Appendix C5

Feedback and Response Log - Indigenous Communities - Nibinamik First Nation

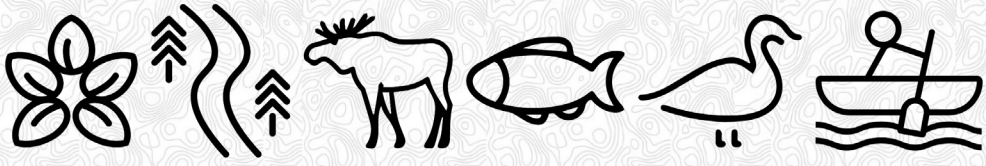

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	1	Nibinamik's Indigenous knowledge of water has not yet been considered in the Draft EA/IS. Nibinamik holds a spiritual connection to water, uses watercourses for travel, and values high quality water to support a healthy ecosystem that upholds Aboriginal and Treaty rights in their Homelands. Recommendation: Nibinamik was not able to participate in past efforts of the MCAR Project Team to collect Indigenous Knowledge, however Nibinamik should still be given opportunity, including capacity support, to offer Indigenous knowledge of water as the Project progresses.	The MFFN CAR Project Consultant was unable to reach Nibinamik to discuss how the Project can receive their knowledge so that it could be meaningfully incorporated into the Final EA / IS, and so that Nibinamik First Nation could receive funding for their efforts. This was in addition to previous outreach regarding the Indigenous Knowledge Program and associated funding. At the time of preparing the Final EA/IS, Nibinamik First Nation Indigenous Knowledge had not been received and could therefore not incorporated into the Final EA/IS.	Comment noted; see response for details.	925
Nibinamik First Nation	2	Comment: The surface water VC assessment uses a Local Study Area that includes project footprint and a 2.5-km buffer from the centreline, for a total of 72,500 hectares. There appears to be a miscalculation in total assessment area, since the groundwater LSA, which includes a buffer area of only 1 km from the centerline is larger in size (104,898 hectares). Additionally, the groundwater Regional Study Area (RSA), also defined as 2.5 km from the centreline, covers a total area of 215,068 hectares.	The aquatics Local Study Area (LSA) has been recalculated at approximately 170,545 ha and updated in Table 4-4 - Aquatics Existing Conditions Study Area in Appendix G (Fish and Fish Habitat). While the draft EA/IS contained a typo in the LSA number for the Aquatics Existing Conditions Study Area, the assessment considered the area covering the project footprint, plus 2.5 km from the centreline of Alternatives 1 and 4, as detailed in Section 4.2.3 Spatial Boundaries of Appendix F. Note: The existing conditions of the Local	Appendix G, Table 4-4	926

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Clarity is needed on the spatial boundaries and total area for the surface water local study area. Demonstrate that effects have been assessed fully within the descried boundaries and provide a correct estimate of study size.	and Regional Study Areas considered the two alternative routes (Alternative 1 and 4). However, since the residual and cumulative effects assessments were completed for Preferred Route, the Local and Regional Study Areas for the effects assessment differed from the existing conditions study areas.		
Nibinamik First Nation	3	The Draft EA/IS states that there are 53 total waterbody crossings in Alternative 1, and 51 total waterbody crossings on Alternative 4, including 13 that overlap between the two routes. However, the preferred route only described 45 waterbody crossings. Recommendation: Clarity is needed on the number of waterbody crossings as there appears to be more crossings on each alternative than in the final preferred route.	Two route alternatives (Alternative 1 and Alternative 4) were selected to evaluate feasibility. Details are provided in Section 4 of the Final EA/IS. The Alternative 1 and Alternative 4 routes run parallel, overlap, and cross each other at multiple locations. Alternative 1 and Alternative 4 are not the same as the Preferred Route. Alternative 1 consists of 53 waterbody crossings, Alternative 4 consists of 51 waterbody crossings, and the segments where they overlap have 13 waterbody crossings. The Preferred Route consists of segments from Alternative 1 and Alternative 4, and the number of waterbody crossings on the Preferred Route alignment is 45.	Comment noted; see response for details.	927
Nibinamik First Nation	4	The Draft EA/IS describes watercourses as having moderate to well-defined channels, with mostly straight paths, and	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader	Final EA/IS Section 8.1.4.2	928

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		generally stable slopes. Review of the surface water technical report finds this description to be far too broad a generalization for the watercourses that were assessed, where varying degrees of sinuosity and channel stability were encountered. Recommendations: Nibinamik expects the Project to consider site specific conditions of water crossings, reflecting their unique conditions. Generalizations should be avoided to prevent the downplaying of potential impacts and the unique design considerations or mitigations that may be required at water crossings with sinuous channels, active morphology or unstable channel banks.	audience, while the technical details are provided in the appendices for those who wish to review them in depth. Additional details for each individual crossing location visited during the field reconnaissance program are included in Appendix F (Surface Water), Attachment D (Hydrological, Hydraulic, and Geomorphic Characteristics of Project Watercourse Crossings) and Attachment H (Field Data Sheets).		
Nibinamik First Nation	5	Unmapped water crossings without defined beds and banks were not considered for the purposes of the surface water assessment. Question: How are residual effects determined for unmapped water crossings?	The unmapped water features without defined bed or banks were not considered waterbodies because these do not meet criterion for the definition of a waterbody in Ontario (Government of Ontario, 1990; Stanfield, 2017). Therefore, these were excluded from the crossing list and the assessment. Appendix F (Surface Water) provides a list of undefined/unmapped water features with supporting data and	Comment noted; see response for details	929

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			Appendix G (Fish and Fish Habitat) provides aerial photos and Light Detection and Ranging images.		
Nibinamik First Nation	6	The draft EA/IS asserts that there are no potential indirect effects on surface water as a result of changes in land and resource use. Nibinamik finds this unreasonable, as the land and resource use VC assessment demonstrates that the Project will provide improved access for the extractive resource industry, among other land use activities (e.g., recreation, forestry) that directly interact with surface water. Improved access to land and resource use will come with increased water demands, potential changes to water drainage pathways, and/or increased risk of pollution or changes to water quality. Recommendation: The effects assessment has neglected to consider interactions between changes in land and resource use and potential impacts to surface water. This oversight is not reasonable, and additional work is needed to assess potential impacts and develop mitigation measures for the long-term protection of surface water quantity and quality.	The Final EA/IS has considered potential Project environment effects and any environmental effects that are likely to result from the Community Access Road in combination with the environmental effects of other physical activities that have been or will be carried out. Refer to Section 7 (Residual effect assessment) and Section 8 (Cumulative effect assessment) of Appendix F (Surface Water) for more information. While we acknowledge that the Community Access Road may provide improved access for the extractive resource industry and other land use activities (e.g., recreation, forestry), it is important to note that the assessment can only consider the effects of activities that are currently approved and within the scope of the Community Access Road. Reasonably foreseeable activities that were not considered are those that have no publicly disclosed development plan or other information regarding the location and type of project/activity. For a	Comment noted; see response for details	930

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			potential future project to be considered in the CEA, preliminary information such as the location and type of activity, extent of the footprint, project components, and anticipated timelines are needed to evaluate if effects from the Project and the potential future project will overlap. The project inclusion list is provided in Table 10.1-1 of the Final EA/IS. However, the importance of monitoring is recognized. The Final EA/IS includes provisions for monitoring programs to track changes in surface water quality and quantity, so any unforeseen impacts are identified and mitigated.		
Nibinamik First Nation	7	The draft EA/IS uses an upper bound of 20% change to classify an effect as “low magnitude” for hydrology and surface water and sediment quality. This translates to mean that when less than 20% of a catchment is disturbed, or if the variation in quality indicator parameters is less than 20% of the natural range in variation, effects are considered low. This threshold appears high and does not account for site context like baseflow conditions, natural variability and ecological sensitivity. Recommendation:	Discussion and inferences from literature/studies (Bosch & Hewlett, 1982; Hibbert, 1967; Swanson, Golding, Rothwell, & Bernier, 1986; Stednick, 1996; Schnorbus, Winkler, & Alila, 2004; British Columbia Ministry of Forests, 1999) supporting that the marked changes in streamflow and channel stability as a result of land disturbance (i.e., clear-cut practices) are typically not expected if less than approximately 20% of the contributing catchment is disturbed are provided in Section 7.3.2.5 of Appendix F. Therefore, 5-20% change was considered "low" for changes at	Comment noted; see response for details	931

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Provide further clarify on how a 20% change can be considered low for all water crossings. This should be discussed for ecologically or culturally significant waterbodies. Discussions should also be rooted in tolerable variances in baseflow to support fish habitat. Additional fieldwork may be required to support discussion.	water crossings. Land cover changes within local watersheds were also assessed and discussed in Section 7.3.2.5 of Appendix F (Surface Water). Permanent changes (based on the worst-case scenario) at selected assessment points were estimated for large watersheds (0.07% to 0.17% with mean of 0.1%), medium watersheds (0.37% to 1.77% with mean of 0.7%) and small watersheds (0.32% to 4.22% with mean of 2.35%). Considering that the changes are within 5%, impacts to surface water are anticipated to be negligible. References: - Bosch, J.M. and J.D. Hewlett. (1982). A review of catchment experiments to determine the effect of vegetation changes on water yield and evapotranspiration. Journal of Hydrology. 55: 2 23. - Hibbert, A. (1967). Forest treatment effects on water yield. In: Sopper, W.E.; Lull, H.W. [Eds.]. Forest Hydrology, Pergamon, New York, NY: 527 543. - Swanson, R. H., Golding, R. L., Rothwell, R. L., & Bernier, P. Y. (1986). Hydrologic effects of clear cutting at Marmot Creek and Streeter Watersheds,		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Alberta. Canadian Forest Service, Northern Forestry Centre, Edmonton, Alberta. Information Report NOR X 278.APPENDIX 5.1A. - Stednick, J. (1996). Monitoring the effects of timber harvest on annual water yield. Journal of Hydrology, Volume 176, Issues 1–4, Pages 79-95. - Schnorbus, M. A., Winkler, R. D., & Alila, Y. (2004). Modelling forest harvesting effects on maximum daily peak flow at Upper Penticton Creek. B.C. Ministry of Forests Forest Science Program. Extension Note 67. - British Columbia Ministry of Forests. (1999). Forest Practices Code of British Columbia: Coastal Watershed Assessment Procedure Guidebook & Interior Watershed Assessment Procedure Guidebook (2 ed.).		
Nibinamik First Nation	8	The rationale for selecting the 20% threshold is partially based on the expected uncertainty with flow monitoring equipment, described as +/- 20%. The Water Survey of Canada Hydrometric Field Manual finds that flow monitoring equipment is generally accurate within 5% (Terzi, 1981). The 20% threshold appears high and is not justified by equipment error thresholds.	While we agree that the 5% change is within typical error of stream flow measurements and output from hydrologic/hydraulic model and was regarded as "negligible" in assessment, 5-20% change was considered "low" for changes at water crossing based on the inferences from the literature/studies (Bosch & Hewlett, 1982; Hibbert, 1967; Swanson, Golding, Rothwell, & Bernier, 1986; Stednick, 1996; Schnorbus,	Comment noted; see response for details	932

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Provide justification for the 20% variance in hydrometric monitoring that was used to set the magnitude thresholds. If proper justification cannot be provided, the MFCAR team should consider a 5% threshold has the upper boundary for "low" magnitude impacts.	Winkler, & Alila, 2004; British Columbia Ministry of Forests, 1999) supporting that the marked changes in streamflow and channel stability as a result of land disturbance (i.e., clear-cut practices) are typically not expected if less than approximately 20% of the contributing catchment is disturbed. For details, refer to Section 7.3.2.5 of Appendix F (Surface Water). Also note that land cover changes within local watersheds were assessed and discussed in Section 7.3.2.5 of Appendix F (Surface Water). Permanent changes (based on the worst-case scenario) at selected assessment points were estimated for large watersheds (0.07% to 0.17% with mean of 0.1%), medium watersheds (0.37% to 1.77% with mean of 0.7%) and small watersheds (0.32% to 4.22% with mean of 2.35%). Considering that the changes are within 5%, impacts to surface water are anticipated to be negligible. References: - Bosch, J.M. and J.D. Hewlett. (1982). A review of catchment experiments to determine the effect of vegetation changes on water yield and evapotranspiration. Journal of Hydrology.		

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			55: 2 23. - Hibbert, A. (1967). Forest treatment effects on water yield. In: Sopper, W.E.; Lull, H.W. [Eds.]. Forest Hydrology, Pergamon, New York, NY: 527 543. - Swanson, R. H., Golding, R. L., Rothwell, R. L., & Bernier, P. Y. (1986). Hydrologic effects of clear cutting at Marmot Creek and Streeter Watersheds, Alberta. Canadian Forest Service, Northern Forestry Centre, Edmonton, Alberta. Information Report NOR X 278.APPENDIX 5.1A. - Stednick, J. (1996). Monitoring the effects of timber harvest on annual water yield. Journal of Hydrology, Volume 176, Issues 1–4, Pages 79-95. - Schnorbus, M. A., Winkler, R. D., & Alila, Y. (2004). Modelling forest harvesting effects on maximum daily peak flow at Upper Penticton Creek. B.C. Ministry of Forests Forest Science Program. Extension Note 67. - British Columbia Ministry of Forests. (1999). Forest Practices Code of British Columbia: Coastal Watershed Assessment Procedure Guidebook & Interior Watershed Assessment Procedure Guidebook (2 ed.).		
Nibinamik First Nation	9	The effects assessment fails to use common quantitative techniques to	We acknowledge Nibinamik First Nation's request for quantitative	Comment noted; see	933

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		predict changes in surface water and sediment quality and instead relies on qualitative methods. For example, pollutant loads can be estimated based on empirical estimations with published data (e.g. annual total suspended solids from gravel roads), export coefficients or event mean concentrations for heavy metals; through the use of stormwater modelling approaches based on hydrology and land use change; or by conducting geospatially based risk mapping for sensitive areas and contamination paths (e.g. high-risk erosion zones, sensitive habitat receptors). Additional approaches are available to predict water quality based on road salt (or dust suppressant risk) and spill modelling for the transport of hazardous materials. Recommendation: Nibinamik would like to see quantitative methods used when discussing potential impacts to surface water and quality. The final EA/IS should consider applying quantitative techniques or provide justification as to why these methods are not applied.	methods. Information required to undertake a Quantitate Water Quality Assessment is not available at the EA/IS phase of the Community Access Road. It will be undertaken at the next phase of the Community Access Road, prior to construction.	response for details	
Nibinamik First Nation	10	Wash water from cleaning concrete mixing equipment and	Section 9.3.2 of the Final EA/IS includes monitoring of wash-out site regularly to	Comment noted; see	934

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		vehicles/equipment will be collected in a washout site 30 m from a waterbody. This mitigation does not provide enough environmental protection nor follow best management practices, given the potential detrimental impacts to the environment. • Concrete washout water contains toxic metals, has high pH that can harm fish and can be corrosive. Concrete washout water can also alter soil chemistry, plant growth and contaminate water. • The definition of waterbodies in the draft EA/IS does not include peatlands, wetlands, and riparian zones. This mitigation offers no protection for these sensitive areas that support water quality. Recommendation: Best management practices for concrete washout water should include the collection and containment of all wash out water in impermeable containers. Washout water should be captured in leak proof containers and undergo treatment to recycle and reuse water for concrete production. Hay bale washout pits are not recommended due to the susceptibility to damage and the sensitivity of peatland environments. Washout facilities should be inspected daily and checked for leaks or damage.	verify that runoff from the area does not report to a waterbody. Therefore, contamination entry to waterbody is not anticipated. It is also understood that discharge of water from stormwater management facilities and other sewage works will require an Environmental Compliance Approval (e.g., wash water from vehicles and equipment, water from concrete batch plants, and domestic wastewater and grey water from temporary construction camps and construction offices). Therefore, all applicable regulations and best management practices will be followed to mitigate the impacts due to discharge of water. Specific details about design of wash systems and operation will be finalized at the detail design stage and will be in compliance with the regulations. The development and implementation of the management plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	response for details	

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		When capacity is over 75% washout containers should be vacuumed, water disposed of of-site at approved facilities and should be removed when cementitious materials have hardened. Best management practices for cement and aggregate washout water must be documented in a management plan, shared with Nibinamik for review and kept on site for all contractors involved in project construction. The management plan must also include measures for inspection, reporting, and spill response.			
Nibinamik First Nation	11	Conflicting information has been presented on the management of domestic wastewater and sewage. Section 7.2.3.6 describes that domestic sewage generated at waste camps will be temporarily contained and then disposed of off-site at an approved waste facility. Section 7.2.3.10 and Table 9-6 states that domestic wastewater will be displaced to onsite leaching beds at the temporary construction camps. It is not clear if domestic wastewater includes sewage, and if there are plans to discharge sewage via a leaching bed. Leaching beds can contaminate surface water (via runoff and overland flow) and groundwater (by infiltration) with nutrients, bacteria, heavy metals or	Given the remote location of the Community Access Road, the absence of a nearby wastewater treatment plant, and the transportation challenges, both leading bed and off-site disposal at an approved facility have been considered. Domestic wastewater from temporary construction camps and construction offices / sites will be disposed of on site, where possible, in leaching beds constructed at the temporary construction camps, approved under the Ontario Building Code 2012 (Ontario Regulation 332/12: Building Code) under Building Code Act (Government of Ontario, 1992). The treatment unit (i.e., septic tank system) shall be connected to	Comment noted; see response for details	935

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		contamination of concern (e.g. pharmaceutical), and degrade wetland environments and environmental quality. Recommendation: Given the sensitive and pristine natural environment, Nibinamik does not support the use of leaching beds to manage domestic wastewater. Nibinamik would like to see enhanced environmental protection measures to further reduce potential effects from water discharge, include the collection, containment, and transport of all domestic wastewater and sewage offsite for treatment in an approved wastewater treatment plant.	a leaching bed constructed in accordance with the requirements of Section 8.7 of the Ontario Building Code. It will be operated and maintained as per Ontario Building Code requirements. Further, if required and when feasible, wastewater will be collected in approved vehicles and hauled to wastewater treatment plants authorized to accept this type of wastewater.		
Nibinamik First Nation	12	The draft EA/IS relies on Environmental Compliance Approvals to mitigate impacts from discharge. Nibinamik is concerned this process will not provide enhanced environmental assessments or consider ecologically or culturally sensitive water bodies when permitting discharge locations. Recommendation: No discharge sites should be approved without mapping and approval by all First Nations communities throughout the Homelands to verify that sensitive areas are protected and cumulative effects	In the course of completing the description of baseline conditions and effects assessment for the Final EA/IS, information provided by Indigenous Knowledge holders, Indigenous community members, regulators, and public stakeholders was used to develop the approach and assessment conducted for the Community Access Road. Section 8.1.1 of Final EA/IS and Section 3 of Appendix F (Surface Water) provides details about Indigenous Knowledge and how the shared information was used to inform this reporting.	Comment noted; see response for details	944

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		minimized. Additional work is needed ahead of construction design to identify sensitive areas, such as sensitive groundwater recharge areas, as these have not been determined in this under studied environment.	The owner / operator of the Community Access Road will work with local communities to avoid discharge into sensitive areas. The discharge plan, developed during detail design, and will account for ecologically and socially sensitive waterbodies. The development and implementation of the discharge plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	13	Table 9-6 sates that monitoring noted in Section 8.2.6 of the Technical Support Document; Appendix F will be conducted as a mitigation measure. Section 8.2.6 of the technical support speaks to predicted confidence in the cumulative effects assessment and does not provide a monitoring plan. Recommendation: Clarify what monitoring program is proposed a mitigation and provide a corrected version of the mitigation table in the final draft EA/IS	This is a typo and should refer to Section 9.2 of Appendix F (Surface Water). It has been corrected in Table 9.3-4 of the Final EA/IS. Environmental monitoring (including water quality sampling / testing) for pre-construction, construction and operation and maintenance phases is proposed to verify the performance and effectiveness of the planned mitigation measures. As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures	Final EA/IS Section 9.3.2 and Table 9.3-4	945

