



Impact Assessment
Agency of Canada

Ontario Region
600-55 York Street
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 Murray Ray
Flying Post First Nation
33 First Street
P.O. Box 1027
Nipigon ON P0T 2J0
<email address removed>

Dear Chief Murray Ray:

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 Flying Post First Nation, a revised draft summary of information available to the Agency on potential impacts of the Project on Flying Post First Nation (**Enclosure 1**);
- describe opportunities for Flying Post First 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 community'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 Flying Post First Nation

The Agency summarized the information received in the Planning Phase on the Project's potential to impact Flying Post First Nation in **Enclosure 1**. On January 5, 2023, an initial draft of this document was shared with your community, 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 community, including the impacts on your community's exercise of rights, and on the health, social and economic conditions of your community. 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 community 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 community to review and validate the information* contained in **Enclosure 1**, and to provide information pertaining to your 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 Flying Post First Nation to understand how your community 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 Flying Post First Nation.

The Agency intends to work with your community 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 Flying Post First 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 Flying Post First Nation could occur if certain issues are not resolved as a group, or if there are community-specific issues that need to be discussed.

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

In your comments to the Agency on the Proponent's Initial Project Description (IPD) on September 14, 2022,¹ Flying Post First Nation expressed an interest in working with the Agency to conduct a collaborative assessment of the impacts of the Project on the exercise of rights of Flying Post First Nation, and in actively participating throughout the federal impact assessment process. In a meeting with the Agency on March 2, 2023, Flying Post First Nation also expressed an interest in working collaboratively with the Agency to articulate the cumulative impacts on the exercise of rights experienced by each of Matachewan First Nation, Mattagami First Nation, and Flying Post First Nation.

The Agency is available to meet with Flying Post First Nation to understand the specific issues that could be presented in a community-specific consultation plan to complement the IEPP, and to discuss whether there are collaborative activities that Flying Post First Nation like to work with the Agency on that are not identified in the IEPP.

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¹ <https://iaac-aeic.gc.ca/050/evaluations/proj/83857/contributions/id/58780>

Invitation to Meet with the Agency

The Agency would be pleased to meet virtually with your community to discuss the opportunities set out above for Flying Post First Nation to collaborate with the Agency in the impact assessment process, and to discuss the summary of information available to the Agency with respect to the potential adverse impacts of the Project on Flying Post First Nation, as set out in **Enclosure 1**. The bridge grant funding, noted below, can be used to support your community's participation at this meeting as well as for providing any additional information to supplement **Enclosure 1**. **The Agency will follow-up with your community 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 Flying Post First 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 Flying Post First Nation's exercise of rights, and on impacts to the health, social and economic conditions of your community 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 community-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@jaac-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 Flying Post First Nation in the development of a community-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 community when this funding is made available.

The Agency will also offer contribution funding during the Impact Statement Phase to support the continued participation of Flying Post First Nation through the remainder of the impact assessment process. The Agency will notify your community 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.²

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 Policy³ 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 Notice⁴.

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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² <https://www.canada.ca/en/impact-assessment-agency/services/public-participation/participant-funding-application-environmental-assessment.html>

³ <https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>


⁴ <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 community.

Sincerely,

Neha Frantz



Date: 2023.08.30
18:00:42 -04'00'

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 Flying Post First 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.: Jeff Berube, Flying Post First Nation
Cathy Ray, Flying Post First Nation
Nicole Charbonneau, Wabun Tribal Council
Jason Batise, Wabun Tribal Council