b. Submits monthly consultation reports to Ontario (using template);	Consultation Progress Reports – Rounds 1, 2, and 3
	c. Keeps detailed and organized records of all consultation activities (e.g., meetings, calls, correspondence) and analyzes input received from Aboriginal Communities using common template;	Record of Engagement and Consultation
	d. Integrates Indigenous Knowledge, and land use studies received from Aboriginal Communities into environmental assessment documentation, as appropriate, and documents how information was incorporated in the Record of Consultation;	Section 2.4.2 Section 5.2.1 Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3 Sections 8.1.2 and 8.1.4 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4 Sections 14.1.2 and 14.1.3 Sections 15.1.2 and 15.1.3 Sections 16.1.2 and 16.1.3 Sections 17.1.2 and 17.1.3 Sections 19.1.2 and 19.1.3 Sections 20.1.2 and 20.1.13 Record of Engagement and Consultation
	e. Prepares and submits record of consultations for the terms of reference and environmental assessment to Ontario, including detailed records of correspondence, meetings, receipt of notices, etc., issues raised and how they were resolved or addressed. Includes primary records as appendices to the records of consultation.	Consultation Progress Reports – Rounds 1, 2, and 3 Record of Engagement and Consultation



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
10.2	Indigenous Communities and Stakeholder Identification	
10.2.1	Identification of Indigenous Communities	
	In coordination with other provincial government agencies, Ontario (MECP) identified a list of twenty-two (22) potentially affected Indigenous communities that are to be consulted by the Webequie Project Team as part of its project planning. These communities were identified by Ontario, as per direction provided in the letter from MECP to the Webequie First Nation on December 19, 2018, as potentially having their rights and/or interests affected by the Project. Sixteen (16) of these Indigenous communities may be affected by the Project, whereas, the other six (6) Indigenous communities may have potential interest in the Project. For the purposes of the Terms of Reference, all twenty-two (22) communities will be referred to as potentially affected. The full list of communities is presented in Table 10-1 (in the ToR).	Section 2.3.1
	The list provided by MECP reflects the Crown's understanding of communities whose established or asserted Aboriginal and/or treaty rights may be adversely affected by the Project and/or may have interests in the Project. The list is subject to change as new information becomes available throughout the environmental assessment process. The distinction between potentially affected communities and communities that may have interests will be reflected in the depth and frequency of consultation with the Indigenous communities identified. Communities deemed to be potentially impacted will be engaged more frequently, and in more depth, than those determined only to have interests. WFN would be open to engage interested communities should they wish to engage more frequently.	Section 2.3.1 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
	WFN further reviewed the lists of identified communities and assessed them based on the following criteria:	
	<ul style="list-style-type: none"> ▪ Geographically closer to the project area than others; 	Section 2.3.1
	<ul style="list-style-type: none"> ▪ Known to have traditionally used some of the potentially affected lands in the past, or currently; 	
	<ul style="list-style-type: none"> ▪ Downstream of the Project and may experience impacts as a result of effects to waterways; 	
	<ul style="list-style-type: none"> ▪ Considered to have closer familial/clan connections to the members of the Webequie First Nation; and/or 	
	<ul style="list-style-type: none"> ▪ Have been involved in all-season road planning in the Region, either directly with the Webequie First Nation, or in consideration of all-season road planning that the Webequie First Nation has been involved with in recent years. 	
	Based on these factors, the Indigenous communities to be offered the deepest or intensive engagement/consultation, include:	
	<ul style="list-style-type: none"> ▪ Webequie First Nation 	Section 2.3.1
	<ul style="list-style-type: none"> ▪ Marten Falls First Nation 	
	<ul style="list-style-type: none"> ▪ Kasabonika First Nation 	
	<ul style="list-style-type: none"> ▪ Attawapiskat First Nation 	
	<ul style="list-style-type: none"> ▪ Nibinamik First Nation 	
	<ul style="list-style-type: none"> ▪ Neskantaga First Nation 	
	<ul style="list-style-type: none"> ▪ Weenusk (Peawanuck) First Nation 	
	<ul style="list-style-type: none"> ▪ Eabametoong First Nation 	
	In addition to receiving all statutory notices, these communities will be provided comprehensive project information on a regular basis and full opportunity to review and comment on those materials, as well as face-to-face engagement/consultation (e.g., meetings).	Section 2.6



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	The remaining Indigenous communities will also receive all statutory notices, will be provided comprehensive project information on a regular basis and full opportunity to review and comment on those materials, and will be offered direct face-to-face engagement/consultation (e.g., meetings), but on a less frequent basis than the communities listed above. Those communities include:	
	▪ Aroland First Nation	Section 2.3.1
	▪ Constance Lake First Nation	
	▪ Fort Albany First Nation	
	▪ Kashechewan First Nation	
	▪ Kitchenuhmaykoosib Inninuwug	
	▪ Kingfisher Lake First Nation	
	▪ Wapekeka First Nation	
	▪ Wawakapewin First Nation	
	▪ Wunnumin Lake First Nation	
	▪ Ginoogaming First Nation	
	▪ Long Lake #58 First Nation	
	▪ Mishkeegogamang First Nation	
	▪ Métis Nation of Ontario – Region 2	
	▪ North Caribou Lake First Nation	
10.2.2	Government Agencies	
10.2.2.1	Government Review Team	
	Based on the project components and potential project effects, it is expected that the following provincial and federal ministries and agencies will participate in the EA at some level, including as members of the Government Review Team (GRT) (refer to Section 10.2.4.1 for information on engagement with and the role of the GRT during the EA phase). The listing is also based on inclusions suggested by the Ministry of the Environment, Conservation and Parks and the Impact Assessment Agency of Canada.	Section 2.3.2.1
	Ontario Government	
	▪ Ministry of Energy, Northern Development and Mines	Section 2.3.2.1 *Currently Ministry of Energy and Mines; Ministry of Northern Economic Development and Growth; Ministry of Natural Resources; Ministry of Indigenous Affairs and First Nations Economic Reconciliation; Ministry of Tourism, Culture and Gaming; and Ministry of Citizenship and Multiculturalism
	▪ Ministry of the Environment, Conservation and Parks	
	▪ Ministry of Natural Resources and Forestry	
	▪ Ministry of Transportation	
	▪ Ministry of Indigenous Affairs	
	▪ Ministry of Education	
	▪ Ministry of Community Safety and Correctional Services	
	▪ Ministry of Economic Development, Job Creation and Trade	
	▪ Ministry of Municipal Affairs and Housing	
	▪ Ontario Ministry of Heritage, Sport, Tourism and Culture Industries	
	▪ Ontario Provincial Police	



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	Government of Canada <ul style="list-style-type: none"> ▪ Impact Assessment Agency of Canada ▪ Environment and Climate Change Canada ▪ Fisheries and Oceans Canada ▪ Crown-Indigenous Relations and Northern Affairs Canada ▪ Indigenous Services Canada ▪ Transport Canada 	Section 2.3.2.1
	In addition to the broader GRT, an EA Coordination Team has been established to coordinate the requirements of the provincial and federal EA processes as efficiently as possible. The EA Coordination Team is comprised of the following provincial and federal agencies: <ul style="list-style-type: none"> ▪ Ministry of Energy, Northern Development and Mines ▪ Ministry of the Environment, Conservation and Parks ▪ Ministry of Natural Resources and Forestry ▪ Ministry of Transportation ▪ Impact Assessment Agency of Canada 	Section 2.3.1
	The mandate of the EA Coordination Team is to meet with the Webequie Supply Road Project Team on a regular basis, in a forum where team members can exchange information, including providing each other with updates on the EA process; explore issues and collectively try to resolve them; work on coordinating the EAs and keep the processes moving forward in lockstep to the greatest possible extent; and seek feedback on Indigenous and public and stakeholder consultation. EA Coordination Team meetings occur regularly via teleconference and/or in Thunder Bay, and will continue throughout the EA process. The EA Coordination Team may invite other GRT members to its meetings as needs and opportunities arise.	Section 2.3.1
10.2.2.2	Municipalities	
	Municipalities to be included in the consultation program were identified based on their proximity to the proposed all-season road corridor, and include: <ul style="list-style-type: none"> ▪ City of Thunder Bay ▪ Municipality of Greenstone ▪ Township of Pickle Lake ▪ City of Timmins ▪ Municipality of Sioux Lookout 	Section 2.3.2
10.2.3	Public and Stakeholders	
	Interested and/or affected stakeholders, including non-governmental organizations, were identified based on the following interests: <ul style="list-style-type: none"> ▪ Members of the public; ▪ Crown land tenure and claim holders within the mineralized zone in the McFaulds Lake area; ▪ Environmental interest groups; ▪ Community based organizations; and ▪ Recreational and eco-tourism businesses. 	Section 2.3.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	The full engagement and consultation Contact List developed to date for Indigenous Communities, government agencies and stakeholders is included in the Terms of Reference Consultation Plan developed in consultation with MECP (available for viewing on the Project Website: www.supplyroad.ca).	Section 2.5.1.4
10.3	Terms of Reference Engagement and Consultation Results	
10.3.1	Activities and Key Comments and Concerns Expressed by Indigenous Groups/Community Members to Date	Section 2 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
	Table 10-2 (in the ToR) provides a description of consultation and engagement activities conducted with potentially affected Indigenous groups and communities to date. In addition to these activities, the Project Website has been created (www.supplyroad.ca). The website includes key project documents and information, including the Notice of Commencement of the Environmental Assessment Terms of Reference, and presentation and other project materials that describe the study. As consultation activities occur, the Project Website will have updated project information and recordings of meetings with Indigenous communities.	Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
	Table 10-3 (in the ToR) provides a summary of comments compiled during the course of engagement conducted for the Webequie Supply Road Project to date. The table presents comments by theme, indicating Indigenous community/group that provided comments during meetings and in the comments on the Draft ToR.	Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
10.3.2	Government Review Team and Municipal Involvement to Date	
	A summary of activities conducted with the GRT, and government ministry and agency involvement to date, is presented in Table 10-4 (in the ToR).	Section 2.5
10.3.3	Public and Stakeholder Involvement to Date	Section 2.5
	Table 10.5 (in the ToR) presents the comments received at the Public Information Centre in Thunder Bay.	
	In response to concerns: about the road and how it could improve access to fishing areas; whether fish would still be edible once the road is constructed; about the road going over sensitive spawning grounds, Project Team member indicated that fish would still be edible during and after construction and that there will be multiple mitigation measures in place to ensure that no sediment or other contaminants enter any lake, river, stream or wetland. Project Team member indicated that the access to good fishing areas is a community issue and suggested that they need to adhere to catch limits and seasons for various species to avoid disturbing fish during spawning. Project Team member asked if the community has known sensitive spawning areas, which was confirmed; it was suggested that this information be provided on a map as this will be helpful for the EA.	Confidential Information provided through Webequie First Nation Indigenous Knowledge Land and Resource Use (IKLRU) Study
10.4	Engagement and Consultation Activities During the EA Study	
	The engagement and consultation approach and mechanisms established for the ToR phase will continue through the EA study. Additionally, any feedback received from Indigenous communities, the GRT, municipalities, stakeholders and the public during the ToR phase regarding the consultation approach and mechanism will be taken into account and the appropriate adjustments made.	Section 2.4.4
	Throughout the EA study, there will be a number of milestones that the Webequie Project Team will meet in order for the EA to progress towards successful completion. These include:	
	<ul style="list-style-type: none"> ▪ Commencement of EA study following ministerial approval of the Terms of Reference; 	Section 2.4.3
	<ul style="list-style-type: none"> ▪ Further development and identification of alternative methods for implementing the Project and criteria for evaluating alternatives; 	Section 2.4.4.2