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			include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established.		
Nibinamik First Nation	14	Mitigations proposed for bridge construction/decommissioning do not reference the DFO interim code of practice for temporary bridges. Additionally, the surface water mitigations do not mention the DFO interim code of practice for beaver dam removal. Recommendation: Provide clarify if the DFO interim code of practice for temporary bridges will be used or how the DFO will be engaged in temporary bridge construction activities. Further, provide information on if the DFO practice for removing beaver dams will be abided by.	As discussed in Section 7.3.1.4 of Appendix F (Surface Water), the design, construction (and removal as needed) of temporary and permanent waterbody crossings, and removal of temporary waterbody crossing structures following the completion of the relevant work, will be in compliance with Ministry of the Environment, Conservation and Parks-specified conditions, and Ministry of Natural Resources /Fisheries and Oceans Canada regulatory permits and approvals, and guidelines as applicable. The DFO interim code of practice for temporary bridges and for removing beaver dams will be followed, where	Comment noted; see response for details	946

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			applicable.		
Nibinamik First Nation	15	Ontario has limited recently published guidance on best practices for making changes in and about a stream. Recommendation: The MFCAR team is recommended to review and integrate best management practices from the Government of British Columbia, such as Requirements and Best Management Practices for Making Changes In and About a Stream in British Columbia (2022). (Government of British Columbia, 2022)	We appreciate the reference provided by Nibinamik First Nation. The reference has been reviewed and considered. Given that the Community Access Road is in Ontario, local legislations and regulations require that local guidelines and standards published by the regulating authorities must be adhered to. Therefore, priority is given to Ontario's guidelines and standards. However, in rare cases where a certain information in local guideline documents is found insufficient, guideline documents from other provinces/jurisdictions may also be used in consultation with local regulating authorities.	Comment noted; see response for details	947
Nibinamik First Nation	16	Waterbody crossing structure design will be based on hydrologic and hydraulic design flows. Recommendation: While Nibinamik is pleased to see that there will be consideration for channel slope and substrate in design considerations, designs must also consider the ecological context of the proposed water crossing, and traditional	Hydrologic and hydraulic modeling for each waterbody crossing will be completed at the detail design phase of the Community Access Road and water crossing structures would be sized to meet required design considerations/scenarios (e.g., design flood events including climate change, sediment transport and/or ice-jam conditions) as mandated by applicable regulatory guidelines and standards	Comment noted; see response for details	949

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		or contemporary land use to ensure the best-suited design is selected from an interdisciplinary perspective. Additionally, Nibinamik would like to see hydrologic and hydraulic modelling completed with a consideration for climate change to ensure that designs can both accommodate flood flows safety and allow the transport of fish under low flow conditions. Hydraulic models should include an erosion /sedimentation module to ensure the potential changes to sediment transport are well understood. Lastly, all bridge structures must be designed and modelled with the consideration of ice-jam conditions.	practices. As discussed in Section 7.3.1.4 of Appendix F Surface Water Technical Support Document, the design, construction (and removal as needed) of temporary and permanent waterbody crossings, and removal of temporary waterbody crossing structures following the completion of the relevant work, will be in compliance with Ministry of the Environment, Conservation and Parks-specified conditions, and Ministry of Natural Resources /Fisheries and Oceans Canada regulatory permits and approvals, and guidelines as applicable. Also note that each waterbody crossing will be visited ahead of construction by qualified environmental personnel, to verify that the crossing location is conducive to the planned crossing structure installation, such that any changes in site conditions can be addressed through necessary design adjustments. If site-specific features prevent the installation of a crossing structure, a different crossing method will be selected and implemented.		
Nibinamik First Nation	17	Nibinamik understands that channel realignments and/or infillings may be required at some locations.	One of the guiding principles of the bridge crossing designs is to minimize disturbance to natural waterways	Comment noted; see response for	951

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		Recommendation: Nibinamik would like to see channel realignment and infilling avoided to the extent possible. However, if required, Nibinamik recommends designs prioritize developing ecologically connected channels, ensuring that channels can safely flood, migration and support wildlife. Material selection should reflect pre-construction conditions and not restrict groundwater/surface water interaction. Natural channel design principles should also be prioritized to protect against flooding and erosion concerns when conducting any in-stream modifications.	wherever feasible. However, some temporary and permanent impacts are unavoidable—particularly in areas requiring pier construction and the installation of rip rap for scour protection. These measures are necessary to ensure the structural integrity and safety of the crossings, especially during high-flow events. Refer to Section 9 of the Final EA/IS for mitigation and enhancement measures, as well as Section 14 of the Final EA/IS for monitoring programs and future commitments.	details.	
Nibinamik First Nation	18	Temporary waterbody crossings will be reclaimed as part of mitigation measures. Recommendation: Nibinamik requires reclamation plans are developed ahead of construction, demonstrating the feasibility of reclamation on ecologically relevant timescales and ensuring that natural hydrologic conditions will not lead to erosion/sedimentation and/or bank instability issues	The development and implementation of the Reclamation Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	958
Nibinamik First	19	Changes to surface water value	The residual effect at a waterbody	Comment	953

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Nation		components from the operations and maintenance of water body crossings are described as "short-term" meaning "effect ends before the end of construction". It is unclear how effects during operations can be considered short-term. Recommendation: Nibinamik requires justification as to how impacts during operation can be considered short-term. It is the opinion of Nibinamik that these effects will be continuous	crossing during the operations phase is characterized as short term because it is not expected to persist following the maintenance activities. This reflects the expectation that any required maintenance will be scheduled promptly after a problem is identified during routine monitoring and inspection.	noted; see response for details	
Nibinamik First Nation	20	Riparian vegetation is essential to maintaining water quality and bank stability around bridge crossings. The current mitigation measure proposed clearing within 10 m of the ROW to install waterbody crossings. There is also concern that clearing within the riparian ROW will impact water crossings within peatlands or wetland areas. Mitigation measures also suggest that mechanical clearing will be needed for the maintenance and operation phase, potentially prolonging restoration. Recommendation: Enhanced mitigation measures, beyond those proposed should be considered such as:	Nibinamik First Nation's recommendations are generally in line with the mitigation and enhancement measures proposed in Section 7.3 of Appendix F (Surface Water) and summarized in the Final EA/IS. Section 9.3.2 of the Final EA/IS has been updated for clarity around use of herbicides. Herbicide use is not planned. It is understood that clearing vegetation to creating working space for construction work around water crossing can impact waterbodies, however mitigation and enhancement measures (including erosion and sediment control measures, progressive vegetation and restoration of disturbed area), as	Final EA/IS Section 9.3.2	956

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		• Abutment setbacks (e.g., 10 m from streambank) to avoid disturbance to riparian foot zones. • Preventing infill and excavation in the riparian zone. • Maintain a 30 m vegetated buffer and only selectively clear in temporary access spaces. • Avoid mechanical clearing methods within riparian zone. • Site temporary laydown sites/staging areas outside of the riparian zone. • Restrict the use of pesticides/herbicides to preserve water quality. • Install sediment and erosion control measures during vegetation maintenance activities	proposed in the Final EA/IS and Section 7.3 of Appendix F (Surface Water), will be implemented to mitigate the impacts.		
Nibinamik First Nation	21	Mitigation measures describe some restricted activities in “sensitive areas,” however it is not clear which areas will be considered sensitive and under what criteria. Recommendation: The criteria to assess and define a sensitive area should be clearly presented as part of the EA/IS. The assessment should include a framework that considers hydrologic and ecologic sensitivities, as well as current and traditional land uses. This framework to	The Final EA/IS acknowledges the importance of clearly defining sensitive areas and assessing them through a multi disciplinary lens that incorporates western science, as well as Indigenous Knowledge shared by Indigenous communities. While a formal, stand alone “sensitivity framework” was not developed as part of the Final EA/IS, it applies the underlying principles of such a framework through the existing discipline-specific assessments, each of which evaluates	Comment noted; see response for details	959

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		determine land use sensitivity should be developed collaboratively with Nibinamik and other Indigenous groups throughout the Homelands.	sensitivity using established criteria (such as habitat value, hydrologic function, traditional land use importance, cultural significance, community identified constraints). These assessments were carried out in parallel and were informed by Indigenous Knowledge shared by Indigenous communities. The Final EA/IS identifies sensitive areas as locations requiring special consideration during project planning and implementation due to their ecological, hydrologic, cultural, spiritual, or land use significance. Sensitive areas include: • Confidential Indigenous Knowledge areas identified by communities. • Dwellings, protected areas, and areas of high recreational use. • Harvest areas for hunting, trapping, fishing, and plant gathering. • Cultural, spiritual, and sacred sites, including burial grounds. • Historic and habitation areas, including travel routes and traditional gathering places. These sensitive areas were identified collaboratively through community input, Indigenous Knowledge programs, field studies, and technical assessments. They are incorporated throughout the		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Final EA/IS as key points of reception in evaluating potential project effects. Should the Final EA/IS for the Community Access Road be approved to proceed, a consultation and engagement program will be established to guide discussions through detail design, including with Nibinamik First Nation.		
Nibinamik First Nation	22	Mitigation measures propose to control sedimentation by directing sediment-laden water to drain through low gradient, well vegetated areas away from watercourses. There is no prescribed setback for this drainage area. Also, it is not clear how the sensitivities of muskeg and wetlands will be considered in this approach. Recommendation: Pumping sediment laden water to low-gradient areas should only be pumped outside of the riparian area, with appropriate setbacks. Discharge areas must also avoid sensitive receiving environments such as peatlands. Discharge plans should be reviewed by Nibinamik ahead of construction activity.	As discussed in Table 9-6 of the Final EA/IS, sedimentation in the receiving environment will be controlled by directing sediment-laden water to various temporary storage and settlement features (such as, sumps, settling ponds or catch basins) prior to discharge. Alternatively, where appropriate, the sediment-laden water will be directed to drain / filter through low gradient, well-vegetated areas away from watercourses (such as, using pumps and hoses). However, this does not include discharging sediment laden water to sensitive areas such as muskeg and wetland. Discharge plans will be prepared at the detail design stage and submitted to regulating authorities for permitting/approval prior to construction. Note that the permits/approval for	Comment noted; see response for details	960

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			construction discharge/dewatering to land surface require a minimum of 30 m setback from the waterbody. These plans will also be shared with local indigenous groups/communities. The development and implementation of the discharge plans will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	23	While Nibinamik is pleased to see that additional contingency measures will be implemented as needed during wet weather events or flood like conditions, greater detail is needed on the approach to decision making and adaptive management during these conditions to make sure that erosion and sedimentation protection is provided without risking impacts to other value components (e.g. vegetation). Recommendation: Nibinamik requests that a Wet Weather Management Plan is developed with a clear framework for decision making and adaptive management, including	Wet weather events would be discussed in the Environmental Protection Plan. The development and implementation of the Environmental Protection Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	961

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		threshold conditions to change work, clear site-specific contingency plans, communication protocols, and demonstration that contingency measures will not cause an impact to other value components (e.g. such as additional or alternative right of way leading to the clearing of sensitive plant species or wildlife habitat).			
Nibinamik First Nation	24	Mitigation measures reference the Aggregate Permits on Crown Lands for Pits and Quarries Above Water (Ministry of Natural Resources and Forestry, 2014). This reference is outdated and not currently used as a permitting resource for aggregate pits in Ontario. Further, it is suspected that many of the aggregate pits required will be below the water table based on the hydrogeologic environment. Recommendation: Nibinamik requests that the MFCAR team develops a transparent environmental protection strategy for pits and quarries required to support the Project. This should include reference to current industry standards and guidelines. A coordinated environmental protection strategy for pits and quarries is recommended to avoid cumulative	The responsibility for preparing an environmental protection plan will form part of the tender package for selecting construction operators and aggregate site operators. Marten Falls First Nation will collaborate with the Province and the selected contractor to ensure the plan meets best practices and provincial guidance. A cumulative effects assessment of the Community Access Road, including supporting infrastructure like pits and quarries was completed as part of the Final EA/IS. However, a coordinated environmental protection strategy for pits and quarries is outside the scope of the EA/IS.	Comment noted; see response for details.	962

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		effects from the operation of numerous quarries in the Project area.			
Nibinamik First Nation	25	The proponent states that "if refueling within 120 m of a waterbody cannot be avoided, enhanced spill containments measures, such as a Spill Prevention and Emergency Response Plan will be used" (p. 397). It is the understanding of Nibinamik that a Spill Prevention and Emergency Response Plan should be implemented at all times, regardless of proximity to a waterbody. Recommendation: The enhanced measures to protect waterbodies and wetlands from spills and leaks from refueling, serving and maintenance is not clear. The MFCAR suggests that the 120 m buffer will not be maintained due to the prevalence of wetlands. Nibinamik requires clarity on what enhanced spill prevent and containment measures will be implemented to protect waterbodies and wetlands. These enhanced measures for wetlands and waterbodies should be clearly documented, including communication, checklists and reporting plans, within the Spill Management Plan. At the very least, these spill prevention and containment measures should	Section 7.3.1.10 of Appendix F (Surface Water) discusses that a minimum of 120m buffer from waterbodies will be maintained/respected to the extent possible. However, due to site-specific constraints there may be locations where refueling, servicing or maintenance may be required within 120m. In such cases (within 120m of a waterbody) enhanced spill containment measures will be implemented. As discussed in Section 7.3.1.10 of Appendix F (Surface Water), spill containment measures may consist of low permeability liners, sloped appropriately, and buried in the ground, portable berms (e.g., insta-berms) or concrete pads with perimeter drainage control. Drainage will be passed through an oil-water separator to remove hydrocarbons prior to its release to a vegetated area. Note that the transportation, storage, and handling of fuels during construction will be in compliance with Canada's Transportation of Dangerous Goods Act (Government of Canada, 1992) and the	Appendix F Section 7.3.1.10 Final EA/IS Section 9.3.2	963

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		prevent refuelling within riparian areas and require the use of drip-trays and automatic shut-off nozzles.	Technical Standards and Safety Act (Government of Ontario, 2000). The aboveground storage tanks will meet the requirements of the Canadian Council of Ministers of the Environment (Canadian Council of Ministers of the Environment, 2003). For better clarity, Appendix F and Section 9.3.2 of the Final EA/IS has been updated to highlight that Spill Prevention and Emergency Response Plan will be implemented. The development and implementation of the Spill Prevention and Emergency Response Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	26	The proponent anticipates sand will be used on bridge decks and roadways for de-icing instead of salt. It is encouraging that the proponent does not intend to use salt for de- icing, however it is not clear how this mitigation measures will be enforced for the lifetime of the road in lieu of legally enforceable bylaws or regulations. This also begs questions of responsibility for de-icing and snow	Mitigations will be followed as condition of approval of the Final EA/IS. Marten Falls First Nation continues to engage in discussions with the Province regarding the ownership and future operations and maintenance of the Community Access Road. Ownership is not within the scope of the Final EA/IS, however it is a matter that will require further dialogue between the communities and the Province.	Comment noted; see response for details	965

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		removal during the lifetime of the road. Further, the use of salt (calcium chloride) has been mentioned throughout the draft EA/IS for dust control, potentially undermining the use of sand alternatives for deicing. Recommendation: Nibinamik would like more information on road ownership and responsibility of road maintenance for the lifetime of the projects. If mitigation measures are to effectively reduce impacts during operation, there must be a clearer mechanism on how these mitigation measures will be followed and practiced over the life of the road.			
Nibinamik First Nation	27	The Draft EA/IS does not consider how roadway runoff will impact surface water quality during the lifetime of the road. Urban roadway runoff is known to contain toxic compounds, with emerging impacts to fish and wildlife. These long-term impacts have not been considered or mitigated through the draft EA/IS. Recommendation: Nibinamik finds the draft EA/IS to be silent on the potential long-term impacts of roadway runoff. Nibinamik requires greater discussion and consideration for	We recognize that roadway runoff—including suspended sediments and associated pollutants—can affect nearby waterbodies. During detail design, a Quantitative Water Quality Assessment will be completed to evaluate runoff quality and confirm appropriate treatment measures once design details are available. Details of stormwater management infrastructure will be confirmed during the detail design phase of the Community Access Road. It is anticipated that	Comment noted; see response for details	966

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		the introduction of toxic roadway runoff compounds and particles entering surface water systems surrounding the roads. This should include the required use of green stormwater infrastructure and plans for long-term monitoring to roadway runoff contaminants (e.g., tire wear particles, 6PPDQ). Monitoring programs should be regional and focus on developing capacity of First Nations-led monitoring programs through guardian programs. Programs must also include a long-term adaptive management plan, communication framework, as well as funding and capacity support. Additionally, a clear strategy for stormwater infrastructure design and maintenance should be developed during the detailed design phase to ensure that all stretches of the road are providing stormwater control for both water quantity and water quality concerns, and clear plans for a sustainable maintenance schedule. Green stormwater infrastructure must be mandatory along both the roadway and at bridge waterbody crossings.	stormwater management infrastructure will be designed to protect the natural environment by reducing erosion, sediment transport, and pollutant loading. Grassed ditches and bioswales will provide water quality treatment by retaining suspended solids and associated contaminants before flows enter watercourses. Additional stormwater controls will be incorporated as required at sensitive locations, including bridge and waterbody crossings. As noted in Nibinamik First Nation Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	28	The Draft EA/IS predicts residual effects from the wash off of spills and residue from blasting near waterbodies. Recommendation: The Blasting Management Plan should consider additional mitigation measures to further reduce these impacts, such as erosion control measures, pre- and post-monitoring plan, and plans to contain blasting slurry/residue to prevent wash off to surface water bodies.	The development and implementation of the Blasting and Communication Management Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	967
Nibinamik First Nation	29	Nibinamik is concerned that surface water will be impacted from accidental fuel leaks and spills occurring during the operation and maintenance of the road. Recommendation: As the road progresses to these Project phases, Nibinamik should be further engaged to develop spill prevention and response plans for road operation. This could include signage for spill reporting, spill kit availability along the road, and/or specific transportation requirements for fuel, chemicals and other materials being transported along the road (e.g., inspections, tie-downs, check points).	Marten Falls First Nation acknowledges Nibinamik First Nation's interest in the development of spill prevention and response plans. The development and implementation of spill prevention and response plans will, however, be undertaken solely by Marten Falls First Nation.	Comment noted; see response for details.	968
Nibinamik First Nation	30	The approach for the cumulative effects assessment is flawed. Nibinamik beliefs	The Final EA/IS and the Technical Support Documents were prepared to	Comment noted; see	969

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		as cumulative effects should consider all residual effects regardless of significance. Is it the interaction of cumulative effects acting at the same time (e.g., additive or synergistic effects) that make impacts significant. Water is value component that is extremely sensitive to cumulative effects, due to the nature of watersheds and waterways reflecting the consequences of our actions on land, potentially compounding these impacts as water flows. Recommendation: Nibinamik requires a more meaningful cumulative effects assessment is completed for the long-term use and operation of the road considering how land use and land cover changes will impact surface water and sediment value components. This should include capacity and support for Nibinamik to lead their own cumulative effects assessment within the Homelands, such as funding to develop a spatial database	meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. The development of a Nibinamik led cumulative effects assessment is not a regulatory requirement and as such was not developed as part of the Final EA/IS.	response for details	
Nibinamik First Nation	31	These cumulative effects scoping is inappropriate to meaningfully assess the cumulative effects of the project on surface water for the long-term. Residual effects that were “possible” to occur were not carried forwards in the cumulative	A. The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical	Comment noted; see response for details	970

