



Impact Assessment
Agency of Canada

Ontario Region
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Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

Région de l'Ontario
600-55 rue York
Toronto ON M5J 1R7

August 30, 2023

Sent by email

Chief June Black
Apitipi Anicinapek Nation
310 Penatuche Road, RR #3
Matheson ON P0K 1N0
<email address removed>

Dear Chief June Black:

Subject: Crawford Nickel Project - Next Steps in the Impact Statement Phase of the Impact Assessment Process

The Impact Assessment Agency of Canada (the Agency) is writing to follow-up on our March 31, 2023 letter regarding the federal impact assessment for the Crawford Nickel Project (the Project), proposed by Canada Nickel Company (the Proponent). The Project is now in the Impact Statement Phase of the federal impact assessment.

The purpose of this letter is to:

- share, for validation by Apitipi Anicinapek Nation, a revised draft summary of information available to the Agency on potential impacts of the Project on Apitipi Anicinapek Nation (**Enclosure 1**);
- describe opportunities for Apitipi Anicinapek Nation to collaborate with the Agency in the impact assessment for the Project;
- extend an invitation to meet with the Agency to discuss the contents of this letter; and
- share information about current and upcoming funding opportunities, including an offer of bridge grant funding of **\$10,000** to support your Nation's participation in the federal impact assessment process, as we transition from the Planning Phase to the Impact Statement Phase.

Summary of Information Available to the Agency on the Potential Impacts of the Project on Apitipi Anicinapek Nation

The Agency summarized the information received in the Planning Phase on the Project's potential to impact Apitipi Anicinapek Nation in **Enclosure 1**. On January 5, 2023, an initial draft of this document was shared with your Nation, and it has been revised based on your participation during the remainder of the Planning Phase.

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The information contained in **Enclosure 1** will help inform the Agency's consultation efforts and understanding of the potential impacts of the Project on your Nation, including the impacts on your Nation's exercise of rights, and on the health, social and economic conditions of your Nation. During the Impact Statement Phase, the information will also assist the Agency in directing the Proponent to adequately follow-up and characterize potential impacts to your Nation in the Proponent's Impact Statement. **Enclosure 1** is intended to be used to track information and comments pertaining to potential impacts, and will continue to be updated throughout the impact assessment process for the Project.

The Agency ***invites your Nation to review and validate the information*** contained in **Enclosure 1**, and to provide information pertaining to your traditional territory or traditional land uses, so it can be used to inform the impact assessment process.

In addition, please see the Handout on How to Participate during the Federal Impact Assessment Process (**Enclosure 2**). This document outlines the information, including Indigenous Knowledge, that you may consider sharing with the Proponent and the Agency to inform the development of the Proponent's Impact Statement.

Opportunities to Collaborate with the Agency

The Agency intends to maximize opportunities and methods for meaningful engagement and consultation with potentially affected Indigenous communities throughout the impact assessment process for the Project. As set out in the Indigenous Engagement and Partnership Plan (IEPP) for the Project, the Agency is committed to ensuring that consultation is consistent with the Government of Canada's commitment to implement the *United Nations Declaration on the Rights of Indigenous Peoples*. This involves working together in partnership and respect—as articulated through the principle of free, prior, and informed consent—throughout the impact assessment process for all decisions that affect Indigenous Peoples' rights and interests, with the intention to achieve consensus.

The opportunities for collaboration set out below reflect the Agency's commitment to maximize and support Indigenous leadership within the federal impact assessment process for the Project. **The Agency would be pleased to discuss these opportunities with Apitipi Anicinapek Nation to understand how your Nation wishes to collaborate with the Agency.**

Establishment of a Technical Working Group and the Terms of Reference

The Agency intends to establish a Technical Working Group to help bring Indigenous communities together with federal and provincial technical reviewers and the Proponent to share information and discuss solutions to issues. Topics can be determined with input from Apitipi Anicinapek Nation.

The Agency intends to work with your Nation and other participants on the development of a Terms of Reference for the Technical Working Group, including the Technical Working Group's roles and responsibilities, timelines, and next steps.

The Agency encourages Apitipi Anicinapek Nation to work with the Proponent on identifying key issues of concern early in the Impact Statement Phase, optimally to inform the development of the Impact Statement. This could involve exploring opportunities for collaboration on mitigation measures and follow-up monitoring to include in the Impact Statement.

In addition to Technical Working Group meetings, bilateral meetings between the Agency and Apitipi Anicinapek Nation could occur if certain issues are not resolved as a group, or if there are Nation-specific issues that need to be discussed.

Development of a Nation-Specific Consultation Plan to Supplement the IEPP

In your letter to the President of the Agency dated May 24, 2023, Apitipi Anicinapek Nation requested to work with the Agency to develop a Nation-specific consultation plan that formalizes, in writing, your Nation's requirements for engagement and partnership throughout the impact assessment process for the Project. This request was further discussed during a meeting between Apitipi Anicinapek Nation and the Agency on June 9, 2023.

The Nation-specific consultation plan can include a workplan for commitments such as your Nation's interest in co-drafting the section of the Impact Assessment Report that is pertinent to Apitipi Anicinapek Nation's exercise of rights, and about impacts on valued components of priority to your Nation. The Agency will be pleased to continue discussions with Apitipi Anicinapek Nation to advance the development of a Nation-specific consultation plan for the Project, and this can reflect the work proposed in relation to the Technical Working Group referenced above.