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> Evaluation of alternatives and identification of preferred alternative; 	Section 2.4.4.2
	<ul style="list-style-type: none"> Submission of Draft EAR/IS; and 	Section 2.4
	<ul style="list-style-type: none"> Submission of Final EAR/IS. 	Section 2.4
10.4.1	EA Engagement and Consultation with Indigenous Communities	
	A variety of activities and materials will be used to provide information and receive input from Indigenous communities during the EA phase. Table 10-6 (in the ToR) outlines the mechanisms, activities and events that are planned for various stages throughout the EA study and will be used at milestone points to ensure optimal engagement with Indigenous communities.	Section 2.4.3 Section 2.4.4 Section 2.6 Consultation Progress Reports – Round 1, 2 and 3 Cumulative Effects Assessment Consultation Report Record of Engagement and Consultation
	When visiting Indigenous communities, the Project Team will respect the protocols and procedures of Indigenous communities. Activities and mechanisms will be tailored for specific Indigenous communities based on their consultation protocols and procedures.	Section 2.4.1.2 Section 2.4.2 Section 2.4.5 Consultation Progress Reports – Round 1, 2 and 3 Cumulative Effects Assessment Consultation Report
10.4.1.1	How Indigenous Knowledge will be Gathered and Used	
	EA engagement and consultation activities will include the gathering of Indigenous Knowledge information. The Webequie Project Team acknowledges that Indigenous communities have been documenting Indigenous Knowledge for years within the project area. The Webequie Project Team will collect existing Indigenous Knowledge that is specific to the Supply Road project area. It is also acknowledged that, despite the extensive amount of existing Indigenous Knowledge available, there may be information gaps that necessitate additional, site-specific data collection.	Section 2.4
	Indigenous Knowledge is considered to be a holistic body of knowledge containing information and records collected by Indigenous communities on places and things that are considered to be of cultural, spiritual, historical and community significance to its members. Much of this knowledge may have been passed on from generation to generation. Each community will have its own approach to collecting, recording, sharing and using this knowledge. Where possible, WFN will acknowledge and respect the sensitive and confidential nature of Indigenous Knowledge collection and its use.	Section 2.4.2 Section 19
	WFN intends to use Indigenous Knowledge and other information received from community members for the Project to assist with several key elements of the EA process, including:	
	<ul style="list-style-type: none"> Assessing existing Indigenous Knowledge information in relation to the road project and to understand additional work that may be required; 	Section 2.4.2
	<ul style="list-style-type: none"> Incorporating Indigenous Knowledge currently available to establish a baseline to monitor change going forward; 	
	<ul style="list-style-type: none"> Evaluating alternatives and assessing potential impacts of the Project (e.g., criteria and indicators of relevance to Indigenous communities for all environmental components); and 	



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<ul style="list-style-type: none"> ▪ Developing environmental mitigation, protection and compensation measures, and monitoring commitments and accommodation measures, where necessary. 	
10.4.2	Government Agency, Public and Stakeholder Engagement and Consultation	
	The following sections provide a plan for engaging and consulting government agencies and non-Indigenous communities and stakeholders, based on EA study milestones similar to those for Indigenous communities.	Section 2.5
10.4.2.1	Government Review Team	
	A data sharing agreement has been made between the Webequie Supply Road Project Team and the Crown. This reciprocal agreement ensures that the Crown will provide relevant data where possible and, conversely and where permissible, the data collected during the course of the Project will be shared among organizations.	Section 2.1
	At the outset of the EA study, information request letters and project notification letters will be sent to the agencies on the Government Review Team (GRT) list. These letters will provide a brief overview of the work to be conducted during the EA phase, including upcoming baseline studies, as well as requesting any required or useful information through their technical representative. At subsequent EA milestone points, the Webequie Project Team will provide information to and request input from the GRT. The agencies on the GRT will receive project status reports, opportunities to comment on studies to be conducted (including, as appropriate, study work plans), evaluation criteria, the development and evaluation of alternatives, notices of upcoming consultation events (refer to open house session approach in Section 10.4.2.3), and the opportunity to contribute to the review of the Draft and Final EAR/IS.	Section 2.3.2 Section 2.5 Section 2.6
10.4.2.2	Municipalities	
	Municipalities will be notified at the EA milestones and will be invited to open house sessions being held in the City of Thunder Bay (refer to Section 10.4.2.3 for open house approach). While the Municipality of Greenstone, Township of Pickle Lake, City of Timmins and Municipality of Sioux Lookout will be included within the consultation program due to their location and interested stakeholders, public information sessions will not be held at these locations. Instead, any public information sessions will be held in the City of Thunder Bay, as this is the most central location to the Webequie First Nation and, therefore, the likely all-season road corridor. The Webequie Project Team will consider requests for additional open houses in other locations.	Section 2.5
10.4.2.3	Public and Stakeholders	
	All identified affected and/or interested stakeholders and members of the public will be notified at the EA study milestones. The public and stakeholders will have the opportunity to attend two (2) open house sessions that will be held in the City of Thunder Bay, focusing on:	Section 2.5
	1) Development and evaluation of alternatives; and	
	2) Presentation of the preferred alternative and associated environmental mitigation, protection and compensation proposals developed to date.	
	It is proposed that the dates for the government/public open house sessions coincide with those for the off-reserve Indigenous community members, with late afternoon/early evening slots allocated to government (GRT/municipalities/elected representatives), the public and stakeholder groups, and later evening slot allocated to off-reserve Indigenous community members.	Section 3.8 in Consultation Progress Reports – Rounds 1, 2, and 3
	The open houses will include display materials containing information on the project background, the EA study process, known existing project area environmental conditions, the results of studies that have been conducted; the development and evaluation of alternatives, including the rationale for evaluation criteria; the project schedule; and the results of the consultation program. The Webequie Project Team will be available to receive and respond to questions and have an open dialogue regarding the EA process. Written comments may be prepared and left at the open house venue or sent to the Project Team within a specified period following the event.	Section 2.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	The public and stakeholders will be notified regarding the commencement of the EA and submission of the Draft and Final EAR/IS. The EAR/IS will be available for review on the Project Website, and at municipal offices or nearby public libraries in:	Section 2.5
	<ul style="list-style-type: none"> ▪ City of Thunder Bay 	Section 2.5.1
	<ul style="list-style-type: none"> ▪ Municipality of Greenstone 	
	<ul style="list-style-type: none"> ▪ Township of Pickle Lake 	
	<ul style="list-style-type: none"> ▪ City of Timmins 	
	<ul style="list-style-type: none"> ▪ Municipality of Sioux Lookout 	
	Table 10-7 (in the ToR) outlines the methods of engagement with the GRT, municipalities, elected representatives, the public and stakeholder groups described above.	Section 2.5
10.4.3	Schedule of Consultation Activities	
	<p>Table 10-8 (in the ToR) outlines the EA milestones, the associated consultation activity and proposed timeframe. It should be noted that this schedule is subject to change based on actual study progress and the availability of Indigenous communities to meet with the Project Team and challenges related to the current COVID-19 pandemic crisis.</p> <p>ToR Amendments – 2. Table 10-8 and Cumulative Effects</p> <p>Table 10-8: EA Consultation Milestones is amended by adding the following to the list of outcomes for each consultation activity: “Input into the cumulative effects assessment, including methods, results and impact management measures.”</p>	Section 2.3.3 Section 2.4.4 Consultation Progress Reports – Round 1, 2 and 3 Cumulative Effects Assessment Consultation Report Record of Engagement and Consultation
ToR Amendments – 3. Consultation Reporting at Key EA Milestones	<p>To support Indigenous communities to provide meaningful input during the development of the EA at each key milestone, Section 10.4.3 - Schedule of Consultation activities and Table 10-8 are amended to include the following:</p> <p>3.1. Preparing progress reports:</p> <p>WFN will prepare a written progress report on the consultation activities associated with each of the following EA milestones:</p> <ul style="list-style-type: none"> ▪ Notice of Commencement of EA; ▪ Baseline Data Collection, Identification of Alternatives; and ▪ Evaluation of Alternatives and Preliminary Effects Assessment. <p>Each progress report will:</p> <ul style="list-style-type: none"> ▪ Be organized by each Indigenous community; ▪ Contain a consultation log and summary that tracks consultation activities, information shared by WFN with the community, any community input and WFN's responses to such input for the EA milestone; and ▪ Contain a discussion of how any input and information provided by the Indigenous communities have informed the development of the EA milestone. 	Section 2.4.3 Consultation Progress Reports – Rounds 1, 2, and 3
	<p>3.2. Distributing progress reports:</p> <p>As soon as practicable after WFN has reached each EA milestone set out above and prepared the progress report associated with that milestone, WFN will:</p> <ul style="list-style-type: none"> ▪ Provide the relevant progress report to MECP; and ▪ Provide each Indigenous community with a copy of the community-specific portion of the progress report that relates to that community. 	Section 2.4.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
	<p>3.3. <u>Proceeding to the next EA milestone:</u> Once the requirements in sections 3.1 and 3.2 have been completed for a milestone, WFN will determine when to move to the next milestone.</p>	Section 2.4.4
	<p>3.4. <u>Responding to questions or concerns:</u> In a timely manner, WFN will respond to any questions or concerns raised by MECF or an Indigenous community in response to the progress reports distributed under section 3.2, including making any revisions to the progress reports as WFN considers appropriate.</p>	Section 2.4.4 Section 2.4.5 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
	<p>3.5. <u>Records of consultation:</u> WFN will append the final progress reports, with any relevant updates made in response to feedback received under section 3.4, as part of the records of consultation that are submitted with the draft EA and final EA.</p>	Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
10.5	Record of Consultation	
	The EA study will maintain and augment the Record of Consultation developed during the Terms of Reference phase of the Project.	Record of Engagement and Consultation
	The Record of Consultation is a self-standing document that supports the EA study. It will document all Indigenous, government, stakeholder and public and communication and engagement activities undertaken, and it will include all concerns and issues that are raised during the EA study, and any responses, resolutions, agreements and commitments. However, where comments influence the preferred alternative or commitments to mitigation and monitoring/reporting, they will be addressed in relevant sections of the EAR/IS. Other comments relating to the project will be addressed in the Consultation Section of the EAR/IS and the Record of Consultation, summarizing the comments and the responses provided.	Record of Engagement and Consultation
	The consultation log will be updated to reflect each communication and engagement/consultation activity. A copy of the aggregate consultation record of all communication activities will be provided to regulators as required by the regulator and each Indigenous community will be provided with a copy of the Record of Consultation pertaining to that community, concurrent with the submission to regulators. The consultation database includes the following information relating to each engagement and consultation event or activity:	Record of Engagement and Consultation
	<ul style="list-style-type: none"> ▪ Date on which the communication, event or activity occurred; 	-
	<ul style="list-style-type: none"> ▪ Method of communication (e.g., letter, email, phone call, face-to-face); 	-
	<ul style="list-style-type: none"> ▪ Identification of initiator and recipient of communication or, in the case of a meeting, organizer and participants attending the meeting; 	-
	<ul style="list-style-type: none"> ▪ Copy of or link to communication in the case of written communication, as well as copy of/or link to any other relevant documentation provided or generated as part of the communication, including all information provided to fulfill regulatory requirements, notices for community meetings, and draft versions of all materials prepared for the EA; 	-
	<ul style="list-style-type: none"> ▪ Summary of communication or, in the case of a meeting, meeting notes; and 	-
	<ul style="list-style-type: none"> ▪ Identification of issues raised or discussed and any follow-up action or undertaking and status of the issue (e.g., outstanding, addressed/resolved). 	-



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
11	Flexibility to Accommodate New Circumstances	–
	The Project, as described within this ToR, is based upon a conceptual level of design information, and does not represent the final design, location and scope of the proposed undertaking. Therefore, the proposed project presented in this ToR by WFN should be viewed as a preliminary description, which is subject to change as the Project evolves during preparation of the EA, based on the results of ongoing engineering design, the results of baseline characterization and effects assessment, and the results of engagement/consultation with Indigenous communities, government ministries and agencies, the public, stakeholders and other affected and interested parties. These factors could result in the alteration of technically and economically feasible alternative methods of carrying out the Project, including the alignment of the road corridor identified during the ToR phase, before the proposed or final undertaking (i.e., the Project) is confirmed and presented in the EAR/IS.	–
	In accordance with subsection 6.1(1) of the EA Act, WFN recognizes that the EA and the associated EAR/IS must be conducted/prepared in accordance with the approved ToR. Notwithstanding, WFN is aware that unforeseen circumstances may arise that could prevent the commitments in the ToR from being met. As such, flexibility has been incorporated into this ToR, where appropriate, to accommodate new circumstances or issues/concerns that may arise as the EA progresses and the design advances for the Project. In this regard, it is understood that certain aspects of the ToR may be adjusted without the need to re-start the provincial EA process. For this reason, the ToR has not committed to the precise route or alignment for the 35 m wide all-season road corridor within the preferred 2 km wide corridor.	–
	For the purposes of preparing this ToR, flexibility is defined to include a minor variation or modification to the ToR itself, such as a change in engagement methods with Indigenous communities, baseline environment characterization methods, effects assessment methods, and refinements to the study area(s) or environmental factors, criteria and indicators to measure change (i.e., environmental components valued by WFN and other Indigenous communities). For example, through engagement with Indigenous communities and participating regulatory bodies during the EA, it may be necessary, advisable or beneficial to change the local or regional study area boundaries for collection of additional Indigenous Knowledge or scientific data. Therefore, to provide flexibility, the ToR has not established detailed existing conditions or a full suite of potential environmental effects, as these will be determined during the EA process and presented in the EAR/IS.	–
	Any proposed minor modifications to the ToR will be discussed with MECF prior to proceeding with the change.	–
11.1	Dispute Resolution Strategy	
	Consultation and engagement with Indigenous communities and federal/provincial ministries and agencies is expected to be ongoing throughout the EA and into the implementation phase for the Project. All comments and input received from Indigenous communities, the public, government ministries and agencies and stakeholders will be documented in a summary table and included in the EAR/IS and in the detailed stand-alone Record of Consultation. The summary table will provide a response to each issue and how the issue was addressed. Where resolution of issues has not been possible, this will be noted, along with a record of all attempts to resolve the issue. The EAR/IS will also include a consultation summary and a record of comments received, and how WFN proposes to reasonably address any issues raised, including any agreement on the approach on how to address the issue.	Section 2.5.2 Consultation Progress Report – Round 1 Consultation Progress Report – Round 2 Consultation Progress Report – Round 3
	Webequie First Nation will develop a detailed issues resolution strategy during the EA. The consultation and engagement with other Indigenous communities is intended to be an open and respectful process, which offers a means to resolve issues and disputes concerning the EA. Where there are disputes and/or issues that cannot be resolved through discussions, Webequie First Nation would like to maintain its traditional approach to resolving potential disputes as the first step in the process. This traditional approach will involve establishing a community representatives' group, including elders, youth, women and others (to be determined by the community on a case-by-case basis) to share perspectives, understand the issue(s) identified, engage in respectful dialogue and recommend appropriate options. If no resolution can be made, then a conventional dispute resolution process will be used.	Section 2.2.2.2 Section 2.4.5 Section 2.6 Section 2.7