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		effects assessment, effectively excluding all potential residual effects from the operation and maintenance phase of the Project where cumulative effects are most likely to occur. This is particularly concerning as residual effects to surface water quantity, surface water quality and sediment quality from land cover changes. Additional changes to land cover and land use over the operation and maintenance of the road are an anticipate effect. It is well known that land use changes will change water quality, quantity and sediment quality cumulatively over the long-term without proper planning, monitoring and mitigation. Additionally, the executive summary of the surface water technical appendix erroneously states residual changes to surface water value components from land cover during operation and maintenance are carried forward in the cumulative effects assessment where this was not completed in the body of the report. Recommendation: Nibinamik requires a more meaningful cumulative effects assessment is completed for the long-term use and	discipline-specific study plans. As outlined in Section 10 of the Final EA/IS, “The Impact Assessment Act (Government of Canada, 2017a) requires that each Environmental Assessment of a project take into account any cumulative environmental effects that are likely to result from the project in combination with the environmental effects of other physical activities that have been or will be carried out.” In alignment with this requirement, the cumulative effects assessment was prepared in accordance with the approved Terms of Reference for the Community Access Road. Activities were included on the Project Inclusions List where spatial and temporal overlap with local and regional study areas were identified for each of the valued components carried forward from the regional effects assessment; and where information was publicly available from online sources at the time the cumulative effects assessment was completed. We acknowledge Nibinamik First Nation's request for capacity and support to lead their own cumulative effects assessment. Consultation and engagement of the Final EA/IS will be		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		operation of the road considering how land use and land cover changes will impact surface water and sediment value components. This should include capacity and support for Nibinamik to lead their own cumulative effects assessment within the Homelands, such as funding to develop a spatial database. Furthermore, Nibinamik requests greater justification for the characterization of effects (such as scientific literature) to justify the magnitude and likelihood determined by the MFCAR team. The technical appendix and draft EA/IS must also be revised to accurately summarize the scope and extent of cumulative effects studied.	undertaken by the government agencies. Funding requests and opportunities will be addressed by the appropriate parties. B. The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Section 10.2.2 in the Final EA/IS is a high-level summary of the surface water assessment in Appendix F (Surface Water). Refer to Appendix F (Surface Water) for detailed surface water assessment completed for the Community Access Road. Section 4.4 of Appendix F (Surface Water) outlines the criteria for carrying forward residual effects. The process to carry forward a residual effect to cumulative assessment is not determined solely by the likelihood of occurrence being "possible," but also incorporates additional residual effects characterization such as magnitude and direction. As discussed in Section 4.4.3.1 of Appendix F (Surface Water), the valued components that did not have a residual effect predicted or for which the residual adverse effect was both of		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			negligible magnitude and was possible, albeit rare, to occur were not carried forward into the cumulative effects assessment. Residual changes to surface water value components from land cover during operation and maintenance were assessed but were not carried forward in the cumulative effects assessment (See Section 7.3.2.5 of Appendix F [Surface Water]) based on the established criteria.		
Nibinamik First Nation	32	The Draft EA/IS states that cumulative effects related to surface water in the regional study area are not significant, however also states that "for the purposes of the cumulative effects assessment, significance of the effects for surface water was not determined" (p. 779). There is no justification that effects are not significant if they were not assessed. Recommendation: Nibinamik requires provisions for a Nibinamik lead cumulative effects assessment. Issues in the accuracy, clarity and transparency of the draft EA/IS cumulative effects assessment further underlines the need for additional studies.	The Final EA/IS and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. The development of a Nibinamik led cumulative effects assessment is not a regulatory requirement and as such was not developed as part of the Final EA/IS.	Comment noted; see response for details	971

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	33	The cumulative effects project inclusion list includes a number of existing and planned mines operating within the regional study area. There has been no discussion on how water quantity (water use and water management) in the regional study area will be cumulatively impacted by these mines and road operation or construction. Recommendation: Further justification is need as to how mining projects will not result in cumulative effects on water quality and quantity in the study area. Nibinamik requires further engagement on the permitting of water taking and discharge from development projects in the regional study area.	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Section 10.2.2 in the Final EA/IS is a high-level summary of the surface water assessment in Appendix F (Surface Water). Refer to Appendix F (Surface Water) for detailed surface water assessment completed for the Community Access Road. Cumulative effects assessment is presented in Section 8 of Appendix F (Surface Water). Table 8-3 of Appendix F (Surface Water) provide project and physical activity inclusion list within the aquatics effects assessment regional study area for cumulative effects assessment. Assessment of cumulative effects on surface water quantity due to projects in Table 8-3 is provided in Section 8.2 of Appendix F (Surface Water). Note that water taking and discharge plan(s) will be prepared at the detail design stage of the Community Access Road and will be provided in permitting applications.	Comment noted; see response for details	972

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	34	The cumulative effects assessment for surface water does not include the Anaconda and Painter Lake Forestry Access Road Upgrades on the basis that "the project will be completed prior to the start of construction for the community access road", however the project start date and completed date is unknown. Furthermore, temporal overland of this project with the Community Access Road is anticipated for the groundwater value components. Recommendation: Nibinamik requires further justification for assumptions made in the cumulative effect assessment, as well as plan to update/validate cumulative effects assessment as develop projects progress to the permitting, design, and construction phases.	The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. As outlined in Section 10 of the Final EA/IS, "The Impact Assessment Act (Government of Canada, 2017a) requires that each Environmental Assessment of a project take into account any cumulative environmental effects that are likely to result from the project in combination with the environmental effects of other physical activities that have been or will be carried out." In alignment with this requirement, the cumulative effects assessment was prepared in accordance with the approved Terms of Reference for the Community Access Road. Activities were included on the Project Inclusions List where spatial and temporal overlap with local and regional study areas were identified for each of the valued components carried forward from the regional effects assessment; and where information was publicly available from online sources at the time the cumulative effects assessment was completed.	Comment noted; see response for details	973

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			At the time of reporting for the Final EA/IS, the start and completion dates were unknown for the Anaconda and Painter Lake Forestry Access Road Upgrades.		
Nibinamik First Nation	35	Nibinamik is pleased that there will be additional monitoring completed at surface water crossings not yet evaluated. Nibinamik believes there is room to improve the study design methods used previously, based on lessons learned from the Draft EA/EIS assessment. For example, the reviewer has noted several deficiencies with the methods outlined in Section 4.3: • Use of outdated/unavailable technology to characterize hydrologic environment (e.g., discontinued functions of the Ontario Watershed Information Tool). • Incompatible equipment/methods with the hydrologic terrain leading to missed measurements of channel bathymetry, water depth and flow. • Missed measurements of basic water quality parameters from probe malfunctions. Recommendations: Nibinamik would like to see improvements to the monitoring program	As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established.	Comment noted; see response for details	974

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		for pre-construction conditions. Pre-construction monitoring often informs baseline conditions which are used to understand long-term changes and high-quality data is required. Nibinamik recommends a study design is shared for pre- construction monitoring, including the following considerations: • Clarity on what guidance resources were used. • Ensuring the most up to date guidance/standards are followed • Apply a more rigorous geomorphic assessment, such as the Ontario Stream Assessment Protocol and complete a full geomorphologic assessment for sinuous or major rivers. • Improved methods to determine channel bathymetry, water depth and flow, such as acoustic doppler current profiles and LiDAR/Sonar drone bathymetry. • Better contingency plans for in-situ quality measurements. • Improved suite of water quality parameters including contaminants of potential concern, such as roadway runoff chemicals and tire wear compounds.			
Nibinamik First Nation	36	Nibinamik believes there is room to improve the study design methods used	1. As noted in Nibinamik First Nation Aboriginal and/or Treaty Rights and	Comment noted; see	1619

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		previously, based on lessons learned from the Draft EA/EIS assessment. Changing the monitoring approach or plan based on results of the field program is part of adaptive monitoring and adaptive management principles. Nibinamik would like to see a more active effort to include adaptive monitoring and management approaches in the assessment and design of the Community Access Road. Nibinamik would like to see a more active effort to include adaptive monitoring and management approaches in the assessment and design of the Community Access Road. The following is recommended to assist in improving adaptive monitoring and ground-survey techniques: 1) Develop an adaptive monitoring and management plan, in collaboration with Nibinamik and other First Nations groups that outlines how preconstruction, construction and post-construction monitoring will be completed. Include methods to report on results, include success of field studies to improve on monitoring technique and prevent the loss of data for future adaptive management programs. 2) Include capacity and funding support	Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. Adaptive management will also be part of the environmental advisory committee mandate. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established. In addition, the Final EA/IS includes general adaptive management commitments to be applied during the subsequent phases of the Community Access Road. 2. The Final EA/IS includes the following commitment, "The monitoring program will be under the direction of the Environmental Monitor and Indigenous Environmental Monitor." Capacity and funding requirements to support this	response for details	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		for First Nations Environmental monitors inclusion in pre-construction field surveys.	involvement will be determined by the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	37	Vague wording causes concern on the extent of pre-construction monitoring requirements. Nibinamik would like to see additional surface water surveys at all waterbody crossings not previously assessed by ground-based surveys as well as additional investigations at crossings where work is required below the high-water mark. Recommendation: Clarify if ground-based surveys will be required at all waterbody crossings or only those where work is proposed below the high-water mark	As discussed in Section 9.1 of Appendix F (Surface Water), prior to construction, ground-based surveys will be completed at waterbody crossing location that has not already been assessed as part of field investigations and at water crossings where work is proposed below the high-water mark to meet additional permitting requirements. For better clarity, "or" will be replaced by "and" in first bullet under Section 9.1 of Appendix F (Surface Water) and in Section 14.1.1.1 of the Final EA/IS.	Appendix F Section 9.1 Final EA/IS Section 14.1.1.1	975
Nibinamik First Nation	38	Pre-construction monitoring should also include an extensive surface water monitoring program near aggregate pits and quarries, as well as discharge locations for dewatering activities. At least 2-years of data should be collected to support additional permitting and environmental assessments.	As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental	Comment noted; see response for details	976

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Nibinamik would like to see pre-construction, construction, and operational monitoring plans developed ahead of project construction to ensure these plans can deliver adequate mitigations. Baseline monitoring data collected in these plans should be based on high quality collection methods that reflect good temporal and spatial coverage. Baseline data should be used to develop adaptive management threshold and trigger response plans for the long-term use of the road	monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation.		
Nibinamik First Nation	39	First Nations have highlighted the importance of seeps to their community. The groundwater impact assessment does not assess the baseline conditions of seeps (e.g., seep study) nor predict potential impacts to seeps from the project. The EA/IS defines the groundwater quantity VC as amount of abundance and spatial configuration of groundwater yet only uses change in groundwater level as the VC indicator (as indicated in the Groundwater Technical Appendix). This approach excludes consideration of residual effects to seeps and springs. Understanding potential effects to seeps and spring is highly	As part of the groundwater field program planning, the locations of any seeps/springs were sought through the Project's Indigenous Knowledge program. No seeps/springs were identified by the available Indigenous Knowledge at the time so the sampling of seeps/springs was not included in the field program. Some locations of seeps/springs were later identified in ATRI reporting and these were reviewed as to their location relative to the Project Study Areas. None of the seep/springs identified to date are located within the groundwater effects	Comment noted; see response for details	977

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		important to Indigenous Nations, as well as an important indicator to assess changes in groundwater flow pathways from the project. Recommendation: The Draft EA/IS must be improved to include an assessment of seeps and springs, including baseline conditions and residual effects assessment. Omission of this assessment reflects poorly on the Project's commitment to integrate Indigenous knowledge and priorities. It also appears that spring/seep sampling was previously included in the groundwater study plan (which has been omitted from the groundwater technical appendix) but not executed as part of the groundwater field investigations. Nibinamik would like justification as to why this monitoring was omitted, as well as a fulsome assessment of project effects and cumulative effects on seeps and springs.	assessment study areas but if others are identified in the next phase of the Community Access Road, they will be considered in the pre-construction monitoring programs, as applicable.		
Nibinamik First Nation	40	Both the LSA and RSA for groundwater are significantly smaller than those of the other water disciplines. Nibinamik knows that water is connected throughout the Homelands, and groundwater interacts with and supports surface water and peatlands. It is very concerning that the	Groundwater moves slowly relative to surface water and impacts to groundwater are typically local. The rationale for the groundwater Study Area sizes is provided in Section 4.2.3.2 of Appendix H Groundwater Technical Support Document.	Comment noted; see response for details	978

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		groundwater discipline was only assessed in such a small study area. Additionally, the regional assessment area is inappropriately sized for any following cumulative effects assessments as it is limited to the area immediately adjacent (2.5 km buffer) to the project. Recommendation: Further justification is needed to demonstrate that all impacts to groundwater (both residual and cumulative) have been captured within the regional and local study areas, Justification should use literature and fieldwork studies to demonstrate that impacts cannot extend beyond these areas to assure Nibinamik that all impacts have been fully mitigated. If this cannot be reasonably justified, an expanded study is warranted.	Information obtained from the field studies and the effects assessment indicate that the estimated radii of influence for typical pit or quarry dewatering scenarios are less than 750 m (Section 7.4.1 of Appendix H [Groundwater]) and the estimated horizontal groundwater velocities are between 0.001 to 0.1 m/day (Section 5.4 of Appendix H [Groundwater]). These estimates indicate that potential effects to groundwater quantity and quality would occur well within the groundwater Study Areas and they are appropriate for the assessment.		
Nibinamik First Nation	41	Groundwater Technical Report Comment: The baseline studies for groundwater are spatially and temporally scarce. There are only 20 monitoring locations along both Alternatives 1 and 4. Some segments of the road have no groundwater or borehole information. This is especially concerning as peatland	The Environmental Assessment/Impact Statement (EA/IS) groundwater monitoring program was designed to address the need for local groundwater data while also considering the challenges and impacts of monitoring well construction and monitoring in the remote Project area and the preliminary design status of the Project as routes were evaluated and designs evolved. At	Final EA/IS Section 8.1.7 Appendix H	979

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		environments are sensitive to changes in groundwater movement and susceptible to ground subsidence. Groundwater quantity and quality were only measured three times in one monitoring year, representing only a surface level understanding of baseline conditions. There has also been no targeted groundwater assessment at locations of temporary infrastructure, aggregate pits, and water taking/discharge areas. Recommendation: Nibinamik requests more rigorous baseline assessments for groundwater quality and quantity. These assessments should be conducted seasonally over at least two years. Groundwater monitoring needs to be more spatially dense, especially in areas of groundwater discharge, groundwater- surface water interaction, shallow recharge zones, and temporary infrastructure (i.e., aggregate pits, water taking/discharge areas, work camps), Groundwater assessments should identify environmentally sensitive groundwater features, such as seeps and springs, and local groundwater flow pathways. These assessments should be conducted ahead of construction and to support detailed design studies. Detailed designs studies must demonstrate that	the time of the EA/IS groundwater monitoring program design the Project design consisted of two potential routes and information on potential infrastructure was limited. Therefore the EA/IS groundwater monitoring study was scoped to collect local groundwater information from the project area with a focus on potential pits and quarries and potential receptors such as major watercourses and the MFFN community. The need to conduct further groundwater studies and monitoring in specific Project areas such as aggregate pits and quarries, water crossings, construction camps and laydown areas, and water taking/discharge areas was recognized and incorporated into the monitoring program commitments. Theses monitoring commitments provide for more spatially dense groundwater monitoring for project construction and operations with a focus on areas with large groundwater takings or where potential impacts to groundwater quality exist. The groundwater monitoring program is intended to allow for site specific monitoring based on the unique risks and receptors present at each location.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		baseline conditions, including sensitive groundwater features, local groundwater flow pathways, and changes to the water balance are well understood and that impacts are appropriately mitigated. Further consultation and engagement with Nibinamik should be planned to demonstrate that these impacts are appropriately understood and mitigated.	Two years of groundwater monitoring have been carried out during the EA/IS study however at the time of the draft report preparation only one year of data was available. The Final EA/IS and Appendix H Groundwater Technical Support Document have contained the full two years of data.		
Nibinamik First Nation	42	The effects magnitude definition for groundwater quantity and quality does not include criteria for “very high” magnitude effects, as defined in the residual effects methodology. Recommendation: Update and revise magnitude criteria to include a “very high” category in line with the residual effects methodology.	The Final EA/IS has been updated to remove 'Very High' from Table 6-2. This category was included in the draft in error.	Final EA/IS Table 6-2	980
Nibinamik First Nation	43	Mitigation measures to prevent changes from groundwater quality due to short-term water takings include conducting site specific hydrological studies for groundwater water supplies. While it is encouraging to see the use of site-specific studies, it is not clear how these studies will be used to inform practical mitigation and management plans. Recommendation:	Details of the proposed mitigation and monitoring plans are provided in Sections 7.3 and 9 of Appendix H Groundwater Technical Support Document.	Comment noted; see response for details.	981

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Simply knowing hydrogeologic conditions does not provide mitigation or enhancement. The Project Team must be clearer on how results from hydrologic studies will be used to inform mitigation and enhancement measures or used to develop permit conditions that protect groundwater quantity. This is especially importance since the draft EA/IS concludes there will be no residual effects from water taking, with is unsupported without site-specific mitigation measures			
Nibinamik First Nation	44	Mitigation measures suggest that groundwater use for construction dewatering will be minimized, and this measure will be applied to all project activities in the construction and operation and maintenance phase. There is much ambiguity on exactly how water taking will be minimized for such a large range of activities (e.g., culvert installation, concrete batch plants, quarrying, temporary construction camp construction). Recommendation: Nibinamik agrees that water conservation is an effective mitigation measures, however it is not clear how water use will be minimized for all project activities	A Groundwater Use/Taking Management Plan will be prepared that will outline the considerations and expectations for Project groundwater use including what supporting investigations and studies are required to assess water taking impacts, what thresholds of groundwater taking will trigger the investigations, and how the groundwater taken should be managed and returned to the environment. The Plan will align with the Project groundwater monitoring plan detailed in Appendix H Groundwater Technical Support Document.	Comment noted; see response for details	982

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		discussed. A detailed Groundwater Use/Taking Management Plan must be developed that details how much groundwater is needed, from what areas/aquifers, temporal and spatial overlaps, as well as potential impacts to sensitive features, like seeps, springs and baseflows in sensitive rivers and streams. This plan must detail exactly how water use will be minimized, using practical methods such as water re-use and recycling between different project activities. The plan should include a water balance that reflects relevant project activities as well as a monitoring program.			
Nibinamik First Nation	45	Mitigation measures for groundwater taking (during construction and operation and maintenance) do not specify provisions for groundwater monitoring. Recommendation: Groundwater monitoring, accompanied by an Adaptive Management Plan to respond to changes should be developed as part of the mitigation and enhancement measures.	As noted in Nibinamik First Nation Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a	Comment noted; see response for details	983

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Terms of Reference between relevant agencies and Nibinamik First Nation will be established.		
Nibinamik First Nation	46	The residual effects assessment for groundwater quantity considers impacts from aggregate pits and quarries during construction, but not during operation and maintenance of the road. Recommendation: Effects from pit and quarry dewatering should be considered during the operation and maintenance phase as some aggregate pits are expected to remain in operation during these phases.	The residual effects assessment of the Community Access Road, including supporting infrastructure such as pits and quarries, was completed as part of the Final EA/IS. This assessment considered potential effects from pit and quarry activities, including dewatering where applicable, and evaluated how these interactions may persist during the operation and maintenance phase if aggregate operations continue. The findings are documented in the Final EA/IS (Section 10.2), and appropriate mitigation and monitoring measures have been identified.	Comment noted; see response for details	984
Nibinamik First Nation	47	During project construction mitigation measures will allow the infiltration of treated wastewater from groundwater sources. During project operation and maintenance mitigation measures do not state groundwater will be treated prior to infiltration. Recommendation: While Nibinamik supports the infiltration of groundwater into local areas after treatment, the draft EA/IS should clarify	The mitigation measures have been updated in Section 7.3.1 and Table 10-1 of Appendix H Groundwater and Geochemistry Technical Support Document to clarify that water discharges to the environment will be treated as required by permits and authorizations during operations and maintenance as well as construction.	Appendix H Section 7.3.1 and Table 10-1	985

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		what treatment measures will be implemented, how waste from these treatment measures will be management, and when treatment will be required prior to infiltration.			
Nibinamik First Nation	48	Nibinamik is concerned that there are predicted residual effects to groundwater quantity from road construction in peatlands. Mitigation measures suggest that roads will be designed to allow groundwater flow, including technologies like equalization culverts and permeable base materials. It is known that floating road construction is one of the most effective technologies available to prevent changes to groundwater flow in peatland environments. Recommendation: Information provided in the draft EA/IS does not provide enough confidence that groundwater flow will not be significantly impacted by road development. Road construction has been described as using excavation methods.	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Section 9.3.4 in the Final EA/IS is a high-level summary of the groundwater assessment Appendix H (Groundwater). Refer to Appendix H for detailed groundwater assessment completed for the Community Access Road. The design of the Community Access Road will utilize a floating road construction methodology that uses permeable materials, such as blasted rockfill, to construct the road embankment. This approach is specifically designed to allow for groundwater movement below and through the road embankment. In addition to the permeable embankment, equalization culverts will be installed where necessary to maintain existing surface water drainage patterns and	Comment noted; see response for details	986

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			prevent flooding or erosion. Design of the Community Access Road will be confirmed during the detail design phase.		
Nibinamik First Nation	49	Nibinamik is concerned that groundwater will be impacted from accidental fuel leaks As the road progresses to these Project phases, and spills occurring during the operation and maintenance of the road. Recommendation: Nibinamik should be further engaged to develop spill prevention and response plans for road operation. This could include signage for spill reporting, spill kit availability along the road, and/or specific transportation requirements for fuel, chemicals and other materials being transported along the road (e.g., inspections, tie-downs, check points).	The development and implementation of the Spill Prevention and Emergency Response Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	987
Nibinamik First Nation	50	The draft EA/IS states “regulatory monitoring of water quality in quarry sumps and downstream of blasting areas should be conducted and compared to action levels of contaminants of concern set based on regulatory guidelines” (p. 432). It is not clear 1) what contaminants of concern will be monitored, 2) what “action levels” are and 3) how adaptive management will be used to respond to	As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and	Comment noted; see response for details	989