Invitation to Meet with the Agency

The Agency would be pleased to meet virtually with your Nation to discuss the opportunities set out above for Apitipi Anicinapek Nation to collaborate with the Agency in the impact assessment process. The bridge grant funding, noted below, can be used to support your Nation's participation at this meeting as well as for providing any additional information to supplement **Enclosure 1**. **The Agency will follow-up with your Nation to confirm whether you are interested in a meeting and to schedule a date and time.**

Current and Upcoming Funding Opportunities

Current Funding Opportunities

The Agency is able to offer bridge grant funding of **\$10,000** to support Apitipi Anicinapek Nation's participation in the impact assessment process for the Project, as we transition from the Planning Phase to the Impact Statement Phase. Eligible activities for this grant would include:

- preparing for, and participating in, meetings with the Agency to discuss the impact assessment of the Project;
- providing further information to the Agency regarding the potential impacts of the Project on Apitipi Anicinapek Nation's exercise of rights, and on impacts to the health, social and economic conditions of your Nation to supplement information available in **Enclosure 1**; and,
- establishing a common understanding of next steps for collaborating with the Agency in the impact assessment for the Project, including:
 - co-developing a Nation-specific consultation plan with the Agency; and,
 - co-developing the Terms of Reference for the Technical Working Group for the Project, including scoping of key issues, and identifying the roles and responsibilities of participants in the Technical Working Group.

Please respond to Crawford@iaac-aeic.gc.ca to confirm your interest in this grant funding opportunity, and the Agency's funding program will follow up with you. An overview of eligible activities and expenses for the bridge grant funding is also enclosed (**Enclosure 3**).

Upcoming Funding Opportunities

The Agency will offer additional grant funding of **\$15,000** to support Apitipi Anicinapek Nation in the development of a Nation-specific consultation plan to supplement the IEPP, and in the development of the Terms of Reference for the Technical Working Group. The Agency will notify your Nation when this funding is made available.

The Agency will also offer contribution funding during the Impact Statement Phase to support the continued participation of Apitipi Anicinapek Nation through the remainder of the impact assessment process. The Agency will notify your Nation once a call for applications for this funding is made available. Further information on participant funding during the impact assessment process can be found on the Agency's website.¹

IMPORTANT NOTE: Information submitted to the Agency to inform this project assessment may be posted online to the Canadian Impact Assessment Registry (Reference #83857) subject to certain exceptions related to privacy, security or confidentiality. The Agency's Submission Policy² describes what submitted information can be shared publicly, and what should remain private. For more information on how we protect your privacy, please refer to the Privacy Notice³.

Indigenous Knowledge shared in confidence is protected from disclosure under section 119 of the *Impact Assessment Act*, except if written consent is provided, or if the information is publicly available. In addition, Indigenous Knowledge shared in confidence could be shared with certain parties if disclosure is necessary for procedural fairness and natural justice or for use in legal proceedings. This ensures that interested persons have a fair opportunity to participate in processes that would likely affect their interests, and that they have access to all necessary information and evidence relied on by the decision-maker.

Should you wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, please contact the Agency at the details provided below **before** submitting the information. This will ensure that your submission is handled appropriately. Note, the Agency will consult with you prior to disclosing Indigenous Knowledge shared in confidence under an exception.

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¹ <https://www.canada.ca/en/impact-assessment-agency/services/public-participation/participant-funding-application-environmental-assessment.html>

² <https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>

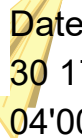
³ <https://www.iaac-aeic.gc.ca/050/evaluations/protection?culture=en-CA>

New Crown Consultation Coordinator

I would also like to take this opportunity to introduce myself as the new Crown Consultation Coordinator for the Project, and the main point of contact at the Agency for the federal impact assessment process for the Project. Please note that Erin Norton, the former Crown Consultation Coordinator, has moved on to a new opportunity with the Agency. Any future questions or comments can be directed to me at Crawford@jaac-aeic.gc.ca or by phone at 416-209-4623. I welcome the opportunity to work collaboratively with your Nation.

Sincerely,

Neha Frantz



Date: 2023.08.
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Neha Frantz
Project Analyst

Enclosures:

1. Summary of information available to the Impact Assessment Agency of Canada with respect to the potential impacts of the Crawford Nickel Project on Apitipi Anicinapek Nation.
2. Handout on How to Participate During the Federal Impact Assessment Process
3. Overview of Eligible Activities and Expenses for Bridge Grant Funding

c.c.: Mike Guillemette, Apitipi Anicinapek Nation
Lance Black, Apitipi Anicinapek Nation
Sharon Plourde, Apitipi Anicinapek Nation
Maurice Kistabish, Apitipi Anicinapek Nation
Chris Sackaney, Apitipi Anicinapek Nation
Dave Babin, Apitipi Anicinapek Nation
Paul McKenzie, Apitipi Anicinapek Nation

Kate Kempton, legal counsel for Apitipi Anicinapek Nation
Caroline Coburn, environmental consultant for Apitipi Anicinapek Nation
Andrew Bubar, environmental consultant for Apitipi Anicinapek Nation
Ken Peterson, business consultant for Apitipi Anicinapek Nation