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
12	Other Permits and Approvals	
	WFN will need to apply for and obtain a number of provincial and federal permits, licences, approvals, authorizations and other forms of clearance prior to the commencement of the Project construction phase. WFN and the authorities having jurisdiction will make efforts to discuss applicable permits/approvals with potentially affected Indigenous communities and other affected parties through the EA process. Depending on the status of consultation efforts through the EA process, additional consultation on permits and approvals may be required following completion of the EA. A summary of these potential permits and approvals is presented in Sections 2.1.4 and 2.1.5 of this ToR and is based on the current concept for the Project. This preliminary list of permits/approvals is not exhaustive and will be refined as the project design is further advanced through the EA, with input provided by applicable authorities.	Section 1.4.4 Section 1.4.5
Appendix F Table F-1	Indigenous Community/Group – Aroland First Nation	
Appendix F Table F-1 AFN-1	Concerns related to the potential impacts of the Project that would result from additional road connections and mining developments in the region will be addressed as part of the cumulative effects assessment.	Section 21.3.4
Appendix F Table F-1 AFN-5	As part of the cumulative effects assessment, the EA will recognize and include an all-season road connection to the provincial highway system, as well as mining and other future developments in the region that may be reasonably expected to occur and interact with the WSR.	Section 21.3.4
Appendix F Table F-1 AFN-8	As part of the cumulative effects assessment, the EA will recognize and include an all-season road connection to the provincial highway system, as well as mining and other future developments in the region that may be reasonably expected to occur and interact with the WSR.	Section 21.3.4
Appendix F Table F-1 AFN-9	As part of the cumulative effects assessment, the EA will recognize and include an all-season road connection to the provincial highway system, as well as mining and other future developments in the region that may be reasonably expected to occur and interact with the WSR.	Section 21.3.4
Appendix F Table F-1 AFN-11	As part of the cumulative effects assessment, the EA will recognize and include an all-season road connection to the provincial highway system, as well as mining and other future developments in the region that may be reasonably expected to occur and interact with the WSR.	Section 21.3.4
Appendix F Table F-1 AFN-12	As part of the cumulative effects assessment, the EA will recognize and include an all-season road connection to the provincial highway system, as well as mining and other future developments in the region that may be reasonably expected to occur and interact with the WSR.	Section 21.3.4
Appendix F Table F-1 AFN-13	Terrain mapping and geotechnical assessment will be conducted during the EA phase.	Appendix A in Appendix D-1
Appendix F Table F-1 AFN-14	A work plan for cumulative effects assessment will be developed at the outset of the EA.	
Appendix F Table F-1 AFN-16	Aroland First Nation will be included in the assessment of project impacts and cumulative impacts.	Section 2.3.1 Included in relevant sections (Sections 14, 15, 16, 19, 21)



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-1 AFN-17	A full range of direct and indirect impacts of the WSR will be assessed in the EA. The WSR Project Team encourages Aroland First Nation to engage and discuss potential direct and indirect impacts.	Section 2.4 Section 2.5 Section 2.7 Consultation Progress Reports – Rounds 1, 2, and 3 Record of engagement and Consultation
Appendix F Table F-1 AFN-18	Aroland First Nation will be included in the assessment of project impacts and cumulative impacts.	Section 2.3.1 Included in relevant sections (Sections 14, 15, 16, 19, 21)
Appendix F Table F-1 AFN-20	The cumulative effects assessment will include Noront Eagle’s Nest Mine as a “reasonably foreseeable” project	Section 21.3.4
Appendix F Table F-4	Indigenous Community/Group – Mushkegowuk Council	
Appendix F Table F-4 MUC-4	The specific traffic mix (%) of heavy vehicles (e.g., trucks) versus light vehicles will be further examined in the EA. The current ToR provides the basis for designing the road. It is acknowledged that, given the soil and terrain in the James Bay Lowlands, caribou and other large mammals will likely have to cross the proposed supply road. The potential for related adverse effects and measures for reducing such potential will be examined during the EA phase. To date, baseline studies to inform this assessment have included winter aerial surveys to determine location and movement, and summer calving surveys in the vicinity of the preliminary preferred road corridor (refer to Section 6.2.3). Additional investigations will include an analysis of projected animal crossing locations and a determination of the most appropriate means of reducing the potential for animal-vehicle collisions.	Section 4.2.1 Section 13.2.1.1 Section 13.4 Section 11.2 in Appendix F
Appendix F Table F-5 MUC-5	Related study results will be included in the EA documentation for review by Indigenous communities as part of the draft and final Environmental Assessment Report/Impact Statement. Input from those reviews will help inform Detail Design of the supply road, as appropriate. Mitigation, environmental protection planning and pre-construction/construction/operations phase monitoring requirements and initiatives (including water quality and fish community monitoring) and prospective participants will be identified as part of the EA.	Section 6.2.2 Section 7.2.2 Section 8.2.2 Section 9.2.2 Section 10.2.2 Section 11.2.2 Section 12.2.2 Section 13.2.2 Section 14.2.2 Section 15.2.2 Section 16.2.2 Section 17.2.2 Section 18.2.2 Section 19.2.2 Section 20.2.2 Sections 4.3, 5.3, 6.3, 7.3, 8.3, 9.3, 10.3, 11.3 in Appendix F Section 2.5 in Appendix G



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
		Section 2.5 in Appendix H Section 4 in Appendix J Sections 4 to 8 in Appendix L Section 5 in Appendix O Section 5 in Appendix R Section 4 in Appendix S
Appendix F Table F-5 MUC-6	Engagement with individual First Nation communities and groups, including land users and regulators, with respect to construction is an important aspect of EA engagement. Consideration of how engagement is conducted during the construction phase is to be determined.	Section 2.4 Section 2.5 Section 2.6 Section 2.7 Consultation Progress Reports – Rounds 1, 2, 3 and 3 Record of Engagement and Consultation
Appendix F Table F-5 MUC-8	The EA will provide further rationale as to the purpose for the Project.	Section 1.3.2
Appendix F Table F-5 MUC-9	The ToR includes an assessment of alternatives to the Undertaking, including the Do nothing option. Both Section 5.1.1.6 and Section 5.6 commit to carrying the Do nothing alternative forward as a comparator in the EA study for the purposes of assessing the overall advantages and disadvantages of proceeding with the preferred method of implementing the Project. Throughout the Terms of Reference and EA, WFN is committed to engaging with potentially affected Mushkegowuk First Nation communities (initially identified as Attawapiskat First Nation, Fort Albany First Nation and Kashechewan First Nation – refer also to Response MUC-3). This process is ongoing as we seek to meet with each individual FN community at their availability.	Section 3.1.2 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
Appendix F Table F-5 MUC-10	Potential effects to groundwater quality, flow and quantity as a result of the Project and its interaction with other components such as the aquatic environment or surface water will be examined in the EA.	Section 8.3
Appendix F Table F-5 MUC-11	As part of a cumulative effects assessment, the WSR EA study will include consideration of the Noront mining activities, as well as other existing and future developments in the region that may reasonably be expected to occur and interact with the WSR Project.	Section 21.3.4
Appendix F Table F-5 MUC-18	The comments regarding potential effects to air quality and wildlife related to dust, diesel/gas emissions have been considered and are reflected in the revised Section 7.1.4 and Section 7.1.8 of the ToR. And will be examined in the EA.	Section 9.3.1 Section 12.3.2 Section 12.3.3 Section 12.3.4 Section 12.3.5 Section 12.3.6 Section 12.3.7 Section 12.3.8 Section 12.3.9 Section 12.3.10