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		changes in groundwater quality. Recommendation: Nibinamik supports the use of monitoring to prevent significant impacts to groundwater quality from blasting, however much clarity is needed on how monitoring will be applied (e.g., parameters, frequency, location) and how adaptive management will be applied.	perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established., work with relevant agencies and Indigenous Peoples to establish a Terms of Reference for one.		
Nibinamik First Nation	50	Nibinamik understands wastewater will be produced from a number of project activities (e.g., concrete production, drilling, installations, decommissioning). The draft EA/IS suggest impacts to groundwater quality will be partially mitigated by Environmental Compliance Approvals and a Waste Management Plan. Without seeing the specifics of permit approvals or the Waste Management Plan, Nibinamik cannot be assured that measures will be effectively designed and implemented to prevent the pollution of groundwater. Recommendation: Nibinamik requires further engagement on developing the Waste Management Plan and Environmental Compliance Permit conditions to ensure that residual effects to groundwater quality from	Marten Falls First Nation acknowledges Nibinamik First Nation's interest in the development of the waste management plan and environmental compliance permit conditions. The development and implementation of these documents will, however, be undertaken solely by Marten Falls First Nation.	Comment noted; see response for details.	988

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		wastewater release will not significantly impact the environment. Groundwater flows through the Homelands, supporting peatlands, wildlife habitat, surface waters and aquatic habitats. As such, Nibinamik requires that groundwater remains high quality and free of pollution to support a healthy environment now and for future generations.			
Nibinamik First Nation	51	The draft EA/IS suggests that alternative methods of dust control will be considered to prevent impacts to groundwater quality during operation and maintenance. Nibinamik is concerns that "consideration" is not enough to protect groundwater quality from long-term impacts, and a more strategic approach should be implemented to prevent groundwater contamination in sensitive areas. Recommendation: Nibinamik suggests that groundwater quality protection can be enhanced through a regional assessment of groundwater sensitivity. This should include identification of sensitive groundwater recharge areas, aquifers, discharge sites and groundwater flow pathways to sensitive receptors. Much of southwestern Ontario has mapping from	The Final EA/IS and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. The development of a regional assessment of groundwater sensitivity is not a regulatory requirement and as such was not developed as part of the Final EA/IS.	Comment noted; see response for details	1023

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		source water protection plans that delineate sensitive recharge areas and identify receptors (most commonly drinking water wells). Many communities have expressed how seeps and springs are important, and as such these should be considered sensitive receptors. Nibinamik recommends the Project Team fund and support a more regional assessment to map sensitive groundwater areas and receptors. Once these areas are known, there is opportunity to ensure that environmentally friendly methods of dust and ice suppression are used in these locations.			
Nibinamik First Nation	52	There are no predicted residual effects from short-term water takings (apart from quarry and pit dewatering). Expected short-term water takings are expected to be mitigation through the Ministry of the Environment, Conservation and Parks (MECP) Permit to Take Water (PTTW) for water takings exceeding 50,000 L/day. The reliance on the MECP PTTW process does not provide sufficient assurance that impacts will be implemented. Highway projects and water taking for construction site dewatering are both listed as an Environmental Activity and Sector	Further studies will be required during the detail design phase of the Community Access Road to establish the site specific groundwater taking needs, impacts, mitigations, and monitoring. The Permit to Take Water (PTTW) and Environmental Activity and Sector Registry (EASR) are established programs to assess and mitigate the risks of water takings and they form an important part of Project water taking management. Under the PTTW system, new water takings require the submission of either a	Comment noted; see response for details	1027

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Registry (EASR) eligible water taking activity, meaning only registration (not permit application) is required to undertake the activity. This means that no scientific studies are required, and no permit conditions with additional environmental protections and/or monitoring will be included in the authorization. Nibinamik has serious concerns on the reliance of PTTW registration/permitting as a mitigation measure. Even for activities that may require a PTTW application, there are additional concerns: • PTTW applications do not provide mitigation for water takings of less than 50,000L/day • The MECP PTTW permitting process does not consider cumulative effects from nearby water takings. • Scientific studies are only required for category 3 permits. Recommendation: Nibinamik cannot support EASR registry as a meaningful mitigation measure in the hydrogeological complex Project area. The draft EA/EIS has not completed sufficient scientific investigations to demonstrate that impacts from water taking will be	Category 2 or 3 application which require a scientific evaluation and a technical study to be completed to support the water taking permit. These include the consideration of other water uses in the taking area and the potential environmental impacts of the water taking and discharge. EASR registration is only applicable for certain activities such as construction dewatering and does not apply for aggregate extraction or consumptive/process uses of groundwater. The EASR registration requires the completion of technical water taking and water discharge plans that include impact assessments and monitoring, contingency, and notification plans. These plans have to meet technical guidelines set out in the regulations and require sign off by a qualified and licensed professional to confirm that they meet these requirements.		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		appropriately mitigated. The locations and quantities of water taking have not even been identified providing no confidence that baseline conditions nor impacts to environmentally sensitive features are well understood. There are additional safety concerns are the peatland environment is especially sensitive to subsidence from peatland dewatering. Nibinamik requires that the detail design phase of the Project undergo a robust and coordinated groundwater effects study to demonstrate that the effects of dewatering are well understood. Nibinamik requires further consultation on this study to assure that there are no residual effects from dewatering. The study must include the locations/amounts of predicted groundwater takings, baseline characterization, geotechnical/land subsidence risk assessments, impacts to sensitive receptors (e.g., spring, waterbodies), and a cumulative effects assessment of spatially and temporally overlapping water takings. Appropriate and site-specific mitigation measures should be produced as an outcome of this study to demonstrate that there will be no residual effects. It is also the recommendation of			

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Nibinamik that the MECP require PTTW application (and ECA application) for all water taking and discharge activities associated with the MFCAR construction to protect this pristine and complex environment.			
Nibinamik First Nation	53	Similar to the above, the draft EA/IS relies on the MECP permitting progress under the Aggregate Resources Act and PTTW program to mitigate the impacts of pit and quarry dewatering. These programs do not guarantee that adequate studies will be conducted to determine potential impacts and develop effective mitigations. Recommendation: Nibinamik requires further engagement on the permitting of aggregate pits and quarries. In addition to permitting requirements, the MFCAR team should develop a cumulative assessment for pits and quarries within the Project area that describes water taking requirements, predicted changes to the groundwater table, impacts to groundwater surface water interaction and a comprehensive reclamation strategy.	Should the Community Access Road EA/IS be approved to proceed, a consultation and engagement program will be established to guide discussions through detail design, including engagement with Nibinamik First Nation. A cumulative effects assessment of the Community Access Road, including supporting infrastructure such as pits and quarries, was completed as part of the Final EA/IS. This assessment considered potential effects from pit and quarry activities.	Comment noted; see response for details	1029
Nibinamik First Nation	54	The draft EA/IS does not provide adequate mitigation to assure Nibinamik	Where required, all aggregate pits and quarries used for the Community Access	Comment noted; see	1031

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		that impacts to groundwater quantity and quality from the decommissioning of pits and quarries will be avoided. There is concern that some pits and quarries will be “abandoned” which is not in line with requirements of the Aggregate Resources Act. Abandoned quarries and pit infilling could cause changes for groundwater flow direction and water quality. Recommendation: Nibinamik requires that the final EA/IS consider the impacts to groundwater from aggregate pit infilling. Appropriate mitigations must also be provided to demonstrate there will be no residual impacts to groundwater, or ecosystem components supported by groundwater flow (e.g., habitat, water courses, peatlands).	Road will be permitted under the Aggregate Resources Act and will be subject to the standards of the Act which include the filing of rehabilitations plans, payment of rehabilitation security fees, and ongoing and final rehabilitation of the pit or quarry. Permit applications also require technical assessments of the potential impacts of the pit or quarry on groundwater and the natural environment. The groundwater monitoring program outlined in Appendix H Groundwater Technical Support Document includes ongoing groundwater monitoring at a site until baseline conditions are re-established or until a site specific rehabilitation monitoring plan is put into place.	response for details	
Nibinamik First Nation	55	The draft EA/IS identified that the Community Access Road will result in residual changes to groundwater quantity due to road construction in peatland areas. All three projects identified in the cumulative effects assessment are anticipated to have similar changes to groundwater quantity in peatlands. Despite this fact, the proponent has not assessed the cumulative effect of these	We appreciate Nibinamik’s recommendation to undertake a broader, collaborative cumulative effects assessment and to explore peatland-specific monitoring and research initiatives. For the Community Access Road, the cumulative effects assessment was completed in accordance with the	Comment noted; see response for details	1033

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		projects on groundwater quantity and does not propose any additional mitigation measures to prevent adverse impacts. This is extremely concerning considering the known impacts from historic roadway projects in peatlands in the United Kingdom. Recommendation: Nibinamik requests that the MFCAR Project team take a wholistic approach to the cumulative effects assessment for groundwater. The MFCAR Project should take a proactive approach and develop a collaborative program to address potential impacts to peatlands from roadway construction, in partnership with other anticipated roadway projects. This assessment should include an ecosystem-based approach and consider the development of an First Nations peatland monitoring network, partnerships with academic research programs and/or pilot projects for low-impact roadway design or peatland restoration.	requirements of the approved Terms of Reference, the Tailored Impact Statement Guidelines, and the technical study plans. While no additional regional programs beyond these requirements are being undertaken by the Community Access Road, the information from the Final EA/IS will be available to support future initiatives.		
Nibinamik First Nation	56	The Draft EA/IS states that the since road projects are linear, they are not expected to cross the same groundwater catchment area in more than one location, with the exception of the	Section 7.4.1 of Appendix H Groundwater Technical Support Document provides estimates of the dewatering radii of influence for some assumed pit and quarry dewatering	Comment noted; see response for details	1036

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		junction of the two projects. Groundwater catchment areas were not assessed by the draft EA/IS. In fact, the draft EA/IS limited the groundwater Regional Study Area to only 2.5 km along the centreline of the roadway, which is an oversight of groundwater catchments and extent and distribution of groundwater flow pathways. To this point, the draft EA/EIS recognizes the limited understand of the hydrogeologic environment and broadly describes groundwater flow movement to "follow ground surface topography" (p. 59) with no defined areas of groundwater recharge or source water protection zones. Additionally, Indigenous knowledge from Marten Falls First Nation highlights the complicated groundwater flow directions. Recommendation: Assumptions that dewatering for aggregate pits and quarries will not overlap in groundwater catchments is unjustified, as groundwater catchment areas and flow directions have not been fully assessed and are not well understood.	scenarios. These estimates indicate that the pit and quarry dewatering is likely to have radii of influence of less than 750 m. Combined with the return of the pumped groundwater back to the local environment (following treatment) the impacts of pit and quarry dewatering are expected to be local in scale. This results in limited areas where adjacent projects intersect the Community Access Road and could have cumulative effects and, as noted in Appendix H, any cumulative effects would not be expected to be greater than the residual effects considered for the Community Access Road which would include multiple aggregate pits or quarries itself. For clarity, the groundwater Local Study Area and Regional Study Area are defined as 1 km and 2.5 km, respectively, from the centreline of the Community Access Road and associated construction areas which include aggregate extraction areas.		
Nibinamik First Nation	57	While Nibinamik is pleased to see the inclusion of the Rapid Lynx Broadband project as part of the cumulative effects	While some of the Rapid Lynx Broadband project occurs beyond (i.e. east of) the Peatlands Regional Study	Comment noted; see response for	1037

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		assessment, it's noted that much of the Rapid Lynx Broadband project resides outside, but adjacent to, the Peatland regional assessment study area. It is not clear how direct and indirect loss of peatlands from the linear disturbance outside the regional study area has been considered in the CE assessment. By only included the area of disturbance within the regional study area, CE to peatlands from these projects may be underestimated. Recommendation: The cumulative effects assessment for peatlands should consider how linear disturbance can impact water flows along the upstream and downstream boundaries of peatland complexes. As effects may be more pronounced for these types of developments, additional mitigation measures are warranted. Nibinamik would like to see additional peatland research and monitoring as part of these measures.	Area, it also crosses the Regional Study Area both at the south and north ends, resulting in its inclusion in the Cumulative Effects assessment. Only the portion of the Rapid Lynx Broadband project that falls within the Peatlands Regional Study Area was accounted for in the Cumulative Effects assessment, consistent with the approach for all of the reasonably foreseeable activities. Additional studies have been recommended to occur during detail design, including a groundwater monitoring program and water budget study. These may result in the recommendation of additional mitigation measures and/or adaptive management measures.	details	
Nibinamik First Nation	58	Monitoring programs used to characterize baseline conditions were spatially and temporally scarce. Nibinamik would like to see improved techniques applied for future phases of monitoring.	As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory	Comment noted; see response for details	1038

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Future monitoring program should consider more advanced methods to understand the hydrogeological complex environment. This should include increased use of continuous water level sensors, multiple years of monitoring data, seasonal and multi- year groundwater quality sampling, and assessments of groundwater/surface water interaction. Future monitoring programs should be publicly documented and developed with an adaptive management framework to identify and respond to changes in groundwater throughout the lifetime of the project.	committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant agencies and Nibinamik First Nation will be established.		
Nibinamik First Nation	59	The assessment states that there will not be any cumulative effects from groundwater pit dewater because there will not be any aggregate pits or quarries where the project overlap. Nibinamik is concerns that cumulative effects of quarries have been overlooked based on the small regional assessment area for groundwater impacts (i.e., 2.5 km buffer) and the assumption that plentiful aggregate materials are available within the vicinity of these projects. Recommendation:	A cumulative effects assessment of the Community Access Road, including supporting infrastructure like pits and quarries was completed as part of the Final EA/IS. For the Community Access Road, the cumulative effects assessment was completed in accordance with the requirements of the approved Terms of Reference, the Tailored Impact Statement Guidelines, and the technical study plans. While no additional regional programs beyond these requirements are being	Comment noted; see response for details	1043

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Nibinamik would like to see a more comprehensive cumulative effects assessment for aggregate pits, focusing on how the predicted accumulation of these pits may impact groundwater, peatlands and other value components within a larger regional study area. Further, the proponent should commit to supporting research and development for aggregate pit reclamation techniques to ensure that the natural environment can be appropriately restored to pre-disturbance conditions. These assessments must use ecologically relevant boundaries to ensure impacts are adequately assessed.	undertaken by the Community Access Road, the information from the Final EA/IS will be available to support future initiatives.		
Nibinamik First Nation	60	Changes to Groundwater Quantity due to Road construction in Peatland Areas The cumulative effects assessment relies on the assumption that Anaconda and Painter Lake forestry road and the Northern Road Link project will use road construction methods that allow for groundwater flow beneath the road. While Nibinamik is supportive of this construction method, there is concern that the effects assessment relies on assumptions that are beyond the proponent's control and represent a "best case" scenario.	The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. Inclusion of projects in the cumulative effects assessment (CEA) that do not meet the criteria of reasonably foreseeable is not a regulatory requirement and as such was not developed as part of the Environmental Assessment / Impact Statement. For a project to be considered reasonably foreseeable,	Comment noted; see response for details	1045

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Nibinamik would like to see a cumulative effects assessment that considers moderate or worst-case scenarios, such as extractive methods to build roads in nearby projects for a fulsome understand of potential impacts to groundwater	sufficient information about the activity must have been available to make a reasonable assessment of its potential effects (i.e., in the planning / approvals / design stage). Within a cumulative effects assessment, there is inherently a level of uncertainty due to the lack of information available regarding other potential projects, including reasonably foreseeable developments such as the Northern Road Link and Anaconda and Painter Lake Forestry Access Roads. Where information was not available, professional judgement was used to develop assumptions about construction methods and anticipated cumulative effects. Additionally, each disciplines cumulative effects assessment included a prediction of confidence and uncertainty about the anticipated cumulative effects of the Community Access Road on Valued Components. Where necessary, conservative assumptions were implemented to increase confidence that the effects were not underestimated and a 'best case' scenario was not assumed. Refer to Section 8.2 of Appendix H Groundwater Technical Support		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Document for complete details on the groundwater and geochemistry cumulative effects assessment, and the assumptions made for Northern Road Link and Anaconda and Painter Lake road upgrades in relation to groundwater impacts.		
Nibinamik First Nation	61	Groundwater quality sampling is stated to be completed in compliance with the MECP guidance document Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater (Ministry of the Environment, 1999). Review finds that this protocol was replaced by a new version released by the Ministry of the Environment in 2016 (Ministry of the Environment and Climate Change, 2016). Furthermore, this protocol is intended for effluent (surface water) monitoring, whereas groundwater sampling and preservation may have specific requirements not captured by this guidance document. For example, standards set in the ASTM D6517-00(2012) Standard Guide for Field Preservation of Groundwater Samples and ASTM D6564-00(2012) Standard Guide for Field Filtration of Groundwater Samples. Recommendation:	The guidance document Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater reference has been updated to the latest version (ver 2.0) as noted in the comment. This guidance was a reference for sample handling and storage practices which were based on this document and on guidance from the analytical laboratory. Groundwater sampling procedures were based on the Project's Standard Operating Procedures and industry standard procedures. Groundwater monitoring procedures were reviewed internally after each sampling event and any lessons learned passed on to the next event. The experience gained during the existing conditions field investigation can be applied to future monitoring programs.	Comment noted; see response for details	1048

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Nibinamik recommends that the method used in baseline assessment are updated based on the best available guidance. The Project Team should use an adaptive approach to monitoring and update monitoring strategies seasonally or annually to apply lessons learned and ensure that high quality baseline data can be collected. These methods and lessons should be used when develop future monitoring programs to subsequent phases of the Project.			
Nibinamik First Nation	62	It's noted that groundwater samples for biological oxygen demand analysis (BOD) were frozen ahead of laboratory submission. Review of both the 2017 version of the Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater (Ministry of the Environment, 2017) and the British Columbia Field Sampling Manual – Sample preservation and Holding Time Requirements (Government of British Columbia, 2022) indicate that freezing is not recommended for BOD samples. Recommendation: Please indicate: What guidance was followed to suggest freezing groundwater samples and how this aligns with industry accepted methods? What impact	Freezing of the BOD samples was implemented after discussions with the analytical laboratory (ALS Global). The unpreserved hold time for BOD samples is 4 days and the laboratory indicated that they would likely freeze the samples if received on day 4 to extend the hold times as a preserved sample. The lab suggested that this preservation could be extended to the field as long as the samples remained continuously frozen until delivered to the laboratory. The preserved (frozen) hold time for the BOD samples was given as one month per ISO 5667-3 (2012).	Comment noted; see response for details	1050

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		freezing BOD samples would have on interpretation of baseline conditions and effects assessment for groundwater value components?			
Nibinamik First Nation	63	Geochemical testing was completed for bedrock when encountered, however it is concerning that bedrock has only been characterized in six of the 20 boreholes assessed. Nibinamik supports further geochemical testing but is concerned that details of this program are not presented. Moreover, geochemical monitoring only specifies testing for acid rock drainage, not for metals leaching. Also, the program is only described from the pre-construction period. Recommendation: Nibinamik requires that geochemical testing for acid rock drainage potential and metals leaching is conducted during the pre-construction. The monitoring program should ensure that samples are tested from each aggregate pit locations, at depths expected to be exposed to groundwater. Additional testing should be considered during the construction program, if aggregate pits are extended to depths not yet geochemically characterized.	The pre-construction geochemical testing and monitoring program described in Section 14.1 of the Final EA/IS and Appendix H Groundwater Technical Support Document will assess the potential for acid rock drainage from any soils, or bedrock, which will be exposed during the construction of the Community Access Road.	Comment noted; see response for details	1052

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	64	The proposed mitigation measures state that areas with moderate or high acid rock drainage rock potential should be avoided if possible. The vague language does not guarantee these excavations will be avoided, however there are no predicted residual effects for this project activity. Nibinamik has no guarantee that this protection measure will be conducted, nor any assurance of a contingency plan with mitigation measures to prevent impacts if excavation cannot be avoided. Recommendation: The draft EA/IS should specify what contingency measures are available if excavation cannot be avoided in area with acid rock potential.	As indicated in Table 7-3 of Appendix H Groundwater Technical Support Document, any materials identified as having moderate to high potential for acid generation or metal leaching will not be excavated or used. If excavation in such areas cannot be avoided, contingency measures will focus on limiting oxygen and water exposure, recognizing the remote project location.	Comment noted; see response for details	1054
Nibinamik First Nation	65	Nibinamik community members are very concerned about cumulative effects of development in the region, beyond the obvious large road projects identified by the MFCAR Project Team. Community members have identified the almost certain increase in exploration for development and mining, and the influx of outsiders and expansion of guiding (fishing and hunting), among other social concerns. Nibinamik is concerned that the MFCAR Project Team has limited	The approach to cumulative effects in the Final EA/IS was developed to meet the Tailored Impact Statement Guidelines and the Terms of Reference for the Community Access Road. The overall approach to cumulative effects is described in Section 6.8 of the Final EA/IS. A review of Land and Resource Use was completed for this assessment, identifying impacts to land and resource	Comment noted; see response for details	1057

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		their assessment of cumulative effects to a very narrow scope that excludes concerns beyond linear infrastructure. Additionally, the MFCAR Project Team's approach to the cumulative effects assessment aligns with the standard Western Science approach, which addresses specific potential effects in a piecemeal manner. This very intentionally ignores the true interactions between the Project components themselves and with the environment around them. This interconnectedness more closely aligns with First Nations ways of knowing, and how Nibinamik views potential project impacts; not as small pieces to be explained away separately, but as parts of a whole. Recommendation: Nibinamik requests a more meaningful and fulsome evaluation of cumulative effects, which is based on the potential effects and their interactions, rather than solely on the Western approach of only evaluating "residual effects."	users which included review and investigations of recreation (fishing and hunting), trapping, remote outfitting, parks and protected areas, forestry and extractive resource industry. The research that was completed for the existing conditions and applied impacts through the effects assessment, identified trapping as requiring mitigation as part of the cumulative effects assessment. Given that the number of roads proposed in this area that would overlap traplines and cause disturbance to furbearer habitat, this item was carried forward to identify requirements for mitigation as it relates to trapping (Appendix U Land and Resource Use Technical Support Document). For the fish and fish and fish habitat assessment, the projects inclusion list was reviewed to determine those projects that would overlap spatially and temporally with the predicted residual effects of the Project on fish Valued Components. As a result, three projects within the fish and fish habitat effects assessment Regional Study Area were considered for the cumulative effects assessment (Section 8.1.3 of Appendix G Fish and Fish Habitat Technical Support Document). This approach aligns with		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			the overall approach in the Environmental Assessment / Impact Statement for cumulative effects and meets the requirements of the Tailored Impact Statement Guidelines and the Terms of Reference for the Project (Appendix C. Concordance Tables).		
Nibinamik First Nation	66	The MFCAR Project Team appears to have ignored the potential impact of pile driving for bridge construction when evaluating injury or mortality of fish from instream construction (7.3.1.3) and changes to fish survival, reproduction, and distribution from the placement of waterbody crossing structures (7.3.1.6). Nibinamik is concerned that this gap in the assessment will result in significant risks to fish health if not appropriately mitigated. Appendix P lists pile driving during bridge construction as a source of noise but does not include the potential impact(s) on aquatic organisms. Recommendation: Pile driving for bridge construction has very well-established deleterious effects on fish health across all stages of the fish life cycle. Please clearly justify that bridge construction will avoid causes injury or mortality to fish in the vicinity of the	The operation of heavy machinery in the water (which would include pile driving) on fish survival and reproduction was considered in Sections 7.3.1.3 and 7.3.2.3 of Appendix G Fish and Fish Habitat Technical Support Document under the pathway of Injury or Mortality of Fish from Instream Construction. Key mitigation and enhancement measures related to the pathway include: • Completing all instream construction in isolation of flowing water (which would include pile driving); • Screening water intakes and pumps to prevent entrainment and impingement of fish; • Having aquatics specialists rescue and relocate fish within the isolated workspace prior to construction; and • When possible, completing construction outside of the restricted activity timing window.	Comment noted; see response for details	1058

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		bridge construction works. Nibinamik expects this justification to include the use of acoustic measurements and modelling in the aquatic environment and data on the sound pressure sensitivity of local fish species.	As per Section 7.3.2.3 of Appendix G, injury or mortality of fish from instream construction is expected to be negative in direction and restricted to the Construction Disturbance Area. Magnitude is considered negligible, as the incidental death of individual fish, if it were to occur, would not be expected to disrupt population dynamics or affect local productivity. The duration is short term as the effect would be limited to the period of instream construction (i.e., weeks). The effect is considered infrequent and the probability of occurrence is possible. As described in Section 9.2 of Appendix G, Environmental Monitors will monitor the installation, use, and removal of waterbody crossing structures. The Environmental Monitors will confirm that the appropriate waterbody crossing structure is being used and that the required Fisheries and Oceans Canada and the Ministry of Natural Resources approvals and permits are in place. No acoustic monitoring and modelling related to the aquatic environment is planned with respect to pile driving for bridge construction.		
Nibinamik First	67	This section identifies six (6) “key fish	The approach for selecting the fish	Comment	1059

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nation		species": Lake Sturgeon, Lake Whitefish, Brook Trout, Walleye, Northern Pike, and Burbot. However, Appendix G Attachment A Table 1-2 identifies additional fish species as Valued Components, including Chain Pickerel, Yellow Perch, and two (2) sucker species. Nibinamik was unable to find an explanation within the documents provided for how "key species" were decided or defined. Recommendation: Please clarify how the six (6) "key fish species" were selected.	Valued Components is described in Section 4.2.2 of Appendix G Fish and Fish Habitat Technical Support Document. As per Section 4.2.2 of Appendix G, the Valued Components for the fish and fish habitat discipline were determined through consideration of the following factors: • Valued Component presence in the study area; • The extent to which the Valued Component is linked to the interests or exercise of Aboriginal and Treaty Rights of Indigenous Peoples and whether an Indigenous Group has requested the Valued Component; • The extent to which the effects (real or perceived) of the Project and related activities have the potential to interact with the Valued Component; • The extent to which the Valued Component may be under cumulative stress from other past, existing, or future undertakings in combination with other human activities and natural processes; • The extent to which the Valued Component is linked to federal, provincial, territorial, or municipal government priorities (e.g., legislation, programs, policies);	noted; see response for details	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			• The possibility that adverse or positive effects on the Valued Component would be of particular concern to Indigenous Groups, the public, or federal, provincial, territorial, municipal, or Indigenous governments; and • Whether the potential effects of the Project on the Valued Component can be measured and / or monitored or would be better ascertained through the analysis of a proxy Valued Component (e.g., another species with a similar role in the food web). The fish and fish habitat Valued Components in the Final EA/IS are the fish species in the Study Plan (AECOM, 2021). The Study Plan process also incorporated feedback from regulators and Indigenous Groups on the Valued Components. Engagement was also conducted with Indigenous Groups on the preliminary Valued Components (Section 3.2 of Appendix G). All of the fish species recorded during baseline studies have a role in the ecosystem; however, the purpose for limiting the assessment on Valued Components is to focus on those species that were identified as most valuable based on the presence in the study area,		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			importance to Indigenous users, government priorities (e.g., provincial or federal listed species), and life history requirements and role in the food web. This approach for selecting Valued Components is a common practice in environmental assessments (e.g., Impact Assessment Agency of Canada, 2024).		
Nibinamik First Nation	68	The number of waterbody crossings is unclear. Paragraph 2 of Section 9.3.3.1 notes Northern Pike were found at 51 crossings, but paragraph 3 states "each of the 45 waterbody crossings along the Preferred Route." A lack of clarity on the number of crossings of fish-bearing watercourses poses a potential risk to fish and fish habitat if it leads to inappropriately designed (for fish) crossing structures. Recommendation: Please clarify the number of fish- bearing waterbody crossings along the Preferred Route and the planned crossing structures.	The Preferred Route has 45 waterbodies that provide potential fish habitat. Number of crossing structures will be confirmed during the next phase of the Community Access Road. Two route alternatives (Alternative 1 and Alternative 4) were selected to evaluate feasibility. Details are provided in Section 4 of the Final EA/IS. The Alternative 1 and Alternative 4 routes run parallel, overlap, and cross each other at multiple locations. Alternative 1 and Alternative 4 are not the same as the Preferred Route. Alternative 1 consists of 53 waterbody crossings, Alternative 4 consists of 51 waterbody crossings, and the segments where they overlap have 13 waterbody crossings. Refer to Figure 4-7 of the Final EA/IS to view Alternative 1, Alternative 4 and the Preferred Route alignments.	Comment noted; see response for details	1061

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	69	The MFCAR Project Team asserts that the death of fish "during normal [construction] activities or harvest (e.g. during a fish salvage)" will not result in a change in the population dynamics; therefore, a low rating is suitable." They use this as justification for a "low" magnitude rating. Table 9-9 appears to partially contradict this statement, noting that "incidental death of fish...that is not likely to disrupt overall populations dynamics or affect local productivity" is a requirement for assigning a "low" rating. NIB is concerned that the MFCAR Project Team is arbitrarily assigning a low magnitude rating to "normal" construction activities by assuming their impact, rather than actually measuring it and conducting an appropriately rigorous assessment. Given the critical importance of the VC fish species, NIB is concerned that assigning a low magnitude to construction activities risks missing impacts to important local fish populations. Recommendation: Nibinamik requests: • Clarity regarding the MFCAR Project Team's assessment of a "low" magnitude impact;	A. Clarity regarding the MFCAR Project Team's assessment of a "low" magnitude impact: The assessment of a "low" magnitude impact reflects the expectation that residual effects on fish injury or mortality will be minimized through established mitigation and enhancement measures. As outlined in Section 7.3.2.3 of Appendix G Fish and Fish Habitat Technical Support Document, the effective application of these measures—together with best management practices and regulatory permitting through Fisheries and Oceans Canada and the Ministry of Natural Resources—will reduce or moderate potential impacts associated with instream construction. B. Justification for the assertion that death of fish during normal construction activities will not result in a change in population dynamics: The conclusion that such mortality will not alter population dynamics is based on the limited scale of potential effects and the protective measures in place. Isolation structures and fish rescue	Comment noted; see response for details	1064

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		• Justification for the assertion that death of fish during normal construction activities will not result in a change in population dynamics. • Revision of the characterization of the magnitude of effects to ensure that the death of fish, except in exceptional circumstances, would result in at minimum a 'medium magnitude effect.	procedures are expected to substantially reduce the likelihood of injury or mortality during in-water construction. While some individual fish may still be affected—particularly if they are missed during rescue efforts or if eggs or young-of-year remain within the area—these effects would be confined to a small portion of the channel. Any injury or mortality that occurs would therefore involve only a minor number of individuals near the work area. With the implementation of appropriate mitigation and enhancement measures, measurable effects on the productivity of the waterbodies are anticipated to be minimal. On this basis, the assigned magnitude definition remains appropriate. C. Revision of the characterization of the magnitude of effects Given the explanation of mitigation effectiveness and the limited scale of potential effects described in Parts A and B, no revision to the characterization of magnitude is required.		
Nibinamik First Nation	70	Appendix G Attachment A Table 1-2 identifies additional fish species as	The approach for selecting the fish Valued Components is described in	Comment noted; see	1065

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Valued Components, including Chain Pickerel, Yellow Perch, and two (2) sucker species. Table 1-2 also identifies forage fish and lower trophic organisms as Valued Components. These additional Valued Components are not included in the MFCAR Project Team's evaluation of residual effects in Table 9-10. Nibinamik was unable to find an explanation within the documents provided for why these Valued Components were excluded. Excluding Valued Components from the residual effects assessment poses substantial risk to the efficacy of the assessment. This is especially true when impacts to forage fish and lower trophic organisms (both key food sources for important larger-bodied fish species) are dismissed. Recommendation: Please clarify why no aquatic Valued Components listed in Appendix G Attachment A Table 1-2 were included in the evaluation of residual effects. Please also justify, with clear evidence of no potential effects, the exclusion of these Valued Components from the assessment of cumulative effects, despite forage fish and lower trophic organisms representing sensitive key food sources for the "key fish species."	Section 4.2.2 of Appendix G Fish and Fish Habitat Technical Support Document. All of the fish species recorded during baseline studies have a role in the ecosystem; however, the purpose for limiting the assessment on Valued Components is to focus on those species that were identified as most valuable based on the presence in the study area, importance to Indigenous users, government priorities (e.g., provincial or federal listed species), and life history requirements and role in the food web. This approach for selecting Valued Components is a common practice in environmental assessments (e.g., Impact Assessment Agency of Canada, 2024). The fish and fish habitat Valued Components in the Final EA/IS are the fish species in the Study Plan (AECOM, 2021). Table 9-2 in Section 9.2 of the Study Plan outlines the final list of Valued Components to be used in the Final EA/IS. The Study Plan process incorporated feedback from regulators and Indigenous Groups on the Valued Components. Engagement was also conducted with Indigenous Groups on the preliminary Valued Components (Section 3.2 of Appendix G).	response for details	

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Forage fish species were not selected as a Valued Component as they were not considered a species of economic and cultural importance to Indigenous users and not a priority for regulatory agencies. However, forage fish and benthic invertebrates are considered as food for fish under the habitat quantity and quality indicator in Appendix G. Potential for effects to benthic invertebrates and forage fish are considered in the assessment in relation for food for fish and therefore effects to Valued Component fish species.		
Nibinamik First Nation	71	The MFCAR Project Team has asserted that the effect of construction above the high- water mark on fish habitat will be neutral. Any work above the high-water mark, especially work that involves clearing or grubbing of vegetation, movement of aggregates and other substrate, installation of crossings, etc. all has significant potential to result in sedimentation of adjacent waterbodies/watercourses during precipitation events. The potential effects of sediment release to water are negative and substantial, especially if spawning habitat is nearby. Additional negative	1. The development and implementation of the erosion and sediment control plans will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. 2. Only erosion-resistant fill material will be used below the high-water level within the floodplain of a waterbody. Erosion resistant fill material will generally include riprap (gravel) and will be sourced from local pits and quarries.	Comment noted; see response for details	1072

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		effects may result if aggregate is not appropriately tested for deleterious substances that may leach out (e.g. acids, salts, metals). Recommendation: Nibinamik requests the following: 1. Develop (and provide for review and comment) erosion and sediment control plans that demonstrate measures that are above and beyond the regulatory requirements use erosion-resistant fill material below the high-water mark at all locations requiring fill. (i.e. not just in floodplain). 2. Clarify what options are being considered for erosion-resistant fill material and the source(s).	Only materials cleared for acid rock drainage (i.e., non-potentially acid generating rock) by a geochemical verification process will be used for the road surface to avoid acid rock drainage or metal leaching (Section 7.3.1.5 of Appendix F Surface Water Technical Support Document).		
Nibinamik First Nation	72	The MFCAR Project Team has asserted that the effect of construction above the high-water mark on fish habitat will be neutral. Nibinamik is concerned that the proposed mitigation and enhancement measures will not be sufficient to negate potential negative effects on fish habitat due to construction above the high-water mark. Recommendation: Nibinamik requests the following changes to the mitigation and	1. During detail design, sensitive features will be avoided by the road alignment where possible. Furthermore, as described in Section 7.3.1.1.2 of Appendix G Fish and Fish Habitat Technical Support Document, the mitigation and enhancement measures and best management practices related to sensitive habitats are as follows: • Where feasible, areas of sensitive fish habitat and fishing areas that have been identified through the Indigenous Knowledge program in pre-construction	Comment noted; see response for details	1087

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		enhancement measures for this row in Table 9-10: 1. Revise language to "Avoid constructing in sensitive habitats." Avoiding impacts to sensitive habitats must be prioritized over “feasibility” (i.e., minimizing cost). 2. Revise language to "Upon removal of temporary crossing materials...return banks to original profile at every site...stabilize disturbed areas and install erosion control measures that will remain in place until banks are sufficiently revegetated.”	design will be avoided. • Constructing in sensitive habitats (e.g., spawning areas and groundwater upwellings) will be avoided where feasible. Sensitive habitats will be avoided where possible. Where they cannot be avoided due to technical constraints, this will be included in the permit applications to the Ministry of Natural Resources and Fisheries and Oceans Canada. During construction, permit conditions will need to be met, including the site-specific restricted activity timing window set by Ministry of Natural Resources. As a result, the mitigation is considered appropriately worded. 2. The mitigation measure related to the removal of temporary crossing materials is as follows: • Upon removal of the temporary crossing materials, return the waterbody banks to their original profile if needed and stabilize and revegetate disturbed areas, as necessary, to prevent soil erosion. Note that not all banks will require reprofiling following construction. The owner/operator of the Community		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Access Road will develop and implement an Erosion and Sediment Control Plan. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. The following mitigation measures and best management practices will be applied relative to sediment and erosion control (Section 7.3.1.4.2 of Appendix G): • Install, monitor, and manage appropriate erosion and sedimentation control measures to prevent sediment from reaching the waterbody prior to and during construction and in accordance Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (OPSS, 2021) and Construction Specification for Temporary Sediment Control (OPSS, 2020). • Develop and follow a Sediment and Erosion Control Plan in accordance with Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (OPSS, 2021) and Construction Specification for Temporary Sediment Control (OPSS, 2020). • Temporary erosion control measures must be:		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			o Properly installed. o Installed before or immediately after initial disturbance. o Inspected and properly maintained (e.g., repaired, replaced, or supplemented with functional materials) throughout construction until permanent erosion control is established or reclamation is complete. As a result, no changes to the mitigation wording is required.		
Nibinamik First Nation	73	The MFCAR Project Team asserts conditions where “for permanent and temporary waterbody crossing structures, the proposed restricted timing window will not be applicable.” As noted above, sedimentation concerns remain for any activity that requires grubbing or clearing of vegetation within the riparian area (i.e., all crossings), due to the fact that this region will receive rainfall and will undergo snowmelt. Sedimentation poses especially significant risk to eggs and juvenile fish. Recommendation: To ensure the predicted residual effect characterization is as described by the proponent, the timing window MUST be applicable to all activities adjacent to	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Table 9.3-7 in the Final EA/IS is a high-level summary of the fish and fish habitat assessment in Appendix G Fish and Fish Habitat Technical Support Document. As described in Section 5.6 of Appendix G, restricted activity timing windows are designed to protect fish during spawning migrations and other critical life history stages (i.e., spawning, egg incubation, and fry emergence). As per Section 7.1 of Appendix G, the restricted activity timing windows for each waterbody	Comment noted; see response for details Final EA/IS Table 9.3-7	1088

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		waterbodies unless (1) sufficient sediment control measures are installed prior to works and (2) sediment monitoring is conducted during all rain events. If works are conducted in the spring during snowmelt, sediment control measures must be installed prior to works and continuous downstream monitoring must be conducted during works.	crossing will be finalized by the Ministry of Natural Resources during permitting, but restricted activity timing windows have been proposed in the Final EA/IS as they are a key mitigation measure. Information regarding the use of restricted activity timing windows as a key mitigation for the Project is provided in Section 7.3.1.1 of Appendix G and includes the following: • Avoid construction during a fish and fish habitat restricted activity timing window, where feasible. Work may not be conducted during the proposed restricted activity timing window unless approval is obtained from the Ministry of Natural Resources and Fisheries and Oceans Canada. The restricted activity timing windows for each waterbody crossing will be finalized by the Ministry of Natural Resources during permitting. • For permanent and temporary waterbody crossing structures, the proposed restricted activity timing window will be applicable if: o Any work is completed below the high-water mark (e.g., installation or removal of fill or culverts, bridge supports below the high-water mark, one-time ford). o The waterbody is frozen and an ice bridge / snow fill is constructed.		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			o Beaver dam removals are required. • For permanent and temporary waterbody crossing structures, the proposed restricted activity timing window will not be applicable: o If all work is completed above the high-water mark (e.g., installation or removal of a clear span bridge with no fill or supports below the high water mark). o If work is completed below the high-water mark and approval is obtained from Ministry of Natural Resources and Fisheries and Oceans Canada prior to construction. o When using the existing and installed waterbody crossing structures, where no modifications are required. In instances when the restricted activity timing window is determined to not be applicable (as outlined in the three sub-bullets above), best management practices and environmental approval conditions will still be in place where applicable, including those related to sediment and erosion control (see Section 7.3.1.4 of Appendix G). As described in Section 7.3.1.4 of Appendix G, sediment and erosion control will be installed, monitored, and managed as to prevent sediment from		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			reaching the waterbody prior to and during construction and in accordance Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (2021a) and Construction Specification for Temporary Sediment Control (2020). Furthermore, a Sediment and Erosion Control Plan will be developed by the owner/operator of the Community Access Road in accordance with Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (2021a) and Construction Specification for Temporary Sediment Control (2020). As described in Section 9.2 of Appendix G the following monitoring will be conducted during construction: • Appropriate erosion and sedimentation control measures will be installed, monitored, and managed to minimize or avoid sediment mobilization from the disturbed area to drainages or waterbodies. Adequate and appropriate erosion and sedimentation control materials will be on site and available prior to commencement of construction; and • Turbidity and total suspended solids will be monitored according to Fisheries and		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Oceans Canada, and the Ministry of Natural Resources permit requirements and will follow the Canadian Council of Ministers of the Environment's Canadian Water Quality Guidelines for the Protection of Aquatic Life (CCME, 1999).		
Nibinamik First Nation	74	The MFCAR Project Team has asserted a low magnitude of predicted residual effect for construction activities below the high- water mark. Nibinamik is concerned that this characterization (an effect magnitude of "low") does not adequately characterize the irreversible change(s) to fish habitat that can occur when construction activities interact with an unimpacted channel. Recommendation: Nibinamik requests that for work below high-water mark during construction, the magnitude of effect must be at minimum characterized as medium due to permanent irreversible alteration of fish habitat, especially for culvert installations.	The mitigation and enhancement measures and best management practices that will be implemented during Construction outlined in Section 7.3.1.1.2 of Appendix G Fish and Fish Habitat Technical Support Document are technically feasible and well-established for road development projects across Canada. As such, the magnitude of residual effects remains medium in the EA/IS. Section 7.3.2.1 of Appendix G provides context for the magnitude determination, taking into account the implementation of these mitigation measures and best management practices. Changes to fish habitat quantity and quality from waterbody crossings installed below the high-water mark are expected to be negative in direction and localized (i.e., restricted to the Construction Disturbance Area) during Construction. Magnitude is expected to	Comment noted; see response for details	1090