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-5 MUC-24	Socio-Economic Indicators have been included in Section 8.3.1 as per comment received and will be carried forward to the EA.	Section 14.1.4 Section 15.1.4
Appendix F Table F-5 MUC-25	Monitoring frameworks and monitoring plans are a critical component of any EA. It is expected that the WSR EA will address and engage on monitoring for all phases of the project.	Section 22.5 Section 22.6 Section 22.7 Appendix K-4
Appendix F Table F-5 MUC-26	WFN will follow-up Mushkegowuk Council to further understand their role and objectives in representing their member communities.	Section 2.4.4 Section 2.4.5 Section 4.2.23.2 in Consultation Progress Report – Round 1 Section 4.2.23.2 in Consultation Progress Report - Round 2 Section 4.1.23.2 in Consultation Progress Report – Round 3 Record of Engagement and Consultation
Appendix F Table F-5	Indigenous Community/Group – Neskantaga First Nation	
Appendix F Table F-5 NFN-4	A Record of Consultation for the ToR phase will be provided as supporting documentation with the final ToR, which will be available for review during the mandatory public review process for the ToR phase.	Section 2.4.4 Section 2.4.5 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
Appendix F Table F-5 NFN-7	The extent to which the project is expected to result in benefits will be discussed through the engagement and consultation process during the EA.	Section 2.4 Section 4.2.1.5 in Consultation Progress Report – Round 1 Consultation Progress Report – Round 2 Consultation Progress Report – Round 3 Record of Engagement and Consultation
Appendix F Table F-5 NFN-8	The ToR has committed in Section 6.5 to the development of work plans for select environmental components at the outset of the EA, which will include preparing a work plan for assessing cumulative effects. The work plan for the cumulative effects assessment will be defined during the EA process through consultation with Indigenous communities, the public, federal/provincial authorities and stakeholders. The Webequie Project Team will consider the request to establish a joint technical working group with Indigenous communities to provide input to the work plan.	Section 2.5.1.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-5 NFN-11	Environmental Baseline Studies will be available at release of the Draft EAR/IS report. Summaries in non-technical language can be provided.	Appendix F Appendix H Appendix J Appendix L Appendix O Appendix Q Appendix R Appendix S
Appendix F Table F-5 NFN-13	A business case for the Project and sources of funding have not been explored in any detail at this stage. Funding sources and the economic viability of the Project will be further explored in subsequent stages of project development. The EA will provide further rationale as to the purpose for the Project.	Section 1.3 Section 4.1.7
Appendix F Table F-5 NFN-14	The preliminary estimated capital cost presented in the ToR is considered an indicative cost estimate for the Webequie Supply Road Project. The preliminary capital cost for the Project will be further examined and refined as part of the EA process.	Section 4.1.7
Appendix F Table F-5 NFN-16	Webequie First Nation understands the interests of Neskantaga First Nation in the territories shared with Webequie. Webequie First Nation also understands there could be potential effects of the WSR on Neskantaga community members. These will be examined in detail in the EA and through EA engagement.	Section 16.2.2.2 Sections 8.2.1.1.1 and 8.2.1.2.5 in Appendix L
Appendix F Table F-5 NFN-18	Webequie First Nation intends to conduct engagement with all Indigenous communities, organizations, groups, etc. that are interested in participating in the EA.	Section 2.3 Section 2.4 Section 2.6 Section 2.7 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
Appendix F Table F-5 NFN-20	WFN will follow up with Neskantaga to discuss their areas of interest and protocols for Webequie to engage and consult with Neskantaga.	Section 4.2.1.5 in Consultation Progress Report – Round 1
Appendix F Table F-8	Indigenous Community/Group – Attawapiskat First Nation	
Appendix F Table F-8 AtFN-2	<p>The EA study will include a cumulative effects assessment, including the significance of net effects from the Project that overlap temporally and spatially with effects from all present and reasonably foreseeable developments and activities. The text on cumulative effects has been expanded through the addition of Section 8.1 to the ToR.</p> <p>The ToR has committed in Section 6.5 to the development of work plans for select environmental components at the outset of the EA, which will include preparing a work plan for assessing cumulative effects. The work plan for the cumulative effects assessment will be defined during the EA process through consultation with Indigenous communities, the public, federal/provincial authorities and stakeholders.</p> <p>The criteria, indicators and evaluation methods will be further developed, refined and finalized during the EA process in consultation with Indigenous communities, government agencies, the public and any other interested persons or groups.</p>	Section 21 Section 2.4.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-8 AtFN-7	We will incorporate Attawapiskat First Nation's Indigenous Knowledge and land and resource uses into the documentation and analysis associated with the other categories, where Attawapiskat is prepared to share Indigenous Knowledge with the Webequie Project Team.	Section 16.2.2.2 Section 8.2.1.2.1 in Appendix L
Appendix F Table F-8 AtFN-9	All roadside ditches will be sized for the 10-year Minor System Design Flow and a minimum 100-year Major System Design Flow in accordance with MTO Drainage Standards. As part of the EA, the effects of climate change on the Project will be examined, including drainage design with respect to the sizing and type of structures at waterbody crossings. The preliminary drainage design criteria for the road have been revised in Section 4.1.1 of the ToR.	Section 4.3.2.1 Section 4.3.2.2
Appendix F Table F-8 AtFN-17	After the Webequie Draft Community Based Land Use Plan is finalized, it will then be shared with adjacent First Nation communities and all interested people and organizations. The joint planning team (Webequie and MNR) will consider all input during the Draft Plan stage and continue work to prepare the Final Plan.	Pending
Appendix F Table F-8 AtFN-18	The Webequie Project Team encourages Attawapiskat First Nation to participate in the WSR engagement process at the earliest possible time. Webequie is prepared to discuss and resolve issues and concerns through the ToR process and during the EA. WFN will follow-up with Attawapiskat to arrange a mutual convenient time for the Webequie Project Team to meet and discuss the comments and concerns raised by Attawapiskat.	Section 2.4.4 Section 4.2.3 in Consultation Progress Report – Round 1, Consultation Progress Report – Round 2, Consultation Progress Report – Round 3
Appendix F Table F-8 AtFN-19	All available information with regard to caribou (i.e., observations, habitat, movement) will be acquired and assessed as part of the EA process.	Section 13.2.2.1.1 Section 13.2.2.1.2 Section 13.2.2.1.3 Sections 11.3.1 and 11.3.2 in Appendix F
Appendix F Table F-8 AtFN-22	Section 8.2 of the ToR now provides greater clarity on the study area definitions. The EA will further define the LSA and RSA boundaries for each environmental factor/criterion (e.g. surface water, fish, wildlife, air, socio-economic, etc.) depending on the nature of likely effects and the geographic extent and characteristics of each factor. The selection of study areas will also consider comments and input received from Indigenous communities, regulatory agencies, the public and stakeholders. Study areas will also be designed to capture the maximum spatial extent of potential effects from the Project including other existing developments and proposed reasonably foreseeable developments as in the case of the cumulative effects assessment (Section 8.1). For example, in some cases, larger or separate study areas will be developed to address select potential environmental and socio-economic features, including but not limited to Caribou (Boreal population) to allow for greater accuracy in the prediction of project effects and development of mitigation measures.	Section 5.2.1.4 Section 6.1.5 Section 7.1.5 Section 8.1.5 Section 9.1.5 Section 10.1.5 Section 11.1.5 Section 12.1.6 Section 13.1.6 Section 14.1.5 Section 15.1.5 Section 16.1.5 Section 17.1.5 Section 18.1.5 Section 19.1.5 Section 20.1.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-8 AtFN-23	A number of data collection methods and tools will be used to inform the EA, which include but are not limited to: aerial surveys (developed with input from MNR and MECP biologists), MNR collaring data, NHIC caribou occurrence data, caribou habitat mapping, Far North Land Cover Data, aerial photography and Indigenous Knowledge.	Section 5 Section 6.2.1 Section 7.2.1 Section 8.2.1 Section 9.2.1 Section 10.2.1 Section 11.2.1 Section 12.2.1 Section 13.2.1 Section 14.2.1 Section 15.2.1 Section 16.2.1 Section 17.2.1 Section 18.2.1 Section 19.2.1 Section 20.2.1
Appendix F Table F-8 AtFN-24	Waterfowl surveys were conducted in spring 2019. The detailed methodology and results of data collected in 2019 will be reported in a separate natural environment baseline report and summarized in the EA Report. Further breeding bird surveys are being contemplated for 2020.	Section 12.2.1.2
Appendix F Table F-8 AtFN-26	As part of the EA, the Webequie Project Team will be seeking input from land users, and Indigenous Knowledge from communities with respect to wildlife, including fish and fish habitat. Benthic invertebrate sampling is being contemplated for the 2020 field season.	Section 2.4.4 Section 2.4.5 Section 10.1.2 Section 10.1.3 Section 10.2.1 Section 12.1.3 Section 12.1.4 Section 12.2.1 Section 13.1.3 Section 13.1.4 Section 13.2.1
Appendix F Table F-8 AtFN-28	During the process of our consultation and engagement with Indigenous communities, the Webequie Project Team will make every effort to acquire local knowledge and use this Indigenous Knowledge to inform socio-economic baseline studies and develop socio-economic monitoring programs.	Section 14.1.3 Section 15.1.3 Appendix L Appendix M
Appendix F Table F-8 AtFN-29	Waterfowl surveys were conducted in the spring of 2019, in addition to a fall survey conducted in October 2017. These surveys augment existing data (Noront Eagle's Nest Project) regarding waterfowl staging and migration for the area. Further studies are being contemplated for the 2020 field season.	Section 12.2.1 Section 13.2.1.2 Sections 10.2 and 11.2.3 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix F Table F-8 AtFN-31	Effects to territories of Indigenous communities will be examined in the EA through the consultation and engagement process, including the assessment any potential effects to Aboriginal and Treaty Rights.	Section 16.3.1 Section 19.3.1 Section 19.5
Appendix F Table F-8 AtFN-34	Section 7 of the ToR has been revised and reorganized to reflect the preliminary potential effects of project activities, including the proposed aggregate extraction and processing areas. The disposal of solid waste or disposal/management of wastewater/sewage from the construction and operation of the Project will be examined in the EA.	Section 4.3.3 Section 4.4 Section 4.6 Section 2, 3, and 5 in Appendix E
Appendix F Table F-8 AtFN-35	The EA study will include a cumulative effects assessment, including the significance of net effects from the Project that overlap temporally and spatially with effects from all present and reasonably foreseeable developments and activities. The text on cumulative effects has been expanded through the addition of Section 8.1 to the ToR. The ToR has committed in Section 6.5 to the development of work plans for select environmental components at the outset of the EA, which will include preparing a work plan for assessing cumulative effects. The work plan for the cumulative effects assessment will be defined during the EA process through consultation with Indigenous communities, the public, federal/provincial authorities and stakeholders.	Section 2.5.1.4 Section 21.4
Appendix F Table F-8 AtFN-36	The criteria, indicators and evaluation methods will be further developed, refined and finalized during the EA process in consultation with Indigenous communities, government agencies, the public and any other interested persons or groups.	Section 2.4.4 Section 2.4.5 Section 2.5
Appendix F Table F-8 AtFN-37	The criteria, indicators and evaluation methods will be further developed, refined and finalized during the EA process in consultation with Indigenous communities, government agencies, the public and any other interested persons or groups.	Section 2.6 Section 2.7
Appendix F Table F-8 AtFN-38	It is the intent of the Webequie Project Team to consult and engage with Indigenous communities on the effects monitoring program and identified mitigation measures that will be developed during the EA process.	Consultation Progress Report – Rounds 1, 2 and 3
Appendix G Table G1	Authority/Agency – Ministry of Heritage, Sport, Tourism and Culture Industries	
Appendix G Table G1 MHSTCI-7	For greater clarity, text has been revised to reflect that the assessment of built heritage resources and cultural heritage landscapes will be documented in Cultural Heritage Assessment Report, including the identification of potential impacts and measures to avoid or mitigate potential negative impacts.	Section 20.2.2 Section 20.3 Section 20.4 Sections 3, 4, 5 and 6 in Appendix S
Appendix G Table G2	Authority/Agency – Ministry of Natural Resources and Forestry	
Appendix G Table G2 MNR-F-8	Prior to dispute resolution, the WSR Project Team will consider all information (Indigenous Knowledge and Western science) and will ensure that environmental effects are addressed. The dispute resolution process will be avoided to the greatest extent possible through engagement and iterative assessment.	Section 2.2.2.2
Appendix G Table G2 MNR-F-9	Noted. Species at Risk has been added as a discrete element to the list of detailed technical investigations and assessments that will be undertaken and documented in the EAR/IS.	Section 13 Section 11 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G2 MNRF-10	The Project Team is committed to including a carbon and GHG evaluation as part of the EA. An additional subsection (7.1.9 Climate Change) has been added to the ToR section addressing potential environmental effects. This will include assessment methods and calculations based on the International Panel on Climate Change Guidelines for National Greenhouse Gas Inventories.	Section 9.2 Section 9.3 Appendix H
Appendix G Table G2 MNRF-11	Noted. Consideration will be given to Natural Heritage Features when determining aggregate sources and the preferred route.	Section 3.2 Section 3.4.2
Appendix G Table G2 MNRF-12	The need for the EA to include consideration of aggregate production and processing areas has been recognized in the discussion of alternative aggregate sources and in the commitment to assess alternative methods for providing supporting infrastructure to construct and operate the road.	Section 3.4.1 Section 3.4.2
Appendix G Table G2 MNRF-16	Road design features and techniques to mitigate potential effects to peatlands will be examined as part of the EA for the Project, including the evaluation of the alternatives methods of carrying out the Project.	Section 4.3.1.3.1 Section 3.2
Appendix G Table G2 MNRF-21	Noted. This consideration will be included in the EA phase for identification of required authorizations.	-
Appendix G Table G2 MNRF-24	Significant Wildlife Habitat, rare vegetation, wetlands, Ecoregion/District and Natural Heritage Features and other values will be considered and assessed as part of the EA.	Section 11.2.2 Section 11.3 Section 11.3.2.2 Section 13.3 Sections 10.3 and 11.3 in Appendix F
Appendix G Table G2 MNRF-25	Noted. MTO FRR aggregate sites will be shown on future map/figures as part of the EA.	Section 3
Appendix G Table G2 MNRF-26	The scope and intensity of the field studies, and associated data collection methodologies, will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of work plans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk), including the opportunity for federal and provincial agencies to review the plans and provide guidance.	Section 2.5.1.4
Appendix G Table G2 MNRF-31	The status of the CBLUP and related orders under the FNA has been clarified with MNRF. The Project Team will continue to monitor the status of any future amendments and incorporate the implications in the EA, as appropriate.	Section 16.1.1 Section 19.1.1
Appendix G Table G2 MNRF-33	Through consultation activities during the EA phase, Indigenous communities will have the opportunity to inform or provide input to the community profiles. If information is not provided by Indigenous communities, community profiles will be developed through desktop research using information sources such as Statistics Canada, First Nation websites, etc.	Section 2.4.4 Section 19.3 Consultation Progress Reports – Round 1 and 2 Section 4 in Appendix L