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			be low as a result of minor changes to habitat at the crossing location without loss of function or individuals. The overall habitat will remain functional with the potential for a small decrease in productivity for fish and benthic invertebrates as a food supply for fish where a crossing is placed. Note that as per the overall assessment methods (Section 4.4.2.4 of Appendix G), duration is characterized separately from magnitude. The duration is considered long term and irreversible for permanent crossings and short to medium term for temporary crossings that are removed during or at the end of Construction.		
Nibinamik First Nation	75	The MFCAR Project Team has committed to completing site-specific fish and fish habitat and surface water surveys during detailed design. Nibinamik is concerned that the Proponent appears to have not completed site-specific fish and fish habitat or surface water surveys for the water crossing locations. Without site-specific information, an accurate effects assessment, especially one that claims little-to-no effects, is inaccurate. Recommendation:	A. As described in Attachment B of Appendix G Fish and Fish Habitat Technical Support Document, detailed fish and fish habitat surveys were conducted at a subset of waterbody crossing sites. A desktop review of existing information sources and previous studies was also completed to inform and augment the baseline information gathered from the field investigations to characterize the aquatic environment. Fish and fish field investigations were	Comment noted; see response for details	1091

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Please clarify whether the MFCAR Project Team's effects assessment is grounded in site-specific fish and fish habitat surveys. Please also clarify that the surveys to be completed during detailed design will be conducted by an experienced fisheries biologist, as is noted elsewhere in Table 9-10 with regards to "new" waterbodies.	carried out in accordance with the Fish and Fish Habitat Study Plan (2021). The Study Plan and comments from the regulatory review can be found in Attachment A of Appendix G. The study plan outlines the percentages of sites to be surveyed and seasonal considerations. B. As described in Section 7.3.1.1.2 of Appendix G, during detail design, site-specific fish and fish habitat surveys will be completed to support engineering and Fisheries and Oceans Canada and the Ministry of Natural Resources permitting at waterbody crossings where work below the high water mark is proposed. Similar to the surveys documented in Attachment A of Appendix G, a qualified Aquatics Specialist will conduct the field surveys.		
Nibinamik First Nation	76	Nibinamik is concerned that sensitive habitats will be deprioritized in favour of construction costs and efficiency, for works below the high-water mark. Recommendation: Nibinamik asserts that sensitive habitats should be avoided entirely. If it is completely impossible to avoid the sensitive habitat, construction works	During detail design, sensitive features will be avoided by the road alignment where possible. Furthermore, as described in Section 7.3.1.1.2 of Appendix G Fish and Fish Habitat Technical Support Document, the mitigation and enhancement measures and best management practices related to sensitive habitats are as follows: • Where feasible, areas of sensitive fish	Comment noted; see response for details	1093

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		below high water must only occur in July to September, outside of the fisheries timing windows. Please revise the language of this measure to reflect.	habitat and fishing areas that have been identified through the Indigenous Knowledge program in pre-construction design will be avoided. • Constructing in sensitive habitats (e.g., spawning areas and groundwater upwellings) will be avoided where feasible. As described in Section 7.1 of Appendix G, restricted activity timing windows are proposed in the Final EA/IS as they are a key mitigation measure. The proposed restricted activity timing windows take into account the fish species likely to be present (i.e., spring and/or fall spawning species). However, the restricted activity timing windows for each waterbody crossing will be finalized by the Ministry of Natural Resources during permitting. As indicated in Section 7.3.1.1.2 of Appendix G: • Construction will be avoided during a fish and fish habitat restricted activity timing window, where feasible. Work may not be conducted during the proposed restricted activity timing window unless approval is obtained from the Ministry of Natural Resources and Fisheries and Oceans Canada.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			To summarize, sensitive habitats will be avoided where possible. Where they cannot be avoided due to technical constraints, this will be included in the permit applications to the Ministry of Natural Resources and Fisheries and Oceans Canada. During construction, permit conditions will need to be met, including the site-specific restricted activity timing window set by Ministry of Natural Resources.		
Nibinamik First Nation	77	Nibinamik is concerned about the potential for chemicals leaching into the waters and sedimentation due to construction work below high water. Recommendations: Please clarify what options are being considered for erosion-resistant fill material and the source(s). Nibinamik also requests the use of erosion-resistant fill material below high-water mark at all locations requiring fill. (i.e. not just in floodplain).	To mitigate project impacts from the leaching of deleterious substances, only materials confirmed as non-potentially acid generating (i.e., cleared for acid rock drainage) through a geochemical verification process will be used for the road surface. This measure will prevent acid rock drainage and associated metal leaching (Section 7.3.1.5 of Appendix F Surface Water Technical Support Document). With regards to concern about sedimentation due to construction, an Erosion and Sediment Control Plan will be developed and the control measures in accordance with the Ontario Provincial Standard Specifications for erosion and sediment control measures (OPSS.PROV 804, OPSS.MUNI 182 and	Comment noted; see response for details	1095

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			OPSS.MUNI 805) will be implemented. This includes provision of multistage drainage and sediment controls to collect and treat stormwater runoff from Project components, as appropriate. These controls may include diversion swales / dykes, collection ditches, silt fences, rock check dams, sediment traps / basins, level spreaders and riparian buffer strips. These measures are not merely regulatory requirement but also represent industry best practices. The development and implementation of the Erosion and Sediment Control Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. Erosion resistant fill material will generally include riprap (gravel) and will be sourced from local pits and quarries.		
Nibinamik First Nation	78	Nibinamik is concerned that even with removal of temporary crossing materials below the high-water mark, the potential effects of sediment release to water are negative and substantial, especially if spawning habitat is nearby. Additional negative effects may result if aggregate	The development and implementation of the Erosion and Sediment Control Plans will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and	Comment noted; see response for details	1096

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		is not appropriately tested for deleterious substances that may leach out (e.g. acids, salts, metals). Recommendation: Nibinamik requests that the MFCAR Project Team develop (and provide for review and comment) erosion and sediment control plans that demonstrate measures that are above and beyond the regulatory requirements	operations for the Community Access Road.		
Nibinamik First Nation	79	Given that the temporary crossings will be interacting with fish habitat below the high- water mark, the area will be at much higher risk of erosion. Nibinamik is concerned that only returning banks to their original profile “if needed” and stabilizing disturbed areas “as necessary” unnecessarily increases the risk to fish habitat at temporary crossing locations. Recommendation: Nibinamik requests language of this mitigation/enhancement be changed to: "Upon removal of temporary crossing materials, return banks to original profile, stabilize disturbed areas, and install erosion control measures that will remain in place until banks are sufficiently revegetated.”	Refer to our response to your comment #72.	Comment noted; see response for details	1099

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	80	Based on recent actions by the provincial government, Nibinamik is extremely concerned that the Ontario Ministry of Natural Resources and Fisheries and Oceans Canada will not appropriately respect Indigenous peoples' duty to steward the lands and waters of their Homelands. Recommendation: Therefore, Nibinamik requests that for the Dusey, Buffaloskin, Ogoki, Albany, and Wabassi rivers, the MFCAR Project Team send any application for working below the high-water mark within the restricted timing window to Nibinamik for review and comment prior to submission to the Ministry of Natural Resources and Fisheries and Oceans Canada for authorization.	Marten Falls First Nation acknowledges Nibinamik First Nation's concerns and remains committed to meaningful consultation with neighbouring Indigenous communities. Marten Falls First Nation must follow established regulatory processes for submitting applications related to in-water work. These processes include opportunities for Indigenous communities' input through formal channels. Please note, that the commitments outlined in the Final EA/IS remain in effect, as well as Marten Falls First Nation's obligations under the Terms of Reference and the Tailored Impact Statement Guidelines.	Comment noted; see response for details.	1109
Nibinamik First Nation	81	Sedimentation concerns remain for any activity that requires grubbing or clearing of vegetation within the riparian area (i.e., all crossings). Sedimentation poses especially significant risks to eggs and juvenile fish. Recommendation: To ensure the predicted residual effect characterization is as described by the proponent, Nibinamik requests:	A. As described in Section 7.3.1.1.2 of Appendix G Fish and Fish Habitat Technical Support Document, the restricted activity timing windows for each waterbody crossing will be finalized by the Ministry of Natural Resources during permitting. B. The development and implementation of any monitoring programs will be the responsibility of the owner/operator of the	Comment noted; see response for details	1111

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		• Timing window MUST be applicable to all activities adjacent to waterbodies unless sufficient sediment control measures are installed prior to works, • Sediment monitoring is conducted during all rain events. • If works are conducted in the spring during snowmelt, sediment control measures must be installed prior to works. • Continuous downstream monitoring must be conducted during works.	Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. C. Potential effects from sedimentation from Project activities is captured in the residual effects assessment for changes to fish habitat quantity and quality from release of sediment at waterbody crossings (Section 7.3.1.4 of Appendix G). It is acknowledged that detailed soil management and handling procedures (including erosion and sediment control) will need to be defined in greater detail than the mitigation and enhancement measures found in Table 9-30. During the upcoming detailed design phase, additional Plans will be developed that include project specific soil management and handling procedures such as erosion control procedures, which would be implemented at all times regardless of the season. D. As described in Section 9.2 of Appendix G, Environmental Monitors will be onsite for crossing construction. Turbidity and total suspended solids will be monitored according to permit requirements and will follow the		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Canadian Council of Ministers of the Environment's Canadian Water Quality Guidelines for the Protection of Aquatic Life (CCME 1999). The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Table 9-10 in the main body of the Environmental Assessment / Impact Statement is a high-level summary of the fish and fish habitat assessment in Appendix G. It is suggested that the reader look at the following tables in Appendix G: • Table 7 4: Project–Environment Interactions: outlines the potential effects pathways considered in the assessment • Table 7 5: Summary of Potential Effects, Mitigation and Enhancement Measures, and Predicted Residual Effects on Fish and Fish Habitat: summarizes mitigation measures relative to the effect pathways • Table 7 6: Characterization of Predicted Residual Effects and Determination of Significance for Fish and Fish Habitat Valued Components: summary of the results of the residual effects		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			characterization and determination of significance.		
Nibinamik First Nation	82	Nibinamik is concerned about the potential cumulative impacts of sedimentation and other effects due to construction activities when works occur at multiple tributaries to the same waterbody or watercourse. While Nibinamik recognizes that in isolation, the impacts may be minor at each individual site, given that fine sediments or other deleterious substances will be conveyed downstream and accumulate, there remains a risk of non-negligible impacts in the ultimate receiving waterbody. Recommendation: Nibinamik requests the MFCAR Project Team prepare a Sediment and Erosion Control Plan that includes monitoring in specific receiving waterbodies and watercourses that have multiple tributaries interacting with the Project route, to ensure some cumulative effects are appropriately monitored, and mitigated if required.	The development and implementation of the Erosion and Sediment Control Plans will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	1112
Nibinamik First Nation	83	Nibinamik commends the MFCAR Project Team for the commitment to regularly inspect and maintain culverts	Access is not within the scope of the Final EA/IS, however it is a matter that will require further dialogue between the	Comment noted; see response for	1113

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		and bridges along the road. However, Nibinamik is concerned with the potential impacts of increased human access to waterbodies (e.g., increased erosion, contamination due to waste, increased fishing pressure, which may be facilitated by cleared areas around permanent crossings. Recommendation: Please provide details regarding access control measures that will be installed (e.g. fencing) or created (e.g. through barriers such as rocks, wood, trees) at crossings to impede public access to waterbodies during operation of the road. Nibinamik asserts that access control measures would also serve to protect the MFCAR Project Team from environmental liability. We recognize that access control may not be feasible at all crossings; therefore, we request that at minimum all clear-span bridges have access control measures installed or created.	communities and the Province. As discussed in sub-section of Section 7.3 of Appendix F Surface Water Technical Support Document, temporary access roads and trails, temporary construction camps, turn-around areas, waterbody crossings, and temporary laydown areas will be reclaimed at the end of Construction. Therefore, it is anticipated that cleared vegetation (for construction) will be rehabilitated within two years after the construction and will not likely facilitate increase human access to waterbodies as being perceived.	details	
Nibinamik First Nation	84	Nibinamik is concerned that the mitigation measures proposed for addressing changes to fish habitat due to changes in riparian vegetation are not sufficient to yield a “negligible” impact magnitude.	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Table 9.3-7	Comment noted; see response for details Final EA/IS Table 9.3-7	1114

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Nibinamik requests that erosion and sediment control measures be installed in all cleared areas that may convey precipitation or snowmelt into waterbodies until those areas are sufficiently revegetated.	in the Final EA/IS is a high-level summary of the fish and fish habitat assessment in Appendix G Fish and Fish Habitat Technical Support Document. Changes to fish habitat quantity and quality through changes to riparian vegetation is assessed in Section 7.3.1.2 of Appendix G, with residual effects in Section 7.3.2.2 of Appendix G. As per Section 7.3.1.2.2 of Appendix G, the following mitigation measures will be implemented to minimize or avoid changes to riparian vegetation: • Clear and revegetate the riparian zone, including above and below the high-water mark, following Ontario Provincial Standard Specification General Specification for Environmental Protection for Construction in and Around Waterbodies and on Waterbody Banks (OPSS, 2021b), Fisheries and Oceans Canada's Measures to Protect Fish and Fish Habitat (DFO, 2025) and the Ministry of Natural Resources and Forestry's Environmental Guidelines for Access Roads and Water Crossings (1990), and Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales (2010a) and its associated Background Rationale document (2010b).		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			• Maintain a 30 m riparian buffer around waterbodies, where feasible. • Consider the restricted activity timing windows for the timing of clearing riparian vegetation. As described in Section 7.3.1.4 of Appendix G, sediment and erosion control will be installed, monitored, and managed as to prevent sediment from reaching the waterbody prior to and during construction and in accordance Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (2021a) and Construction Specification for Temporary Sediment Control (2020). Furthermore, a Sediment and Erosion Control Plan will be developed by the owner/operator of the Community Access Road in accordance with Ontario Provincial Standard Specifications Construction Specification for Temporary Erosion Control (2021a) and Construction Specification for Temporary Sediment Control (2020).		
Nibinamik First Nation	85	The MFCAR Project Team asserts that magnitude of “changes to fish habitat quantity and quality from the placement of waterbody crossing structures and changes in channel morphology” is	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who	Comment noted; see response for details Final EA/IS	1116

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		negligible. However, the report also notes there are over 50 crossings that interact with fish habitat, and site-specific surveys have yet to be completed. Nibinamik is very concerned at the apparent dismissal of irreversible, permanent alterations to fish habitat that will occur due to the project. Especially when the need for site-specific surveys is recognized by the MFCAR Project Team. Recommendation: Nibinamik asserts that without detailed information about the fish habitat that is being permanently and irreversibly altered due to the Project, it is unreasonable to assume that the changes would result in negligible impacts. These alterations will represent a “harmful alteration, disruption, or destruction” (HADD) and must have at minimum, appropriate offsetting plans proposed.	wish to review them in depth. Table 9.3-7 in the Final EA/IS is a high-level summary of the fish and fish habitat assessment in Appendix G Fish and Fish Habitat Technical Support Document. Changes to Fish Habitat Quantity and Quality From Placement of Waterbody Crossing Structures and Changes in Channel Morphology is assessed in Section 7.3.1.5 of Appendix G, with residual effects in Section 7.3.2.5 of Appendix G. Please see these sections for the rationale related to the residual effects characterization. The mitigation and enhancement measures and best management practices that will be implemented during Construction to avoid or minimize effects on channel morphology are technically feasible and well-established for road development projects across Canada. As per Section 7.3.2.5 of Appendix G, the key mitigation and enhancement measures include: • Designing and installing culverts for the waterbody such that the channel is not constricted and to minimize potential for scour and erosion; and • Installing, monitoring, and managing appropriate erosion and sediment control	Table 9.3-7	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			measures. For any structures placed below the high water mark, design and mitigation and enhancement measures will limit potential for changes to morphology. As indicated in Section 9 of Appendix G, fish and fish habitat and surface water surveys will be conducted before construction at any waterbody that has not been assessed and work is proposed below the high-water mark to meet permitting requirements (i.e., for the Fisheries and Oceans Canada Request for Review under the Fisheries Act and for permit applications to the Ministry of Natural Resources under the Lakes and Rivers Improvement Act). As indicated in Section 7.3.2.1 of Appendix G, a Request for Review under the Fisheries Act will be submitted to Fisheries and Oceans Canada. Based on Fisheries and Oceans Canada's review, an application for authorization under the Fisheries Act will be prepared, if required, which would include an offsetting plan. If required by Fisheries and Oceans Canada, the offsetting plan would include habitat enhancement measures or habitat creation to offset losses		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			associated with the Community Access Road.		
Nibinamik First Nation	86	The MFCAR Project Team proposes to use outdated guidance (Ministry of Natural Resources Environmental Guidelines for Access Roads from 1990) for culvert crossings of fish-bearing watercourses. Nibinamik is concerned that such guidance does not prioritize the protection of fish or aquatic ecosystems. Recommendation: Nibinamik asserts that embedded and/or open-bottom culverts, which maximize fish passage, are the only acceptable designs for culverted crossings of fish-bearing waterbodies. This is especially important given that field surveys conducted by the MFCAR Project Team (EIS Appendix G, Attachment B) found valued fish species such as juvenile Northern Pike in relatively small watercourses (< 5 m wide, < 1 m deep) where they may not have been expected.	As indicated in Appendix G Fish and Fish Habitat Technical Support Document, relevant best management practices and environmental approval conditions will be followed for culvert crossings at waterbodies. The MNRF (1990) document is one of several documents listed. The Ministry of Natural Resources Environmental Guidelines for Access Roads was originally published in 1990, but is still a current guidance document in Ontario. As per the Ministry of Natural Resources website, the online version was published March 2019 and updated in June 21, 2021. See https://www.ontario.ca/page/environmental-guidelines-access-roads-and-water-crossings Additional documents included in the Final EA/IS include Ontario Provincial Standard Specification General Specification for Environmental Protection for Construction in and Around Waterbodies and on Waterbody Banks (OPSS, 2021b), Fisheries and Oceans Canada's Measures to Protect Fish and Fish Habitat (DFO, 2025b,c) and Standards and Codes of Practice (DFO,	Comment noted; see response for details	1117

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			2024) and fish passage guidelines (Katopodis and Gervais, 2016; Di Rocco and Gervais, 2024). As described in Section 7.3.1.6.2 of Appendix G, where a channel allows for fish passage, culverts will be designed and installed in fish-bearing waterbodies to allow for fish passage to meet Ministry of Natural Resources Environmental Guidelines for Access Roads and Water Crossings (MNRF, 1990) and Fisheries and Oceans Canada's Standards and Code of Practices (DFO, 2025b,c) and fish passage guidelines (Katopodis and Gervais, 2016; Di Rocco and Gervais, 2024). This may include embedded or open-bottom culverts; the design to accommodate fish passage requirements will be determined during the detail design stage of the Community Access Road.		
Nibinamik First Nation	87	The MFCAR Project Team has asserted no residual effects (mortality or injury) to fish due to blasting, yet has not demonstrated the diligence required to support this assertion. Nibinamik is concerned that the stated mitigations do not contain (1) any mention of minimum buffer limits for distance to fish bearing waters during	The assessment related to blasting effects on fish is provided in Section 7.3.1.8 of Appendix G Fish and Fish Habitat Technical Support Document. This section describes the potential effects and describes the mitigation measures that will be employed. Blasting activities will follow overpressure	Comment noted; see response for details	1118