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G2 MNR-34	MNR values in the area will be identified and examined in the EA in consultation with MNR.	Section 6.1.1 Section 7.1.1 Section 8.1.1 Section 9.1.1 Section 10.1.1 Section 11.1.1 Section 12.1.1 Section 13.1.1 Section 19.1.1
Appendix G Table G2 MNR-36	Noted. The environmental assessment will include temporary and permanent supportive ancillary infrastructure for the Project, such as access roads, construction camps, laydown/storage yards and aggregate extraction and processing sites.	Section 4.3.3
Appendix G Table G2 MNR-38	The assessment approach to evaluating potential effects of aggregate extraction and processing areas, including developing criterion and indicators to reflect the potential ecological and hydrologic effects, will be examined further in the EA.	Appendix D-2 Section 6.3 Section 7.3 Section 8.3.3 Section 9.3 Section 10.3.1.1 Section 10.3.1.2 Section 10.3.2.1 Section 11.3.2 Section 11.3.5 Section 12.3.4 Section 12.3.5 Section 12.3.6 Section 12.3.10 Section 13.3.3 Section 13.3.4 Section 13.3.5 Section 13.3.6 Section 13.3.8 Section 13.3.9 Section 13.3.10 Section 13.3.12
Appendix G Table G3	Authority/Agency – Ministry of Transportation of Ontario	
Appendix G Table G3 MTO-3	Snow plow turnarounds will be considered once a preferred road alignment has been established as part of the EA. No changes to the ToR are proposed.	Section 4.3.1.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G3 MTO-5	Predicated effects to wildlife and wildlife habitat from the supply road, including the potential for direct mortality to wildlife from vehicle collisions, will be examined in the EA and is identified as a potential effect in the ToR.	Section 12.3 Section 13.3
Appendix G Table G3 MTO-7	A new section has been added to the ToR to discuss cumulative effects. As part of the EA, Webequie First Nation will identify and assess the project's cumulative effects using the approaches as described provincial and federal guidance documents, such as the <i>Operational Policy Statement: Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2015b); and <i>Interim Technical Guidance for Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i> (CEA Agency, 2018b). A technical work plan for the cumulative effects assessment will be prepared at the outset of the EA, including identification of which other developments will be assessed and the methodology for assessing effects.	Section 2.5.1.4 Section 21.4
Appendix G Table G4-1	Authority/Agency – Ministry of the Environment, Conservation and Parks	
Appendix G Table G4-1 MECP-EA-10	Human health and climate change have been added to the list of technical studies. Visual/aesthetics will be examined in the EA.	Section 9.3.2 Section 17 Sections 18.2 and 18.3 Appendices G, P, and Q Section 7 of Appendix R
Appendix G Table G4-1 MECP-EA-20	Alternatives for the cited infrastructure elements (aggregate sites, waterbody crossings, sites for temporary laydown and storage areas, sites for construction camps, and access road locations) will be subjected to assessment during the EA.	Section 3.2. Section 3.4
Appendix G Table G4-1 MECP-EA-23	Data collection methods and baseline studies has been added in the ToR to state that the scope and intensity of the field studies and that associated data collection methodologies will be defined during the EA process through consultation with Indigenous communities, federal/provincial agencies and stakeholders. This will include the development of work plans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance.	Section 2.4.4 Section 2.4.5 Section 2.5 Section 2.5.1.4 Section 5 Section 6.2 Section 7.2 Section 8.2 Section 9.2 Section 11.2 Section 12.2 Section 13.2 Sections 4.2, 4.3, 5.2, 5.3, 6.2, 6.3, 7.2, 7.3, 8.2, 8.3, 9.2, 9.3, 10.2, 10.3, 11.2, and 11.3 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G4-1 MECP-EA-26	The description of the existing natural environment conditions in ToR includes some preliminary results for the Webequie Supply Road as reported in the <i>Baseline Environmental and Geotechnical Studies Report - Webequie Community Supply Road (TPA1B) and Nibinamik-Webequie Community Road (TPA1A)</i> (2018). These studies are considered preliminary and the full details of these studies and any supplemental studies, including field collection methodologies and results will be available for review during the EA phase of the Project.	Section 6.2 Section 7.2 Section 8.2 Section 9.2 Section 10.2 Section 11.2 Section 12.2 Section 13.2 Sections 4.2, 4.3, 5.2, 5.3, 6.2, 6.3, 7.2, 7.3, 8.2, 8.3, 9.2, 9.3, 10.2, 10.3 11.2, and 11.3 in Appendix F
Appendix G Table G4-1 MECP-EA-30	The ToR states a commitment to the development of work plans at the outset of the EA phase for select environmental studies and investigations (e.g., species at risk, human health, etc.) including the opportunity for federal and provincial agencies to review and provide guidance. The ToR indicates that the preliminary criteria and indicators have been developed by the Webequie Project Team and includes input received from government agencies, the public and Indigenous communities from the engagement and consultation undertaken to date. Criteria and indicators will be finalized through consultation activities during the EA.	Section 2.5.1.4
Appendix G Table G4-1 MECP-EA-31	The ToR includes a commitment to prepare a work plan for the cumulative effects assessment at the outset of the EA. The work plan will be provided to the MECP and IAAC for review and guidance and will be summarized and presented to the public and Indigenous communities, and others as part of the consultation and engagement activities for the Project.	Section 2.5.1.4
Appendix G Table G4-2 MECP-IC-39	Indigenous Knowledge will be incorporated into all applicable sections of the ToR and EA Report.	Section 6.1.3 Section 7.1.3 Section 8.1.3 Section 9.1.3 Section 10.1.3 Section 11.1.3 Section 12.1.3 Section 13.1.3 Section 14.1.3 Section 15.1.3 Section 16.1.3 Section 17.1.3 Section 18.1.3 Section 19.1.3 Section 20.1.3 Section 23.2.1
Appendix G Table G4-2 MECP-IC-48	One Consultation Plan will be executed for all communities. The WSR Project Team will tailor activities and mechanisms in accordance with the consultation protocols and procedures of Indigenous communities, if requested.	Section 1.4.2 Consultation Progress Reports – Rounds 1, 2, and 3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G4-3 MECP-AR-2 MECP-CC-50	The preliminary estimate of GHG emissions in the ToR will be updated for both the construction and operation phase in the EA using more accurate information. Mitigation measures for GHG emissions will be identified in the EA.	Section 3 of Appendix H Section 9.4.2
Appendix G Table G4-5 MECP-SW-7	Table 7.1 in the ToR has been deleted and replaced with subsections that describe the preliminary potential environmental effects for each environmental component, including surface water and fish and fish habitat. Mitigation measures will be identified and described as part of the EA.	Section 7.3 Section 7.4 Section 10.3 Section 10.4
Appendix G Table G4-6 MECP-GW-8	Section 6.2.2 - Physical Environment in the ToR that list the primary field methods has been removed and replaced with Section 6.5, which includes the commitment to prepare and submit a groundwater work plan at the outset of the EA for MECP review and guidance on the detailed field methodologies to be used and specific data that will be collected for the purpose of the EA and any future monitoring during subsequent phases of the Project.	Section 2.5.1.4
Appendix G Table G4-8 MECP-AQ-1	An air quality and climate change work plan will be prepared at the outset of the EA for MECP review and guidance on the detailed field methodologies to be used and specific data that will be collected for the purpose of the EA.	Section 2.5.1.4 Section 2 of Appendix G
Appendix G Table G4-9 MECP-WM-1	Waste types, generation rates, processing prior to off-site disposal, including whether an existing waste facility on federal/Webequie reserve lands has capacity or if a new waste facility is required will be examined in the EA, including identifying applicable approvals from the Province or Canada.	Section 4.3.3.6
Appendix G Table G4-14 MECP-PC-3	Project consultation activities regarding the Project and alternatives during the EA will include discussion of potential effects to all species at risk and their respective habitats.	Section 13.3
Appendix G Table G4-14 MECP-PC-3	MECP will be provided with vegetation removal details for the Project as part of the EA, including impacts to SAR and/or their habitat to allow for more specific advice from MECP on avoidance, mitigation and whether an authorization under the ESA will be required.	Section 11.3 Section 13.3.
Appendix G Table G4-14 MECP-PC-8	All project components and activities will be examined in the EA, including in the context of potential effects to SAR.	Section 13.3
Appendix G Table G4-14 MECP-PC-11	A SAR work plan will be prepared at the outset of the EA for MECP review and guidance on the detailed field methodologies to be used and specific data that will be collected for the purpose of the EA.	Section 2.5.1.4
Appendix G Table G4-14 MECP-PC-12	Potential disturbance and impacts to SAR as a result of the operation and maintenance phase of the Project will be considered in the EA. Any solutions or mitigation measures identified for this phase of the Project will form part of the future commitments specified in the EA and would represent obligations for implementation by the operator of the WSR where applicable.	Section 13.3 Section 13.4
Appendix G Table G4-14 MECP-PC-13	The Project team will provide further information on road controls and potential effects to SAR to MECP as part of the EA and will seek advice where applicable.	Section 13.3
Appendix G Table G4-14 MECP-PC-19	Sensory noise levels for construction and operation of the proposed supply road are not known at this time. A noise assessment study is proposed as part of the EA and will examine potential sensory impacts to Caribou for the alternatives being carried forward to the EA. However, this will not be examined as part of the screening of alternative conceptual corridors presented in the ToR.	Section 9.2.2.3 Sections 5, 6, and 7 in Appendix J



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Appendix G Table G4-14 MECP-PC-26	MNRF collaring data is currently available for Caribou within the Missisa Range and other surrounding ranges and will be used for the EA.	Section 13.2.1.1.
Appendix G Table G4-14 MECP-PC-40	Specific details of previous studies with respect to mammals will be provided in tabular form as part of the EA documentation. Section 6.2.3 of the ToR is intended to provide a high-level overview of those species observed in the project area from the review of secondary source information and field work conducted in 2017.	Sections 10.2.5.1, 10.2.5.3 and 10.3.1 in Appendix F
Appendix G Table G4-14 MECP-PC-51	How the change in indicators will be monitored will be examined in more detail in the EA.	Section 5.2.3 Section 13.3
Appendix G Table G5	Authority/Agency – Ministry of Energy, Northern Development and Mines (now Ministry of Mines)	
Appendix G Table G5 ENDM-10	The typical cross-section has been revised to clarify/include the detail for excavation below existing grade, and preliminary engineering road design details will be discussed with MTO as part of the EA.	Section 4.3.1.1 Section 4.3.1.2 Section 4.3.1.3 Section 4.1.4 in Appendix D-1
Appendix G Table G5 ENDM-21	Visual assessment of vegetation, along with supportive field surveys, are deemed adequate for determining potential effects to wildlife habitat, including species at risk, as usage is more dependent on size class and height/cover than actual age of trees. Detailed field work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	Section 2.5.1.4
Appendix G Table G5 ENDM-22	It is acknowledged that Webequie has familial relationships with neighboring indigenous communities in Section 10.2. Through consultation activities, the WSR Project Team will try to obtain this information from neighboring communities. If information is provided and permission is granted by the communities, information will be used in the EA. Therefore, further information about kinship, familial relationships between Webequie and other communities, community disruption, stability and cohesion will be discussed in the EA.	Section 2.3 Section 2.4 Section 2.6 Section 2.7 Sections 3.1 and 3.2 in Appendix L Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
Appendix G Table G5 ENDM-24	Duly Noted. To the extent possible, all data collection activities related to the Project will be designed with consideration to capture potential requirements for permits, approvals and/or licences under provincial and federal legislation. Detailed field work plans that outline the approach and methodology for biological surveys will be provided to relevant agencies and stakeholders for further consultation and advice at the outset of the EA.	Section 2.2.2 Section 2.5 Section 2.5.1.4 Section 2.6 Section 2.7
Appendix G Table G5 ENDM-27	The draft ToR has been revised to add clarifications on the status of the proposal to amend the <i>Far North Act</i> and address potential authorizations under the Act to address comments provided by MNR. The Project Team will continue to track these matters with MNR in order to provide the most current information in the final ToR.	Section 16.1.2
Appendix G Table G5 ENDM-28	As per the comment received, the text has been revised to the following: "Any PPS that are relevant to this project will be incorporated into the planning and design for this project."	Section 16.1.1 Section 16.2.2.1



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Appendix G Table G5 ENDM-32	Section 7 has been revised and Table 7.1 removed from the ToR. Table 7.1 has now been replaced with subsections that describe the preliminary potential environmental effects for each environmental component. This change is intended to address the comment from the MECP (MECP-EA-28) to have consistent format and discussion of potential effects across all environmental components. Mitigation measures will be identified and described as part of the EA.	Section 6.4.2 Section 7.4 Section 8.4 Section 9.4.3 Section 10.4 Section 11.4 Section 12.4 Section 13.4 Section 5.4 in Appendix E Section 13 in Appendix J
Appendix G Table G5 ENDM-37	The criteria and indicators in Section 8.2 (now 8.3.1)/Table 8.1 are intended to provide the reader with examples for the evaluation of alternatives and effects of the Project, with more socio-economic criteria and indicators and presented in Appendix B of the ToR. The criteria and indicators listed in Appendix B are a preliminary list based on those identified by the Webequie Project Team from the consultation undertaken to date with Indigenous communities, agencies, the public and stakeholders. Criteria and indicators will be finalized at the outset of the EA through further consultation.	Section 3.2.3 Section 14.1.4 Section 15.1.4 Section 16.1.4
Appendix G Table G5 ENDM-43	Webequie intends to conduct engagement with all Indigenous communities, organizations, groups, etc. that are interested in participating in the EA. Due to the factors identified in Section 10.2.1 of the ToR, more intensive consultation/engagement will occur in the form of various mechanisms/techniques, such as: use of focus groups with different community member groups (i.e., elders, land users, knowledge keepers, youth, etc.). Section 10.2.1 of the ToR has been revised to identify communities to be offered the deepest or intensive (vs “frequent”) engagement/consultation.	Section 2.3 Section 2.4.3
Appendix G Table G5 ENDM-56	Comprehensive Community Plans (CCPs) of Indigenous communities will be reviewed as part of the socio-economic baseline study. The EA will identify opportunities for businesses and current assets for local opportunities.	Section 14.1.1 Section 14.2.2 Section 15.1.1 Section 15.2.2 Section 16.1.1 Section 16.2.2.2
Industry Stakeholder - Noront Resources Ltd.		
Figure 1 NR-1	The figure will be revised in the EA documentation to include the winter road network connecting Webequie First Nation (WFN) and other First Nation communities to the provincial highway system in Pickle Lake.	Figure 1.1 (Project Location) in Section 1 Section 16.2.2.7
1.4.1, First Bullet Point NR-2	Noted.	-
1.4.1 NR-3	The primary goals and objectives as defined by WFN are contained in Section 1.4.1. It is acknowledged in section 1.4.2 of the ToR that the Webequie Supply Road (WSR) could be constructed and operated as a facility that only provides a connection between Webequie First Nation and the McFaulds Lake area to serve mineral exploration and future mining development, and hence further rationale for the undertaking.	Section 1.3.2
4.1.1, 2nd Paragraph NR-4	The EA documentation will describe anticipated activities during the operation phase of the Project, including anticipated road use by different users (traffic volume, type of vehicles, maximum weight, etc.). This could include any anticipated use by Indigenous groups, the general public, and proponents of reasonably foreseeable future projects (e.g., Eagle’s Nest, Blackbird, Black Thor, Black Label, Big Daddy, etc.).	Section 4.4.3 Section 21.3.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
4.3.2, Last Paragraph, Road Controls NR-5	Noted. The operator of the Webequie Supply Road, including consideration of road uses and/or access controls, is not known at this time and is part of future discussions and agreement on the ownership of the facility with the Province of Ontario. Further details on potential road control elements for the WSR will be described in the EA documentation.	Section 4.4.3
5.1.1.2, Alternative 2: Upgrade Existing Trail System to Seasonal Winter Road NR-6	Noted. As cited in the ToR Table 5-2, which details the Webequie community based considerations for the initial screening of supply road corridor concepts, boreal caribou populations require large undisturbed areas of old and mature conifer upland forest and lowlands dominated by jack pine and/or black spruce. They are also found in bogs and fens. The fact that both of these habitat types exist in proximity to the alternative road corridors, as do known caribou calving and nursery areas, it's recognized this sensitive habitat will be carried forward into the EA phase for the evaluation of alternatives. In addition, we note the inclusion of the following indicators for Caribou Habitat Protection in the ToR Appendix B (List of Preliminary Evaluation Criteria and Indicators): "Category 1: High Use Area – Nursery Areas Habitat potentially impacted" and its attendant sub-indicators, including Number of Nursery Areas within the Range; Number of Nursery Areas potentially impacted by the Project (e.g., how many intersect with project footprint, are within 2 km, are within 10 km); relevant information on that habitat, such as average age of forest, condition of forest, etc. for each Nursery Area potentially impacted by the Project; Area (ha) of each Nursery Area potentially being impacted; and Area (ha) of each Nursery Area removed by Project.	Section 3.2.2 Section 13.3.2 Section 13.3.3
5.1.1.3, Hoverbarge NR-7	Noted.	-
5.4.1.1, Routing Considerations NR-8	The evaluation of alternative routes within the proposed corridor for the WSR will include examining criteria and indicators (refer to appendix B of ToR) related to potential EA effects to prospective mineral areas and current mining claims. Noront will be afforded review opportunities throughout the EA/IA process to provide comments and input, including that related to the recommended preferred route for the WSR.	Section 3.2
A3, Last Paragraph NR-9	<p>We are unclear as to the nature of the assertion of an incorrect statement. The paragraph cited is considered a valid statement in addition to those comments noted by Noront. Similar commentary to that noted by Noront is presented in Sections 1.3 and 5.1.2.1 (Table 5-1) of the ToR.</p> <p>As noted in Section 1.3 of the ToR under background studies (i.e., draft federal/provincial Environmental Impact Statement/Environmental Assessment Report, 2013) Noront examined alternative road routes and types (e.g., winter, all-season and combined winter/all-season) that would connect the mine to the provincial highway system. From these studies in 2013 it was identified that Noront preferred an east-west connection via Webequie First Nation to the Northern Ontario Resource Trail (NORT) North Road/Pickle Lake Road and Highway 599 near Pickle Lake. It is acknowledged in the ToR that the current status of the Noront proposal and future revived EA is not expected to include an all-season road connection to the provincial highway network and that the reader should refer to Noront's website for the current status of the Eagle's Nest Mine project. Where specific Noront background studies are referenced in the EA documentation greater clarity and context will be provided on this matter, including stating that Noront would support whichever route to the provincial highway system is studied and developed by others.</p>	Section C.1.2 in Appendix C-1
AttFN	Indigenous Community/Group – Attawapiskat First Nation	
AttFN-2 Letter from Chief David Nakogee (Attawapiskat First Nation) to Sasha McLeod (Special Project Officer, MECF EAB) February 26, 2021	The effects assessment will be sufficiently fulsome to assess all relevant impacts prior to determining the appropriate mitigation measures.	Section 6.3 Section 7.3 Section 8.3 Section 9.3 Section 10.3 Section 11.3 Section 12.3 Section 13.3



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Re: Webequie Supply Road – Proponent Responses to ToR Comments		Section 14.3 Section 15.3 Section 16.3 Section 17.3 Section 18.3 Section 19.3 Section 20.3 Section 21 Section 23.4
AttFN-3 Letter from Chief David Nakogee (Attawapiskat First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) February 26, 2021 Re: Webequie Supply Road – Proponent Responses to ToR Comments	As described in Section 10.4 of the ToR, an appropriate range of engagement and consultation methods have been and will continue to be used in obtaining information and receiving input from Indigenous communities and other study participants. This will include both generic and community-specific Indigenous Knowledge information gathering, which, with the appropriate level of community participation and collaboration, will identify community values and perspectives on the WSR Project to the extent that they can be meaningfully incorporated in assessment of potential project effects.	Section 2.3 Section 2.4 Section 2.6 Section 2.7 Section 5.2.1.2 Section 5.2.1.3 Sections 6.1.2 and 6.1.3 Sections 7.1.2 and 7.1.3 Sections 8.1.2 and 8.1.3 Sections 9.1.2 and 9.1.3 Sections 10.1.2 and 10.1.3 Sections 11.1.2 and 11.1.3 Sections 12.1.3 and 12.1.4 Sections 13.1.3 and 13.1.4 Sections 14.1.2 and 14.1.3 Sections 15.1.2 and 15.1.3 Sections 16.1.2 and 16.1.3 Sections 17.1.2 and 17.1.3 Sections 18.1.2 and 18.1.3 Sections 19.1.2 and 19.1.3 Sections 20.1.2 and 20.1.3 Section 21.2 Section 21.3 Section 23.3
FAFN	Indigenous Community/Group – Fort Albany First Nation	
FAFN-2 Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation	There will be opportunities to implement FAFN's previous suggestions and address the additional FAFN comments and requests through the EA/IA process. In accordance with the MECP ToR Code of Practice, the EA will include a comprehensive list of commitments made by the proponent during the ToR process, and where or how they have been dealt with in the EA. This list is meant to address outstanding comments raised during the final ToR review period, such as those submitted by FAFN.	Section 2.3 Section 2.4 Section 2.6 Section 2.7 Section 26



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR		Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation
FAFN-5 Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR	As required by the federal <i>Tailored Impact Statement Guidelines</i> (TISG) for the WSR Project, and the federal <i>Impact Assessment Act</i> , relevant information generated through the Regional Assessment for the Ring of Fire Area will be used to inform the WSR Project effects assessment as the developed information becomes available.	Pending
FAFN-6 Attachment to Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR	WSR EA investigative tools such as the socio-economic survey will be administered to Fort Albany First Nation.	Section 2.4.3 Section 2.4.4 Consultation Progress Report – Round 1 Consultation Progress Report – Round 2 Consultation Progress Report – Round 3
FAFN-8 Attachment to Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021	<p>The Webequie Project Team has no concerns with Fort Albany First Nation conducting a Fort Albany First Nation-led impact assessment of the Webequie Supply Road Project on its Aboriginal and treaty rights. We welcome the contribution of the results of such an assessment to the Environmental Assessment Report/Impact Statement documentation.</p> <p>In addition to our previous advisements on this matter, we can confirm that the results of the Fort Albany First Nation-led assessment will be considered in the overall project effects assessment, principally within the context of Indigenous Peoples Land Use and Interests, including:</p> <ul style="list-style-type: none"> ▪ Indigenous Current and Historical Use of Lands and Resources for Traditional Purposes 	Section 19.2.2.3.3 Section 19.5