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		blasting, (2) any fish exclusion plan to ensure fish are not exposed to deleterious pressures or vibrations, nor (3) any mention of confirmation of spawning to ensure the stated vibration guideline (for the protection of eggs) is maintained. The proposed approach appears to be similar to stating "trust us" rather than clear demonstrable actions that will prevent harm to fish. Further, the statement "complete blasting near fish-bearing waterbodies outside the proposed restricted activity timing window for all blasting operations" appears to imply that fish are only present during the restricted window, which is clearly incorrect and presents concerns regarding the MFCAR Project Team's understanding of fish movement and habitat use. Recommendation: If the MFCAR Project Team wishes to maintain their prediction of "no residual effect" due to blasting, Nibinamik asserts that they must: • Demonstrate an understanding of blast pressures during construction. • Demonstrate an understanding of the minimum buffer required to mitigate against injury or death to fish due to the	and vibration guidelines outlined in the Ontario Provincial Standard Specification General Specifications for the Use of Explosives (OPSS, 2014) and the Fisheries and Oceans Canada Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters (Wright and Hopky, 1998). The Fisheries and Oceans Canada guidelines provide guidance on the setback distances from fish-bearing waterbodies required to be protective of fish. Explosives will only be used if alternate methods of excavation to remove materials for foundation systems and roads are not feasible. For the Community Access Road, calculations based on charge weights and substrates (as outlined in Wright and Hopky, 1998) will be used to determine the setback distance for blasting from fish habitat to meet the overpressure and vibration guidelines. For preventing effects on fish from overpressures, as described in Section 7.3.1.8.2 of Appendix G, at each fish-bearing waterbody, explosives are not to be detonated in or near fish habitat that produces, or is likely to produce, an instantaneous water pressure change (i.e., overpressure) greater than 100 kilopascals (kPa) where fish are present.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		blast pressures. • Demonstrate an evaluation of the risk associated with each proposed crossing to ensure decisions regarding the use of explosives are prioritizing ecosystem and fish population health. • Demonstrate, through the preparation of a pre-blasting fish protection plan, that (1) spawning will be sufficiently evaluated to ensure protection of redds and/or eggs, and (2) that the blast- affected-area will be made sufficiently free of fish (through exclusion or another demonstrably successful measure) to avoid injury or death.	The overpressure guideline applies year-round in any fish-bearing waterbody near the blast (i.e., both within and outside of the restricted activity timing window). For preventing effects on incubating fish eggs from vibrations, at each fish-bearing waterbody, explosives are not to be detonated that produce, or are likely to produce, a peak particle velocity greater than 13 millimetres per second (mm/s) during the restricted activity timing window. The vibration guideline applies during the restricted activity timing window in the waterbody near the blast to protect spawning beds during the period of egg incubation, even when fish are not present. As blasting activities are planned to occur outside of the setbacks required to meet the Fisheries and Oceans Canada overpressure and vibration guidelines such that additional mitigations, such as exclusions, are not expected to be required. As described in Section 7.3.1.8.2 of Appendix G, a Blasting and Communication Management Plan will be prepared that is in accordance with Ontario Provincial Standard Specification		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			General Specifications for the Use of Explosives (2014) and describes specific measures that would be implemented if blasting is required. The development and implementation of the Blasting and Community Management Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	88	Nibinamik is concerned that very few details have been provided regarding the mitigation of air quality and fugitive dust, specifically with respect to monitoring to confirm mitigation measures were successful. Recommendation: Nibinamik requests that the MFCAR Project Team provide clear details regarding their air quality / fugitive dust monitoring plan, as it relates to the risks to aquatic environments (e.g., monitoring locations, sampling frequency, parameters, etc.)	The development and implementation of the Fugitive Dust Management Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.	Comment noted; see response for details	1119
Nibinamik First Nation	89	Nibinamik is concerned that provincial (Ontario Ministry of Natural Resources) best management practices and	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader	Comment noted; see response for	1120

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		regulations are not sufficiently protective of this area. Most of these guidance documents were not designed to protect regions that have remained relatively pristine. Nibinamik community members are extremely concerned about the spread of invasive species, with a preference for prevention of spread rather than reduction. Recommendation: Nibinamik requests that the MFCAR Project Team demonstrate how they intend to go above-and-beyond provincial best management practices and existing regulations to ensure the spread of invasive species is prevented. For example, establishing checkpoints for the cleaning and inspection of all watercraft during construction and once the road is open.	audience, while the technical details are provided in the appendices for those who wish to review them in depth. Table 9.3-7 in the Final EA/IS is a high-level summary of the fish and fish habitat assessment in Appendix G Fish and Fish Habitat Technical Support Document. The spread of aquatic invasive species from the Community Access Road was captured in the residual effects assessment for increased public access to recreational fishing areas (Section 7.3.2.8 of Appendix G) and in the cumulative effects assessment for increased public access to recreational fishing areas (Section 8.2.2.1 of Appendix G). The introduction of invasive species with increased public access was recognized and identified as a potential effect (i.e., effect before mitigation) in the Final EA/IS. A key mitigation to reduce the potential spread of invasive species is by using best management practices and the regulations outlined by the Ministry of Natural Resources to reduce the spread of invasive species. The “Clean, Drain, Dry” method is part of the Boaters Action Plan (Ministry of Natural Resources 2022), implemented by the Ministry of Natural Resources. The establishment of	details Final EA/IS Table 9.3-7	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			checkpoints or inspections of watercraft to ensure compliance once the road is open would fall under the mandate of the Ministry of Natural Resources. Protocols for the prevention of aquatic invasive species during construction would be developed by the owner / operator and included in the Project-specific Environmental Protection Plan. This will include the best management practices and regulations outlined by the Ministry of Natural Resources.		
Nibinamik First Nation	90	The MFCAR Project Team has provided very few details regarding the potential changes to fish survival and reproduction from improved public access to recreational angling areas. Nibinamik community members have voiced concerns regarding the influx of people from outside the communities that would follow road creation. Community members have already observed the impacts of guiding resorts for fishing and hunting. Recommendation: This road will permanently facilitate access to lakes and rivers for any external party interested in fishing in this region. Nibinamik requests that this is	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Table 9.3-7 in the Final EA/IS is a high-level summary of the fish and fish habitat assessment in Appendix G Fish and Fish Habitat Technical Support Document. After implementation of the Community Access Road, the weight of evidence from the analysis predicts that the Valued Component fish populations would remain self-sustaining and ecologically effective in the effects assessment Regional Study Area. Therefore, the	Comment noted; see response for details Final EA/IS Table 9.3-7	1121

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		recognized as a significant, irreversible residual effect and that the MFCAR Project Team propose effective mitigations.	residual effects on fish and fish habitat Valued Components after implementation of the Community Access Road are predicted to be not significant.		
Nibinamik First Nation	91	Nibinamik community members are concerned about the contamination of fresh water in this region due to fuels and other construction-related chemicals, and the effects this contamination would have on fish populations. Recommendation: Nibinamik requests that the magnitude of the potential effect due to chemical spills be increased to “medium” (at minimum), given the extremely deleterious impacts that fuel and other industrial chemicals can have in waterways. Nibinamik also requests that all construction camps and laydown areas (temporary and permanent), and any area that is to be used for the storage of fuel or other chemicals, be at least 30 m from water and have spill prevention measures (e.g. lined trenches, baffles, etc.) installed to fully avoid the risk of contaminants reaching the aquatic environment.	A. A systematic discussion on potential effects due to accidental spills and leaks to nearby waterbody, proposed mitigation and enhancement measures to mitigate the potential effects, predicted residual effects and characterization of residual effects is presented in Sections 7.3.1.10 and 7.3.2.8 of Appendix F Surface Water Technical Support Document. With the implementation of proposed mitigations and enhancement measures, the magnitude of residual effect was characterized as negligible in magnitude as potential volumes / loads to waterbody receivers due to accidental spills and leaks were expected to be minor. B. We acknowledge Nibinamik First Nation's request regarding the siting of construction camps and laydown areas (i.e. 30 m away from water) and spill prevention measures. Although details of the construction camps and laydown areas are to be confirmed during the detail design phase of the Community Access Road, measures such as locating		1122

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			temporary access roads, staging areas, camps, and debris and/or timber stockpiles a minimum of 30 m away from the ordinary high water mark of a waterbody, where possible, are included in Appendix F, Appendix G Fish and Fish Habitat Technical Support Document and Section 9 of the Final EA/IS. Spill prevention measures, such as storing hazardous materials in designated areas designed and constructed to collect and contain minor leaks and spills, are included in Appendix F and Section 9 of the Final EA/IS.		
Nibinamik First Nation	92	The MFCAR Project Team expects that fish populations will be self-sustaining, and uses this expectation to conclude that cumulative effects are not significant. Nibinamik is concerned that this approach seems worryingly backwards and does not effectively consider the potential cumulative effects of the Project on fish populations. An analogous phrase would be “we think the answer will be 6, therefore the question was 'what is 3+3’” → not only does that ignore the other potential options that give an answer of 6, but it also ignores the potential for a completely different answer based on discovering the actual question.	The approach to cumulative effects in the Environmental Assessment / Impact Statement was developed to meet the Tailored Impact Statement Guidelines and the Terms of Reference for the Community Access Road. The overall approach to cumulative effects is described in Section 6.8 of the Final EA/IS. The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Section 10.2.3 of the Final EA/IS is a high-level	Comment noted; see response for details	1123

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: Nibinamik requests a more fulsome evaluation of cumulative effects, that recognizes the interconnectedness of aquatic ecosystems and all project components, and the interactions between aquatic ecosystems and other ecosystems.	summary of the cumulative effects assessment for fish and fish habitat. Please see Section 8 of Appendix G Fish and Fish Habitat Technical Support Document for more information on the cumulative effects for fish and fish habitat. Cumulative effects and impacts to aquatic ecosystem have been considered in Appendix G. The cumulative effects assessment is presented in Section 8.2 of Appendix G; this section provides context for the characterization of predicted cumulative effects and the significance determination.		
Nibinamik First Nation	93	The draft EA/IS states impacts to peatlands from pits and quarries are expected to be mitigated from the backfilling of pits and the abandonment of quarries. This does not guarantee that the function, composition and availability of peatlands will be restored. Nibinamik is concerned that peatland restoration may not be effective in areas that are dewatered, and a more comprehensive approach to peatland and quarry/pit restoration is needed. Recommendation:	The 'Aggregate Resources of Ontario: Site Plan (2020) Standards' requires that permit applications prepare a site plan, which includes how the proposed permit area will be rehabilitated (e.g., Rehabilitation Plan). The rehabilitation of permitted pits and quarries are required to follow the conditions contained in the approved site plans. The responsibility for preparing a restoration plan for pits and quarries will form part of the tender package for selecting construction operators and	Comment noted; see response for details	1124

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Nibinamik requires that the Project Team develop a comprehensive plan to pit and quarry restoration. Plans must demonstrate that restoration is feasible in peatlands, including the restoration of biogeochemical, hydrogeological and habitat function. A phased restoration approach may be required to ensure that planned techniques are feasible and to prevent lags in restoration time.	aggregate site operators. Marten Falls First Nation will collaborate with the Province and the selected contractor to ensure the plan meets best practices and provincial guidance. A cumulative effects assessment of the Community Access Road, including supporting infrastructure like pits and quarries was completed as part of the Final EA/IS. However, a restoration plan for pits and quarries is outside the scope of the EA/IS.		
Nibinamik First Nation	94	Nibinamik is concerned that peatland restoration will not be feasible in temporary workspaces and the construction disturbance area. The draft EA/IS suggests that only certain areas may require restoration efforts. The loss of peatlands is considered “low” and “not significant.” The magnitude of the impact is small because the regional assessment area is so large, but this does not mean that the loss of peatlands will not have an impact on local ecosystems or environmentally sensitive locations. Recommendation: The impact assessment for direct peatland loss should be updated to	A description of the approach and methods for determination of significance for the Peatland discipline is provided in Section 4.4.2 of Appendix I Peatlands Technical Support Document. The significance of effects was classified as a binary response for Peatlands, rather than an ordinal scale (e.g., low, moderate, high). The assessment endpoints, self-sustaining and ecological effective ecosystems, were used as the threshold for significance and determined at the scale of the Regional Study Area. Significance was assigned to each Project-environment interaction, and an overall determination of significance was	Appendix I Final EA/IS peatlands sections	1126

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		reflect the uncertainty associated with restoration and the impact of local peatland loss in sensitive habitats and local ecosystems. There is concern that restoration may not be possible, meaning there should be additional mitigation measures proposed in the draft EA/IS to protect peatlands. These impacts should be considered significant.	provided based on a “weight of evidence” or reasoned narrative approach. This considered magnitude, geographic extent, duration, likelihood of effect, uncertainty, available literature, results from field studies, as well as the resilience and adaptive capacity of the ecosystems. Resilience and adaptive capacity provide important ecological context and are related to factors such as current environmental conditions (size of peatland ecosystems, peatland distribution and connectivity, peatland composition and function), and threats to the peatland ecosystems. The application of the assessment endpoints (thresholds) and associated binary approach to assigning significance is precautionary so that effects are not underestimated. In particular, if the weight of evidence indicated that an effect or combined effects are approaching the threshold(s) and had high uncertainty and could be assessed as significant or not significant, a precautionary approach was applied, and the effect was determined to be significant. While the pathway associated with the residual effect of changes to the		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			availability and distribution of peatlands was considered not significant, impacts to peatland ecosystems resulting from changes to groundwater (quality and quantity) have been reconsidered. It was determined that the effect should be characterized as 'significant', particularly given the high uncertainty regarding this pathway and the primary mitigation approach (i.e. the floating road). Appendix I (Peatlands) has been revised accordingly, and results have been summarized in the Final EA/IS. As such the determination of the Community Access Road has been reconsidered and updated to significant effect to Peatlands. Section 7.3.1.3 and Section 7.3.1.4 of Appendix I include the mitigation measure of developing an Environmental Protection Plan during detail design that includes both monitoring requirements and adaptive management measures to identify and address significant impacts of the project related to hydrology and groundwater. The definition for what is considered to be significant will be determined as part of the Environmental Protection Plans development. Due to the assessment of a significant determination for peatlands, a peatland monitoring plan will be required, with		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			adaptive management (e.g. putting in culverts if changes to peatland form and function noted) procedures included. The development and implementation of the Environmental Protection Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. Additionally, a Preliminary Biodiversity Offset Plan has been prepared and is available in Appendix AB Preliminary Biodiversity Offset Plan of the Final EA/IS. One of the objectives of the Offset Plan will be to restore and offset peatland ecosystems, to the extent feasible.		
Nibinamik First Nation	95	A primary concern is the potential of road construction causing increased levels of methylmercury (by increasing peatland sulfur content) in groundwater. This potential effect is not carried forward in the assessment because no residual effects were found in the Groundwater Technical Support Document. However, review of the technical support document indicates that changes to groundwater quality from road construction in peatland areas was not assessed.	Impacts to peatland ecosystems resulting from changes to groundwater (quality and quantity, including the pathway of methylmercury) have been reconsidered. It was determined that the effect should be characterized as 'significant', particularly given the high uncertainty regarding this pathway and the primary mitigation approach (i.e. the floating road). Appendix I (Peatlands) has been revised accordingly, and results have been summarized in the EA/IS. As such	Appendix I Final EA/IS peatlands sections	1127

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: The final EA/IS must include an assess the potential effect of increased methyl mercury in groundwater from peatland construction. This must include characterization of residual and cumulative effects, as well as proposed mitigation strategies. The assessment should use an ecosystem-based approach and provide an assessment of the potential impacts to surface water and fish from potential increases in groundwater.	effect on peatlands has been reconsidered and updated to significant. Section 7.3.1.3 and Section 7.3.1.4 of Appendix I (Peatlands) includes the mitigation measure of developing an Environmental Protection Plan during detail design that includes both monitoring requirements and adaptive management measures to identify and address significant impacts of the project related to hydrology and groundwater. Including groundwater quality. The definition for what is considered to be significant will be determined as part of the Environmental Protection Plans development. Due to the assessment of a significant determination for peatlands, a peatland monitoring plan will be required, with adaptive management (e.g. putting in culverts if changes to peatland form and function noted) procedures included. The development and implementation of the Environmental Protection Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Additionally, a Preliminary Biodiversity Offset Plan has been prepared and is available in Appendix AB of the Final EA/IS. One of the objectives of the Offset Plan will be to restore and offset peatland ecosystems, to the extent feasible.		
Nibinamik First Nation	96	The peatland cumulative effects assessment states that although the MFCAR project, northern road link, Rapid Lynx Broadband Project and the Anaconda and Painter Lake Forestry Road upgrades project will result in the permanent loss of peatland functional area and ecosystem function, peatlands are expected to remain abundant and connected in the Regional Study Area. Nibinamik is concern that the cumulative effect of linear disturbance throughout the area will result in irreversible changes to peatland function, with impacts to wildlife habitat, carbon storage, hydrology and drainage, and groundwater flow pathways. Road disturbance of peatland environments is known to have significant and lasting impacts on function, availability and distribution, with only marginally successful restoration efforts available. By assuming there will be little effect on the net ecological function and connection of peatlands in	Impacts to peatland ecosystems resulting from changes to groundwater (quality and quantity) have been reconsidered. It was determined that the effect should be characterized as 'significant', particularly given the high uncertainty regarding this pathway and the primary mitigation approach (i.e. the floating road). Appendix I Peatlands Technical Support Document has been revised accordingly, and results will be summarized in the Final EA/IS. As such peatlands has been reconsidered and updated to significant. Section 7.3.1.3 and Section 7.3.1.4 of Appendix I includes the mitigation measure of developing an Environmental Protection Plan during detail design that includes both monitoring requirements and adaptive management measures to identify and address significant impacts of the project related to hydrology and groundwater. The definition for what is considered to be significant will be determined as part of the Environmental	Appendix I Final EA/IS peatlands sections	1128

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		the area without adequate analysis, modelling, monitoring and restoration plans, Nibinamik cannot be assured that effects will not have a lasting impact on ecosystem function. Recommendation: Due to the uncertainty and severity of potential cumulative effects to peatlands from compounding linear development projects, Nibinamik believes these impacts should be considered "significant" and additional, coordinated mitigation measures should be developed.	Protection Plans development. Due to the assessment of a significant determination for peatlands, a peatland monitoring plan will be required, with adaptive management (e.g. putting in culverts if changes to peatland form and function noted) procedures included. The development and implementation of the Environmental Protection Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	97	Nibinamik shares Fort Albany First Nation concerns that the drying and dewatering of peatlands (from both development and climate change) will lead to the increased risk of wildlife. Despite the Draft EA/IS recognizing the cumulative effects increasing the susceptibility of peatlands to wildfire, no additional mitigation measures have been proposed. Nibinamik First Nation holds traditional knowledge related to wildfires in the region and has continually been impacted by wildlife historically and in the present. Additional mitigations are needed to effectively manage wildfire risk	Enhanced forest fire management measures will be considered during the detail design phase of the Community Access Road. Should the Community Access Road EA / IS be approved to proceed, a consultation and engagement program will be established to guide discussions through detail design.	Comment noted; see response for details	1129

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		created through the alternation of peatland hydrology. Relying on fragmented mitigation measures from each individual project does not adequately satisfy the level of regional coordinate response needed to prevent forest fires in this sensitive area. Recommendation: Nibinamik would like to see additional measures to prevent wildlife in peatland ecosystems. Indigenous knowledge holders and First Nation Communities have an enhanced understanding of forest fire dynamics in the regional area. These communities and knowledge holders should be embraced to develop effective mitigation and management areas. Management measures, in the form of First Nations-led wildfire management plans, Indigenous Protection and Conservation Areas, and support for the development of on the land Indigenous guardians must be considered as a required mitigation measure to effectively protect the region from forest fire risk. Furthermore, these management strategies should be made in collaboration with provincial regulators and enforcement officers to help develop prevention strategies that focus on outreach, education, and awareness to			