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR	<ul style="list-style-type: none"> ▪ Indigenous Relationships to Traditional Lands and Resources; and ▪ Cultural Continuity (ability to practice and transmit cultural traditions including historical disruptions where Indigenous peoples have a desire to reinvigorate a cultural tradition). <p>As with other informational inputs (e.g., Indigenous Knowledge), Fort Albany First Nation will also be provided with the opportunity to validate the Webequie Project Team's interpretation of the Fort Albany rights impact assessment results prior to their consideration in the effects assessment and inclusion in the EAR/IS document.</p> <p>As additional community engagement and consultation occur at the outset of the EA phase, details on rights impact assessment logistical matters, such as what information Fort Albany First Nation requires from the Webequie Project Team to conduct the assessment and the timing to complete such an assessment, will be ascertained.</p> <p>Your request for adequate funding to conduct the rights impact assessment is outside the scope of what Webequie First Nation is responsible for responding to as proponent for the EA. We have referred your comment to Ontario so they can respond to you directly on this matter.</p>	
Refer to "FAFN-8" above	The WSR Project Team's assessment will be undertaken in a rigorous manner, with the understanding that FAFN will have a key role in the assessment of project effects to their rights.	Section 2.7 Section 19.2.2.3.3 Section 19.5
Refer to "FAFN-8" above	The WSR Project Team will develop the rights impact assessment methodology consistent with the suggested steps in the federal <i>Interim Guidance: Assessment of Potential Impacts on the Rights of Indigenous Peoples</i> .	Section 19.2.1.3
FAFN-9 Attachment to Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR	Through the EA/IA process, there will be further opportunities to refine cultural factors that have been identified. Cultural factors currently identified include those in sections 6.4, 7.2.1 and 7.3 of the ToR, and those identified in sections 12.2 and 17.6 of the TISG for the WSR Project under the federal IA process. Cultural evaluation criteria in Appendix B of the ToR have been refined based on the results of engagement and consultation activities conducted to date. Study participants will have the opportunity to review the revised criteria in the early stages of the EA/IA process, thus assisting the Project Team in finalizing the criteria prior to conducting the route evaluation and project effects assessment.	Section 2.7 Section 2.4.4.1 Section 2.4.4.2 Consultation Progress Report – Round 1
FAFN-10 Attachment to Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the	The Webequie Project Team confirms that the cumulative effects assessment will consider the effects of past developments and activities on VCs that may also potentially be affected by the Project. As per the federal TISG '...past activities are to be used to contextualize the current state of the valued component' (p.133).	Section 21.3.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Webequie Supply Road Environmental Assessment ToR		
<p>FAFN-11 Attachment to Letter from Sarah Beamish (on behalf of Fort Albany First Nation) to Michael Fox (Regional Consultation Lead, Webequie Supply Road) March 31, 2021 Re: Fort Albany First Nation - comments on the Webequie Supply Road Environmental Assessment ToR</p>	<p>There will be opportunities to implement FAFN's previous suggestions and address the additional FAFN comments and requests through the EA/IA process.</p>	<p>Section 2.4.4 Section 2.7 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation</p>
<p>Refer to "FAFN-11" above</p>	<p>In accordance with the MECP ToR Code of Practice, the EA will include a comprehensive list of commitments made by the proponent during the ToR process, and where or how they have been dealt with in the EA. This list is meant to address outstanding comments raised during the final ToR review period, such as those submitted by FAFN.</p>	<p>Section 2.6 Section 2.7 Section 26 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation</p>
<p>NIB</p>	<p>Indigenous Community/Group – Nibinamik First Nation</p>	
<p>NIB-1 Letter from Chief Sheldon Oskineegish (Nibinamik First Nation) to Kathleen O'Neill (Director MECP EAB) February 26, 2021 Re: Nibinamik First Nation's Preliminary Comments on the Webequie First Nation Supply Road, Marten Falls First Nation Access Road, and the Northern Road Link</p>	<p>As stated in Section 2.1.3 of the Terms of Reference ("ToR"), the provincial environmental assessment process and the federal impact assessment process will be coordinated under the provisions of the "Canada-Ontario Agreement on Environmental Assessment Cooperation" (2004). Accordingly, the proponent will produce one body of documentation, referred to as the Environmental Assessment Report/Impact Statement ("EAR/IS"). The EAR/IS will address the requirements of both the provincial ToR and the federal <i>Tailored Impact Statement Guidelines</i> ("TISG"), including conducting a cumulative effects assessment ("CEA").</p>	<p>Section 1.4.3</p>
<p>Refer to "NIB-1" above</p>	<p>As noted in Section 8.1 of the ToR, a study plan for the cumulative effects assessment will be prepared at the outset of the EA, including identification of which other developments will be assessed and the methodology for assessing effects.</p>	<p>Section 5.2</p>
<p>Refer to "NIB-1" above</p>	<p>The study plan will be provided to the MECP and IAAC for review and guidance.</p>	<p>Section 5.2.5</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Refer to "NIB-1" above	The study plan will also be summarized and presented to the public, Indigenous communities and stakeholders as part of the consultation and engagement activities for the Project in order to seek their input on the methodology for the cumulative effects.	Section 2.4.3 Section 2.4.4.1 Consultation Progress Report – Round 1
Refer to "NIB-1" above	<p>The projects and activities to be included in the CEA are:</p> <ul style="list-style-type: none"> ▪ Historical and existing mineral developments (including, but not limited to, Goldcorp's Musselwhite Mine, DeBeers' Victor Mine, Greenstone Gold's Hardrock Mine); ▪ Other historical infrastructure projects; ▪ The Marten Falls Community Access Road Project and other all-season road projects; ▪ Power transmission projects; ▪ Construction of upgrades to the Anaconda and Painter Lake forestry access roads; ▪ The construction and operation of the Northern Road Link (road that may link the northern portion of the Marten Falls Community Access Road to the Ring of Fire area); ▪ Transportation of ore from future development near the project for processing, once past the Webequie Supply Road; ▪ The east-west road; ▪ Forest management units; ▪ Mining activities, including those associated with the following deposits: Eagle's Nest, Black Thor, Black Bird, Big Daddy, Black Label; ▪ Increased winter road traffic during Operations and Maintenance by future mining proponents; ▪ Mineral exploration activity in the area; and ▪ Past projects, including the Ogoki and Long Lac diversions. 	Section 21.2
Refer to "NIB-1" above	All study participants (Aboriginal communities, federal and provincial government reviewers, stakeholders and the public) will have the opportunity to review common documentation that includes a robust, inclusive cumulative effects assessment.	Record of Engagement and Consultation
Refer to "NIB-1" above	Consultation/engagement for the Project will be conducted in a respectful manner that reflects the culture and traditions of the Webequie people and their clans and neighbours outside Webequie First Nation.	Section 2.4.1.3
Refer to "NIB-1" above	In the context of consultation program activities, this will include engaging further with Nibinamik First Nation to gain a fuller understanding of, and aligning the program with your community's traditional protocols and ways of sharing information, including adopting appropriate community-specific approaches to engagement and consultation.	Section 2.4
NFN	Indigenous Community/Group – Neskantaga First Nation	
<p>NFN-0 E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB) October 13, 2020 Re: Neskantaga Preliminary Comments on</p>	<p>The EAR/IS will address the requirements of both the provincial ToR and the federal <i>Tailored Impact Statement Guidelines</i> ("TISG"), including conducting a cumulative effects assessment ("CEA"). Although the ToR does not itemize all of the elements that will be included in the CEA, we can confirm that the Webequie Project Team is taking its initial lead on project inclusion from the minimum requirements identified in Section 22 of the federal TISG, and that there is a process in place to address such effects. For clarity, the projects and activities to be included in the CEA are:</p> <ul style="list-style-type: none"> ▪ Historical and existing mineral developments (including, but not limited to, Goldcorp's Musselwhite Mine, DeBeers' Victor Mine, Greenstone Gold's Hardrock Mine); ▪ Other historical infrastructure projects; ▪ The Marten Falls Community Access Road Project and other all-season road projects; ▪ Power transmission projects; ▪ Construction of upgrades to the Anaconda and Painter Lake forestry access roads; 	Section 21.3.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
the Webequie Supply Road TOR	<ul style="list-style-type: none"> ▪ The construction and operation of the Northern Road Link (road that may link the northern portion of the Marten Falls Community Access Road to the Ring of Fire area); ▪ Transportation of ore from future development near the project for processing, once past the Webequie Supply Road; ▪ The east-west road; ▪ Forest management units; ▪ Mining activities, including those associated with the following deposits: Eagle's Nest, Black Thor, Black Bird, Big Daddy, Black Label; ▪ Increased winter road traffic during Operations and Maintenance by future mining proponents; ▪ Mineral exploration activity in the area; and ▪ Past projects, including the Ogoki and Long Lac diversions. 	
<p>NFN-8</p> <p>Attachment to E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB)</p> <p>October 13, 2020</p> <p>Re: Neskantaga Preliminary Comments on the Webequie Supply Road TOR</p>	<p>The approach for conducting the CEA is still under development; a synopsis of the approach will be presented at future consultation meetings with Indigenous communities and other study participants.</p>	<p>Consultation Progress Report – Round 3</p>
<p>NFN-10</p> <p>Attachment to E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB)</p> <p>October 13, 2020</p> <p>Re: Neskantaga Preliminary Comments on the Webequie Supply Road TOR</p>	<p>For greater clarity, any future presentation of this background material in the EA documentation will be revised as follows:</p> <p>“From the community engagement and assessment completed, a preferred corridor was not identified, although there was fairly strong support for a general east-west orientation that would connect the four communities to the provincial highway system. None of the alternative corridors/roads from the 2016 ASCRS connect to the McFaulds Lake area due to unresolved issues and concerns expressed by some participating First Nations about mining development in the Ring of Fire area.</p> <p>From the Webequie First Nation perspective, the east-west oriented alternative from the 2016 ASCRS provided a number of social and economic benefits, including the interconnection with other First Nation communities. However, there was additional interest in continuing to examine a supply road connection into the McFaulds Lake area. The connection between Webequie and McFaulds Lake is considered important to Webequie First Nation, as it could provide broader economic development opportunities and social benefits above and beyond the benefits of an all-season community road to Pickle Lake.”</p>	<p>Section 3.2</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>NFN-17 Attachment to E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB) October 13, 2020 Re: Neskantaga Preliminary Comments on the Webequie Supply Road TOR</p>	<p>As a document supporting the environmental assessment, the results of the Stage 1 Archaeological Assessment will be made available to Indigenous communities as part of the Environmental Assessment Report/Impact Statement review process.</p>	<p>Section 20.2.2.3 Appendix T</p>
<p>Refer to "NFN-17" above</p>	<p>Neskantaga will be provided with the opportunity to discuss the scope of the archaeological assessment work and related project evaluation criteria during a consultation session in the early stages of the EA phase, expected to commence in spring 2021, subject to COVID-19 constraints.</p>	<p>Section 20.1.3</p>
<p>NFN-18 Attachment to E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB) October 13, 2020 Re: Neskantaga Preliminary Comments on the Webequie Supply Road TOR</p>	<p>In recognition that other First Nations may be affected by the proposed Webequie Supply Road, the Webequie Project Team reiterates its commitment to reach out to and involve such communities in the engagement, consultation and decision-making process inherent in the Ontario environmental assessment process. As proponent of the supply road project, Webequie First Nation has assumed sole responsibility for conducting the EA process.</p>	<p>Section 2 Consultation Progress Reports – Round 1, 2 and 3 Record of Engagement and Consultation</p>
<p>NFN-22 Attachment to E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) and Shannon Gauthier (Project Officer MECP EAB) October 13, 2020</p>	<p>Reference to UNDRIP and the TRC Calls to Action will be cited in the EA documentation, including status at the time of the federal government's commitment, through Bill C-15, to ensure Canadian laws are consistent with the principles of UNDRIP.</p>	<p>Section 16.2.2.1 Section 19.1.1.1 Section 19.5.4</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Re: Neskantaga Preliminary Comments on the Webequie Supply Road TOR		
<p>NFN-48 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	<p>To mitigate potential adverse effects to fish and fish habitat, waterbody crossings, such as culverts, will be designed and installed in accordance with applicable federal and provincial guidelines and standards to avoid or minimize harm to fish and fish habitat.</p>	<p>Section 4.2.1 Section 4.2.2 Section 4.3.2.2.2</p>
Refer to "NFN-48" above	<p>Potential impacts from blasting related to fish and aquatic resources will be included in the impact assessment section of the EA (see reference to Environmental Protection Plan blasting provisions in Section 7 of the ToR).</p>	<p>Section 7.3.2 Section 7.3.3 Section 8.3.3 Section 10.3.2.1</p>
<p>NFN-49 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	<p>Potential impacts from dust during construction activities related to fish and aquatic resources will be included in the impact assessment section of the EA.</p>	<p>Section 7.3.1 Section 7.3.2 Section 8.3.2 Section 8.3.5 Section 10.3.1.2 Section 10.3.1.3</p>



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<p>NFN-53 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	<p>The Project Team will be providing study participants, including Neskantaga First Nation, with additional opportunities to comment on the study area early in the EA phase.</p>	<p>Record of Engagement and Consultation</p>
<p>NFN-54 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	<p>Assessment of impact to Caribou will occur at Project, Local and Regional scales. Assessment at the regional scale will include the Ozhiski and Missisa Caribou Ranges.</p>	<p>Section 13.3.3</p>
<p>NFN-58 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR]</p>	<p>As the proponent for the EA, Webequie will identify the need to prepare a plan to control fugitive dust and, as deemed necessary, commit the road owner/operator to preparation and implementation of the plan.</p>	<p>Section 9.4.1 Section 22.7 Sections 2.1.1, 5.18, and 5.20.3 in Appendix E</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Project and Webequie Supply Road [WSR] Project.		
Refer to "NFN-58" above	During the EA phase, the Webequie Project Team will consider means of mitigating identified potential adverse dustfall effects and will either incorporate roadway and supporting infrastructure design elements to reduce or eliminate such effects in the preliminary design package, or include a commitment to incorporate them at the detail design stage, where such measures are deemed technically and economically reasonable/feasible.	Section 4.2.2. Section 4.3.1.3 Section 4.3.3.1.2 Section 4.4.2.4
Refer to "NFN-58" above	If such measures (to mitigate potential adverse dustfall effects) cannot be incorporated in the design of permanent infrastructure, appropriate measures will be included in the dust control plans for the construction and operations phases.	Section 4.4.2.8 Section 4.4.3.1 Section 22.7 Section 23.5.4 Section 6.4.1 Section 7.4.8 Section 9.4.1 Section 10.4.1 Section 11.4.1 Section 12.4 Section 13.4 Section 14.4.7 Section 17.4 Section 19.4.1 Sections 2.1.1 and 5.18 in Appendix E
NFN-69 Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB) March 3, 2021 Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.	The ecological importance of bog and fen (peatlands) habitats will be addressed in both the vegetation baseline and EA net effects documentation.	Section 11.2.2 Section 11.7.2 Section 9.3 in Appendix F



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Refer to "NFN-69" above	The role of these environments (e.g., bog and fen [peatlands]) will be discussed as part of the climate change assessment.	Section 9.3.2 Section 9.5.2.2 Sections 3 and 4 in Appendix H
<p>NFN-70</p> <p>Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB)</p> <p>March 3, 2021</p> <p>Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	Carbon stocks will be assessed based on default Tier 1 parameters provided by the Intergovernmental Panel on Climate Change (IPCC) per type of forest, trees, soils, etc. Use of the IPCC guidelines is included as a commitment in Appendix C of the ToR Summary of Commitments Made During Terms of Reference Phase – Item No. 54, PDF page 234.	Section 9.3.2 Appendix H
<p>NFN-74</p> <p>Letter from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB)</p> <p>March 3, 2021</p> <p>Re: Information and Knowledge that can be considered across the Marten Falls Community Access Road [MFCAR] Project and Webequie Supply Road [WSR] Project.</p>	EA participants, including Indigenous communities will be provided with the opportunity to review and comment on the VCs and Evaluation Criteria early in the EA phase. Such feedback will assist the Project Team in further refining and finalizing the VCs and Evaluation Criteria prior to conducting the project alternatives comparative analysis and the project effects assessment.	Section 2.4.4.2 Section 2.4.4.3 Section 2.4.5 Consultation Progress Reports – Rounds 1 and 2 Record of Engagement and Consultation
<p>NFN-71</p> <p>E-mail from David Peerla (Advisor to Neskantaga First Nation) to Sasha McLeod (Special Project Officer, MECP EAB)</p> <p>May 13, 2021</p>	All feasible measures will be taken during construction to ensure the protection of adjacent ecosystems not directly affected by project activities.	Section 7.4 Section 8.4 Section 9.4 Section 10.4 Section 11.4 Section 12.4 Section 13.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
Re: Webequie Supply Road - Proponent Responses to ToR Comments - Neskantaga		Appendix E
TNA	Indigenous Community/Group – Treaty 9 Alliance	
TNA-1 Letter from Conrad Iahtail (Treaty 9 Alliance) emailed to Shannon Gauthier (Project Officer, MECP EAB) February 24, 2021 Re: Webequie Supply Road Draft ToR	The environmental assessment will include addressing potential effects of the Webequie Supply Road on Aboriginal and Treaty Rights. This will include considering the supply road in combination with reasonably foreseeable mining and other projects in the Ring of Fire. The study will provide a balanced assessment of such effects on all potentially affected parties and their interests, including Indigenous communities, private stakeholders, the public, and the mandates of provincial and federal government ministries and agencies.	Section 19.3 Section 19.5 Section 19.6 Section 21
TNA-3 Letter from Conrad Iahtail (Treaty 9 Alliance) emailed to Shannon Gauthier (Project Officer, MECP EAB) February 24, 2021 Re: Webequie Supply Road Draft ToR	The Webequie Project Team (WPT) has heard the concerns from some Indigenous communities regarding the timeline to provide comments on the ToR, including requests for extensions, and suspension of the process. We are very sensitive and aware that, at this time, many Indigenous communities have declared a state of emergency or taken other measures to protect community health and safety. We appreciate the unique challenges that Indigenous communities are facing, particularly in terms of capacity to respond to requests for comments, and that this may disrupt normal review and consultation processes. Webequie will continue its engagement efforts with communities during the ToR review process in order to provide information, hear feedback and answer questions. These efforts have included, and will continue to include, offers to hold focus group and community sessions, online presentations and materials, live streaming events, virtual open houses, radio information sessions, ToR summary documents, and requests to meet virtually with communities. These engagement opportunities continue to be available to Omushkegowuk communities and other communities to take part in, if interested. The WPT also welcome any opportunity to understand what methods of engagement might be acceptable to Omushkegowuk communities at this time.	Record of Engagement and Consultation
OWWC	Indigenous Community/Group – Omushkegowuk Women’s Water Council	
OWWC-1 Letter from Jennifer Wabano (Omushkegowuk Women’s Water Council) to Shannon Gauthier (Project Officer, MECP EAB) February 24, 2021 Re: Webequie Supply Road Draft Terms of Reference	The environmental assessment will include addressing potential effects of the Webequie Supply Road on Aboriginal and Treaty Rights. This will include considering the supply road in combination with reasonably foreseeable mining and other projects in the Ring of Fire. The study will provide a balanced assessment of such effects on all potentially affected parties and their interests, including Indigenous communities, private stakeholders, the public, and the mandates of provincial and federal government ministries and agencies.	Section 19.3 Section 19.5 Section 19.6 Section 21
OWWC-2 Letter from Jennifer Wabano (Omushkegowuk Women’s Water Council) to Shannon Gauthier (Project Officer, MECP EAB)	The environmental impact assessment will include addressing potential effects of the Webequie Supply Road on Aboriginal and Treaty Rights, such as the traditional uses of streams and rivers downstream of the Project, including fishing rights.	Section 19.5 Section 19.6



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
February 24, 2021 Re: Webequie Supply Road Draft Terms of Reference		
OWWC-4 Letter from Jennifer Wabano (Omushkegowuk Women's Water Council) to Shannon Gauthier (Project Officer, MECP EAB) February 24, 2021 Re: Webequie Supply Road Draft Terms of Reference	The Project Team will respect First Nations' engagement and consultation protocols to the degree possible within the parameters established for the environmental assessment.	Section 2.3.3. Section 2.4.1 Consultation Progress Reports – Rounds 1, 2, and 3 Record of Engagement and Consultation
KAS	Indigenous Community/Group – Kasabonika Lake First Nation	
KAS-0 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR	Although the ToR does not itemize all of the elements that will be included in the CEA, we can confirm that the Webequie Project Team is taking its initial lead on project inclusion from the minimum requirements identified in Section 22 of the federal TISG, and that there is a process in place to address such effects. For clarity, the projects and activities to be included in the CEA are: <ul style="list-style-type: none"> ▪ Historical and existing mineral developments (including, but not limited to, Goldcorp's Musselwhite Mine, DeBeers' Victor Mine, Greenstone Gold's Hardrock Mine); ▪ Other historical infrastructure projects; ▪ The Marten Falls Community Access Road Project and other all-season road projects; ▪ Power transmission projects; ▪ Construction of upgrades to the Anaconda and Painter Lake forestry access roads; ▪ The construction and operation of the Northern Road Link (road that may link the northern portion of the Marten Falls Community Access Road to the Ring of Fire area); ▪ Transportation of ore from future development near the project for processing, once past the Webequie Supply Road; ▪ The east-west road; ▪ Forest management units; ▪ Mining activities, including those associated with the following deposits: Eagle's Nest, Black Thor, Black Bird, Big Daddy, Black Label; ▪ Increased winter road traffic during Operations and Maintenance by future mining proponents; ▪ mineral exploration activity in the area; and ▪ past projects, including the Ogoki and Long Lac diversions 	Section 21.3.4
KAS-1 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on	The EA phase will examine in detail potential effects to fish habitat and surface water flow and quality in waterways and will identify mitigation measures to minimize and/or avoid adverse potential impacts. For crossing structures, mitigation may include such measures as appropriate sizing of structures (culverts or bridges) to convey flow, and embedment of culverts or use of open bottom type culverts to ensure fish passage. To protect surface water quality, mitigation measures will likely include development of procedures and practices for implementation to prevent the release of contaminants (petroleum or chemical products) resulting from	Sections 7.4, 10.4, and 23.4



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>improper management and maintenance of equipment (e.g., leaks), road maintenance activities, such as salt and sand application, or accidental spills from vehicles and equipment used during the construction and operation of the WSR.</p>	
<p>KAS-2 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>Mitigation measures will be identified in the EA to minimize potential impacts to caribou based on known movement of the species and their habitat, which may for example include consideration of routing alternatives; or use of wildlife signage along sections of the WSR to advise caution and care where there is high potential risk of caribou crossing.</p>	<p>Section 13.4.3</p>
<p>KAS-3 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>The WPT is proposing to engage with land and resource users during the EA to assess and understand potential impacts, including identifying mitigation to address concerns. Where mitigation cannot address potential impacts, accommodation will be explored with individuals or groups.</p>	<p>Section 2.7 Section 16.4.1 Section 16.4.2 Section 16.4.3 Section 19.4.1 Section 19.4.2 Appendix N</p>
<p>KAS-4 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on</p>	<p>The WPT has heard the concerns from some communities regarding the timeline to provide comments on the ToR, including requests for extensions and suspension of the process. We are very sensitive and aware that, at this time, many Indigenous communities have declared a state of emergency or taken other measures to protect community health and safety. We appreciate the unique challenges that Indigenous communities are facing, particularly in terms of capacity to respond to requests for comments, and that this may disrupt normal review and consultation processes.</p>	<p>Record of Engagement and Consultation</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>Webequie will continue its engagement efforts with communities during the ToR review process in order to provide information, hear feedback and answer questions. These efforts have included and continue to include offers to hold focus group and community sessions, online presentations and materials, live streaming events, virtual open houses, radio information sessions, ToR summary documents, and requests to meet virtually with your community. These engagement opportunities continue to be available for your community to take part, if interested.</p> <p>Webequie respects the measures taken to protect the health and well-being of your community and others. The WPT will continue its engagement efforts with communities as the EA process moves forward and remain flexible in our approach to consultation. The WPT also welcome any opportunity to understand what methods of engagement might be acceptable for your community at this time.</p>	
<p>KAS-5 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>It is the Webequie Project Team's intent during the EA to use a number of different methods to receive input from communities, including land and resource users such as trappers. Engagement could include, but not limited to, key informant interviews, focus groups, surveys, community meetings and Indigenous Knowledge program where communities are willing to share such information and data. Translation would be afforded to elders and others, where requested.</p>	<p>Section 14.2.1</p>
<p>KAS-6 Summary comments received from Sasha McCloud (Special Project Officer, MECP EAB) on March 3, 2021 based on her telephone conversations with Eno H. Anderson (Kasabonika First Nation Chief) on February 11, 2021, and February 26, 2021 Re: Webequie Supply Road ToR</p>	<p>At this time, the Webequie Project Team acknowledges your recommendation. The Webequie Project Team has established a local committee for the Webequie Supply Road project. As the sole proponent of the current environmental assessment for the Webequie Supply Road, it is the view of Webequie First Nation that it is exercising its right to self-determination and is committed to meaningfully engaging with all First Nations during the EA process, including on the environmental effects and at key decision-making points in the process.</p>	<p>Section 2.4 Section 2.7 Appendix N</p>
<p>MUC</p>	<p>Indigenous Community/Group – Mushkegowuk First Nation</p>	
<p>MUC-4 Letter received via email from Vern Cheechoo on behalf of the</p>	<p>As with other caribou-related data, the CCS results will be included in the EA documentation for review by Indigenous communities as part of the draft and final Environmental Assessment Report/Impact Statement. Input from those reviews will help inform Detail Design of the supply road, as appropriate.</p>	<p>Section 13.2.1.1.3</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>		
<p>MUC-5 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>	<p>Note also that First Nation communities will have the opportunity to discuss and review mitigation measures, and we would invite discussions with Indigenous Knowledge experts during the EA.</p>	<p>Section 2.4.4.3 Consultation Progress Report – Round 3 Record of Engagement and Consultation</p>
<p>MUC-10 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental</p>	<p>Potential impacts to groundwater resources, peatlands and associated levels of methylmercury will be considered in the EA, including where applicable specific mitigation measures. As an example, to reduce potential impacts to groundwater resources from the roadbed excavation the road profile may follow the existing ground elevation to the greatest extent possible. In addition, as an example, pits and quarries that may involve temporary groundwater dewatering during their operations may be specified as shallow excavations to reduce potential impacts to groundwater. Additionally, as another example, where peat is shallow it may be replaced with suitable fill and need only very local and temporary dewatering; or where peat or organics are of significant depth, they may be left in place to address potential effects and the road performance managed through the use of geogrid and granular layer combinations as road foundation to facilitate load spread.</p>	<p>Section 6.3.7 Section 6.3.10 Section 8.3.3 Section 8.3.4 Section 8.3.5 Section 8.3.7 Section 8.4</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>Assessment Draft Terms of Reference</p> <p>MUC-11 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>	<p>To further clarify the scope of the cumulative effects assessment (“CEA”), including in the context of potential development of the Ring of Fire Area, the CEA will include the following projects and activities:</p> <ul style="list-style-type: none"> ▪ mining activities, including those associated with the following deposits: Eagle’s Nest, Black Thor, Black Bird, Big Daddy, Black Label; ▪ historical and existing mineral developments (including, but not limited to, Goldcorp’s Musselwhite Mine, DeBeers’ Victor Mine, Greenstone Gold’s Hardrock Mine); ▪ other historical infrastructure projects; ▪ the Marten Falls Community Access Road Project and other all-season road projects; ▪ power transmission projects; ▪ construction of upgrades to the Anaconda and Painter Lake forestry access roads; ▪ the construction and operation of the Northern Road Link (road that may link the northern portion of the Marten Falls Community Access Road to the Ring of Fire area); ▪ transportation of ore from future development near the project for processing, once past the Webequie Supply Road; ▪ the east-west road; ▪ forest management units; ▪ increased winter road traffic during Operations and Maintenance by future mining proponents; ▪ mineral exploration activity in the area; and ▪ past projects, including the Ogoki and Long Lac diversions. <p>In addition, relevant information generated through the Regional Assessment for the Ring of Fire Area, conducted under the auspices of the Impact Assessment Agency of Canada, will be used to inform the WSR Project effects assessment as the developed information becomes available. This may include informing the baseline studies, effects prediction, cumulative effects assessment, the consideration of possible mitigation and enhancement measures, and follow-up programs, as applicable, for the project assessment.</p>	<p>Section 21.3.4</p>
<p>MUC-24 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>	<p>As part of the engagement and consultation activities to be conducted early in the EA phase, study participants will have additional opportunities to comment on the proposed project evaluation criteria and indicators, and the study areas for Valued Components, thus contributing to their refinement prior to evaluation of project alternatives and the assessment of project effects.</p>	<p>Section 2.7 Record of Engagement and Consultation</p>



Terms of Reference Section Reference	Description of Commitment Made in Terms of Reference	EAR/IS Section Where Commitment is Addressed
<p>MUC-25 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>	<p>It is premature to tie any monitoring aspects to a specific area of the environment in proximity to the Project (i.e., the Local Study Area) during the ToR phase. It is expected that monitoring requirements for the various Valued Components will be established during the EA phase and thereafter (through conditions of permits, licences, approvals and authorizations obtained from authorities having jurisdiction).</p>	<p>Section 22</p>
<p>MUC-27 Letter received via email from Vern Cheechoo on behalf of the Mushkegowuk Council (unsigned) sent to Craig Wallace (Project Manager, SNC-Lavalin) and Don Parkinson (Consultation Lead, SNC-Lavalin) February 23, 2021 Re: Mushkegowuk Council Comments on Webequie Supply Road Environmental Assessment Draft Terms of Reference</p>	<p>We can also advise you that representatives of Health Canada have been part of the Federal Authority team providing guidance and direction to the Webequie Project Team over the past six months to finalize the study plans that will be used to conduct the impact assessment. In particular, Health Canada experts have provided input to the Human Health component and are expected to be principal reviewers of the Human Health Risk Assessment (HHRA), which will include potential effects on country foods such as fish, and the overall Health Impact Assessment, which will incorporate the results of the HHRA.</p>	<p>Section 17 Appendix P Appendix Q</p>