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		reduce forest fire risk from new recreational users within the area.			
Nibinamik First Nation	98	There are no mitigation measures proposed to address the cumulative effect of groundwater dewatering on peatlands. Peatlands depend on a connected and function hydrologic and hydrogeologic environment. The removal of bedrock, dewatering and pit infilling will undoubtably have an impact on surface water and groundwater flow directions with potential impacts for quarries. Recommendation: The province should commit to a cumulative effects assessment when approving any application for aggregate resource extraction or permits to take water in the region. Provincial permitting does not typically require a cumulative effects assessment. Nibinamik asserts that due to the complex hydrologic/hydrogeologic and pristine nature of the development area, the province should take a proactive approach in preventing cumulative effects to water resources and peatlands. Frameworks for determining cumulative effects of dewatering on peatlands should be develop with First Nations	We appreciate your feedback and the time you have taken to share your perspective. However, the comments are directed at government agencies and outside the scope of the Community Access Road. We would therefore encourage you to direct these to the regulators, as they will be best positioned to address them.	Comment noted; see response for details.	1130

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		communities, include ecologically relevant spatial and temporal boundaries, and include strict requirements for ownership of the pit and responsibility for potential impacts, as well as conditions for monitoring and response programs.			
Nibinamik First Nation	99	New roads create major opportunities to access natural resources. The completion of the MFCAR would immediately expose timber, wildlife, plants, fungi and minerals to increased harvesting levels and greatly enhance the risk of over-exploitation (Mychasiw & Hoefs, 1988; Bekker, 2003). Fish and hunt guiding operations may also expand in the wake of the MFCAR, with a significant risk of increased pressure on local ungulate, predator and fur-bearer populations (Mychasiw & Hoefs, 1988; Watson, 2005). Legal sport and subsistence hunting as well as illegal poaching are expected to increase with a road. Many case studies bear witness to over-harvesting after the development of new roads into wilderness areas (Mychasiw & Hoefs, 1988). Recommendation: Nibinamik asks to be involved in the decision-making regarding access permissions for the Project including but	A. Nibinamik First Nation's request for decision-making regarding access permissions for the Community Access Road is noted. Marten Falls First Nation continues to have discussions with the Province regarding ownership and operations of the Community Access Road. B. As noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a Terms of Reference between relevant	Comment noted; see response for details	1179

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		not limited to, forestry operations, mining and exploration development, and commercial hunting and fishing operations in the area. Further, Nibinamik asks to be involved in the development and implementation of a detailed Wildlife Monitoring and Mitigation Plan which includes record and analysis of hunting and harvesting in the region, and addressing Project specific needs such as beaver removal.	agencies and Nibinamik First Nation will be established.		
Nibinamik First Nation	100	Roads are known to create substantial fragmentation effects within wilderness areas (Ament et al., 2008). This occurs through the conversion of interior habitat to edge habitat, and results in decreased habitat function and productivity for many species, including those which are wide-ranging or large-territory dependent (Carr et al., 2011; COSSARO, 2015). This fragmentation alters microclimates along the road (i.e. changes average temperatures, solar exposure and drainage), which can result in significant changes to adjacent vegetation communities (Watson, 2005). These altered habitats often transition from mature systems towards successional, disturbance tolerant, and invasive, plants (Watson, 2005). The physical roadway, its traffic and	A: As stated in Nibinamik First Nation's Aboriginal and / or Treaty Rights and Interests: Impact Assessment Report, Marten Falls First Nation has proposed to collaborate with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to ensure the inclusion of Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, work with relevant agencies and Indigenous Peoples to establish a Terms of Reference for one. B: Implementing a variable width right-of-	Comment noted; see response for details.	1180

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		alterations to vegetation communities as described above, all serve as barriers to wildlife movement. While a road may not entirely prevent wildlife from crossing, fragmentation increases the cost of movement and disrupts wildlife through a combination of mechanisms. Recommendation: Nibinamik asks to be involved in the monitoring of terrestrial ecosystems and in developing mitigations for habitat fragmentation, and offsetting habitat for the residual impacts. Nibinamik further recommends long- term research of terrestrial ecosystems during all project phases to ensure that impact predictions are accurate and implementing adaptive management to protect Aboriginal and Treaty Rights. Nibinamik requests efforts to minimize impacts include implementing a variable width ROW - rather than clearing the entire 60 m wide ROW – to reduce impacts of habitat loss.	way might not be advisable as it can reduce visibility and as such make road conditions unsafe.		
Nibinamik First Nation	101	Nibinamik is concerned about the Project impacts on culturally valued wildlife such as migratory birds, moose, caribou, beaver, marten, muskrat and lynx. Vegetation changes may serve as an attractant for grazing and the installation	As stated in Nibinamik First Nation's Aboriginal and / or Treaty Rights and Interests: Impact Assessment Report, Marten Falls First Nation has proposed to collaborate with local existing environmental advisory committees to	Comment noted; see response for details.	1181

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		of culverts may attract beavers. Opportunist and predator species (i.e. birds of prey, corvids, wolves, bears etc.) may experience increased hunting and movement efficiency – changing predation risks and predator presence. However, traveling along the road also increases the risk of road mortality. Using the road corridor would also expose wildlife to increased levels of hunting. Recommendation: Nibinamik asks to be involved in the development and implementation of a Wildlife Monitoring and Mitigation Plan for construction and operation. This Plan must address road safety for wildlife and vehicles, minimize the risk of hunting, and validate that the predicted impacts are accurate. Nibinamik requests to be involved in long -term wildlife management efforts and adaptive management for wildlife and traffic safety.	support the development and implementation of all environmental monitoring programs. The objective is to ensure the inclusion of Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, work with relevant agencies and Indigenous Peoples to establish a Terms of Reference for one.		
Nibinamik First Nation	102	The EIS describes yellow rail (Special Concern, Species-at-Risk) as follows: “Habitat degradation from human activity is expected to have a serious impact on yellow rails, but they are thought to be adaptable and resilient to human disturbances within the Project study	This statement in the Draft EA/IS is misinterpreted and has been corrected in the Final EA/IS.	Final EA/IS Section 8.2.6.6 Appendix K	1182

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		areas". This statement is unsubstantiated and requires additional justification. A specific monitoring program for the elusive yellow rail is recommended.			
Nibinamik First Nation	103	The draft EA/IS states that the direct loss of 16,901 ha of Category 1 habitat within the Missisa caribou range would bring the total disturbed habitat area for this herd to 8%. The EA/IS interprets this major regional change as a "low magnitude" and "not significant" impact to the Missisa herd. The draft EA/IS also describes effective habitat loss for caribou as "500 m on either side of the road". However, numerous studies indicate that caribou often avoid anthropogenic disturbances by a much greater margin, even up to 15 km (Carr, 2011; ECCC, 2019; COSSARO, 2015) The percentage of direct habitat loss (i.e. from the road's footprint) and the use of 500 m as effective habitat loss, are both insufficient metrics for the determination of this impact as "not significant." Further, despite the Draft EA/IS interpreting the impacts to the Nipigon caribou herd as moderate in magnitude and significant the evaluation still does not fully acknowledge the habitat loss , predation and hunting impacts.	It is correct that caribou demonstrate variability in response to disturbance types across their Canadian boreal forest range, and that caribou may avoid physical and sensory disturbances at greater distances depending on the existing state of the landscape where the disturbance occurs and the type of disturbance. We acknowledge that the literature cited in the comment identify larger zone of influences (ZOI), which vary depending on the type of disturbance. However, the affected habitat within those ZOIs is not completely devoid of function for caribou (e.g., habitat that is 10 km from the road is not providing zero ecological function). In practice, a 10 km buffer applied to each side of the Community Access Road would equate to a 20 km wide spatial extent / corridor of functionally lost habitat. This is not ecologically reflective of the direct and indirect habitat loss for an unpaved all-season community access road that has a 100 m wide right of way, 60 m of which will be permanently cleared (as per Section 2.1	Comment noted; see response for details	1185

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Recommendation: We believe that due to the: • extensive loss of effective habitat around the road (expected to far exceed 500 m on each side); • the high risk of disturbance- mediated predation effects; • improved predator hunting efficiency along the road, and; • the various fragmentation mechanisms described above (and in the preceding section); At least “moderate magnitude” and “significant” designations should be applied for the proposed negative, and irreversible impacts on the already declining Missisa herd. Nibinamik requests ongoing involvement in the development and implementation of wildlife conservation mitigations for the life of the Project.	of Appendix M Ungulates Technical Support Document). Although some literature suggests larger ZOIs would better reflect caribou avoidance behaviour of anthropogenic disturbances, there is uncertainty in the literature about the measurable demographic consequence for caribou. Although caribou (boreal and barren-ground) have been shown to modify their movement behaviour and distribution at distances of 5 to 15 km from development, an effect to survival and reproduction has not been demonstrated. Subsequently, we calculated functionally lost caribou habitat (i.e., indirect habitat loss) using a 500 m buffer, which aligns with guidance from the federal recovery strategy and was shown to influence calf recruitment (ECCC 2020). As described in Section 7.3.3.1 of Appendix M, the residual effects of the Community Access Road on caribou have been assessed as significant; as such, the Community Access Road will need to implement offsetting and compensation, which is calculated using the 500 m buffer approach to adhere to federal offsetting policy and guidance. Updating the calculations of percent disturbed and undisturbed habitat in		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			each range and study area will not change the mitigation strategies (which are all described in the Appendix M), nor will it change the overall significance characterization or offsetting requirement. The Final EA/IS has been updated to include Appendix AB Preliminary Biodiversity Offset Plan and has been developed to offset/compensate for the Community Access Road's significant residual effects to caribou that remain after application of avoidance, minimization, and restoration measures. This will include a commitment to no net loss of functional caribou habitat. Options for offset mechanisms may include additional habitat restoration, enhancement or long-term protection, or a combination of measures. The Preliminary Biodiversity Offset Plan will be finalized during detail design.		
Nibinamik First Nation	104	The draft EA/IS acknowledges that there will be residual effects on moose in the form of altered habitats (due to invasive species), changes in movement patterns, and direct as well as effective habitat loss, but maintains that all impacts to moose are "low magnitude" and "not significant." The proposed MFCAR has a	As a result of concerns expressed in this comment from Nibinamik First Nation and other reviewers, the assessment of the Community Access Road's residual effects on moose has been revised from not significant to significant in the Final EA/IS due to high uncertainty in the increase in harvest pressure from	Final EA/IS Section 8.2.6.6 Appendix K	1187

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		high likelihood of increasing levels of legal recreational and subsistence moose hunting and a possible increase of some illegal poaching. Recommendation: In light of the myriad impacts to this large, and culturally important species, the proposed impacts to moose in the LSA should be categorized as "moderate" magnitude (as opposed to "low") and "significant" as opposed to "not significant." The Draft EA/IS interpretation does not reflect Nibinamik's view of impacts on this culturally valuable resource and impact on Nibinamik rights to traditional resource use.	improved public access.		
Nibinamik First Nation	105	The draft EA/IS statement "habitat connectivity isn't a problem for martens" is not substantiated or accurate. Linear features, depending on their size, type and density, are known to impact the movement patterns and habitat occupancy of martens (Tigner, 2015). Recommendation: The MFCAR would thus, very likely, impose local impacts on martens with habitat ranges overlapping the proposed project. Potential effects on martens need to be reflected in the EA/IS	The main body of the Final EA/IS is intentionally written in plain language to make it accessible to a broader audience, while the technical details are provided in the appendices for those who wish to review them in depth. Refer to Section 5.2.2 in Appendix K Wildlife Technical Support Document for detailed American marten completed for the Community Access Road. Below is a summary of the existing environment for American marten: - The marten habitat suitability model	Comment noted; see response for details	1189

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		assessment of impacts on wildlife and wildlife habitat.	predicts suitable habitat to be distributed throughout the wildlife existing conditions Local Study Area and existing conditions Regional Study Area; - According to the marten habitat model, suitable marten habitat is widespread and abundant throughout the existing conditions Local Study Area and existing conditions Regional Study Area. A total of approximately 128,657 ha (51.9%) and 305,363 ha (46.1%) of moderate to high suitable habitat is estimated to be present in the existing conditions Local Study Area and existing conditions Regional Study Area, respectively, under existing conditions; - In addition to the marten general habitat model, winter habitat use modelling was completed using winter tracking data collected from 30 4.5 km triangular transects completed during the winter of 2022; - There was no strong association of American marten presence with any habitat type found in the winter habitat use dataset; and - Prey abundance and habitat conditions are two factors that contribute to marten abundance, indicating that these conditions exist within the existing conditions Local Study Area and existing conditions Regional Study Area.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Overall, the Local and Regional Study Areas provide widespread, high-quality habitat and favourable environmental conditions for American marten. Modelling and winter tracking data indicate that suitable habitat and prey resources are abundant and well-distributed across the landscape; therefore, no effects to American martens are anticipated.		
Nibinamik First Nation	106	Many pathways of impacts to plants and medicines are possible from the proposed Project, both temporary and permanent infrastructure. This includes increased human-caused forest fires, invasive species, over-harvesting, and, vegetation community shifts towards successional and disturbance- tolerant species. Airborne dust and run-off contaminants such as silts, sands and salt, will have a negative impact on plant medicine quality near the MFCAR. Access through the region by various people (for recreation, forestry, construction & maintenance, community members, visitors, hunters & anglers etc.) will increase the harvesting – and possible over-harvesting. The wetland, lake and watercourse dominated landscape of the boreal shield	1. Access Oversight and Control: Nibinamik First Nation's request for oversight and decision-making regarding access permissions and access control along the Community Access Road is noted. Marten Falls First Nation continues to have discussions with the Province regarding ownership and operations of the Community Access Road. These conversations are ongoing, and consultation with Indigenous communities will continue in 2026 under the coordination of the regulator. 2. Plant and Medicines Mitigation and Conservation: Plans such as a Vegetation Management Plan and a Vegetation Restoration Plan,	Comment noted; see response for details	1190

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		and Hudson's Bay lowlands provides immense potential for aquatic invasive species. This massive wetland landscape coupled with a changing climate, could enable devastating invasives such as quagga mussel to become established in the north. Also, aquatic plants like common reed, flowering rush, and Eurasian water-milfoil are at risk of spreading. Many of these invasives have the potential to exert major damage on valued ecosystem components: invasive diseases, pests and competitors on culturally significant plants and wildlife, and aquatic invasives on local fisheries. Nibinamik is concerned about the spread of invasive species through cars and trucks that will travel along the proposed road. Nibinamik has already started to see invasive plant species on their Homelands. Recommendation: • Nibinamik requests to be engaged on oversight and decision-making regarding access permissions and access control along the MFCAR. • Nibinamik recommends the development and implementation of a plant and medicines mitigation and conservation plan. Nibinamik also	which includes the seeding and/or planting of Traditional Use Plants are included in the Final EA/IS as potential mitigation measures. The development and implementation of the Vegetation Management Plan and Vegetation Restoration Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. 3. Quarry Pit Reclamation: A Cleanup and Reclamation Plan is included in the Final EA/IS as a potential mitigation measure. The development and implementation of the Cleanup and Reclamation Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. 4. Invasive Species Management Plan: An Environmental Protection Plan (EPP) to prevent, detect, control (in other words, remove), and monitor areas with		

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		requests to be provided this plan for review and comment. • Nibinamik recommends temporary quarry pits are not only abandoned but reclaimed and that reclamation plans are developed in alignment with a plant medicines mitigation and conservation plan. Nibinamik also request to review reclamation plans. • Nibinamik recommends the development and implementation of an invasive species mitigation and management plan specific to both the construction and operations of MFCAR and permanent quarry pits. Nibinamik also requests to be provided this plan for review and comment, and for opportunities to collaborate with Marten Falls First Nation on invasive species management measures. • Given the pristine and sensitive nature of the boreal forest in the region, Nibinamik requests that the MFCAR Project Team pursue a zero-invasives policy to ensure no or negligible residual effects due to the Project. • Nibinamik request that dust management products are selected for their minimal impact on road side vegetation and recommends alternatives to chloride-based products are prioritized.	invasive species is included in the Final EA/IS as a potential mitigation measure. The development and implementation of the Environmental Protection Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. 5. Zero-Invasives Policy: The Final EA/IS and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. The development of a zero-invasive policy is not a regulatory requirement and as such was not developed as part of the Final EA/IS. 6. Dust Management: The Final EA/IS already includes the development of a Fugitive Dust Management Plan prior to construction as a mitigation and enhancement measure. The development and implementation of		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		• Measures to minimize impacts must include the use a variable- width ROW – removing minimal vegetation to accommodate the needs for community travel - rather than clearing a full 60 m ROW.	the Fugitive Dust Management Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road. 7. Variable-Width Right-of-Way (ROW): Marten Falls First Nation is committed to minimizing vegetation removal. The use of a variable-width ROW will be considered during the next phase of the Community Access Road.		
Nibinamik First Nation	107	The bottom of page i states bogs, fens, swamps aren't considered in the Archaeological Assessments as they are low potential but then next paragraph says they are high potential. The inconsistency in consideration of wetlands is concerning. Recommendation: Please justify why wetlands were not considered. Wetlands are generally recognized to have archeological potential.	Appendix R Archaeological Assessment Technical Support Document has been updated to indicate that areas with archaeological potential within the preferred route will be subject to further assessment.	Appendix R	1191
Nibinamik First Nation	108	Page ii – Section 1.3.4 does not allow for additional requests for exempt areas,	We acknowledge Nibinamik First Nation's request to be engaged on areas	Comment noted; see	1192

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		which risks those areas having archaeological or cultural value that is missed. Recommendation: Please engage with Nibinamik on specific areas that have been exempt based on Section 1.3.4. This includes receiving from Nibinamik a Traditional Knowledge and Land Use Report which is funded through the project at a capacity to sufficiently and meaningfully undertake the work.	that have been exempt in Appendix R Archaeological Assessment Technical Support Document. With the Final EA/IS being released in February 2026, no further archaeological assessment–focused engagement activities are planned. Should the Final EA/IS for the Community Access Road be approved to proceed, a consultation and engagement program will be established to guide discussions through detail design, including with Nibinamik First Nation. We also acknowledge Nibinamik First Nation's request for funding for the development of a Traditional Knowledge and Land Use Report. Consultation and engagement of the Final EA/IS will be undertaken by the government agencies. Funding requests and opportunities will be addressed by the appropriate parties.	response for details	
Nibinamik First Nation	109	Second Paragraph page ii – there is no mention of relic shorelines of past waterways. Please clarify why LiDAR data was not used in this assessment. Recommendation: The Ontario Ministry of Natural Resources has LiDAR for the whole of the province that is accessible and more reliable than the satellite imagery in this	All available mapping, including LiDAR, has been reviewed and included in the evaluation of archaeological potential.	Comment noted; see response for details	1193

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		report.			
Nibinamik First Nation	110	Third Paragraph page ii: The archaeologist making the decision should have experience in northern Ontario and know the terrain and the cultures (this has been used in other situations – 5 years seems to be an acceptable number of years to most communities). Recommendation: Please demonstrate that the archaeologist undertaking this assessment and examining the data is familiar with northern climates and cultures.	The archaeological assessment was completed by a licensed archaeologist with 15 years of professional experience, including work conducted in northern regions and within northern cultural contexts.	Comment noted; see response for details	1195
Nibinamik First Nation	111	Page ii: Shovel testing only adheres to 50 m back from the modern water. This is insufficient as sites can and have been found further back. Modern water source boundaries are not sufficient and do not consider the changing environment over the last 10,000 years. Recommendation: The Standards and Guidelines are a “minimum” that need to be completed. It is recommended to shovel test 150 m back from modern water source or at least require physical inspection. In absence of a larger buffer applied there	Nibinamik First Nation's recommendation is acknowledged. The archaeological assessment for the Community Access Road was completed in full compliance with the Ontario Heritage Act (Government of Ontario 1990b) and the Ministry of Heritage, Sport, Tourism and Culture Industries’ (MHSTCI) Standards and Guidelines for Consultant Archaeologists (Ontario Government 2011).	Comment noted; see response for details	1198

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		must be justification for the use of the 50 m setback.			
Nibinamik First Nation	112	Mentions the term “Paleo-Indian”: the term “Indian” is outdated and not considered to be an acceptable term. Recommendation: There has been a shift over several years now, in northwestern Ontario archaeology to use the term “Paleoindigenous.” Paleo to denote antiquity of time and Indigenous to recognize past peoples were the original peoples on the landscape.	Appendix R Archaeological Assessments has been updated to incorporate this terminology.	Appendix R	1210
Nibinamik First Nation	113	Mentions the term “Archaic”: this is an outdated term, it denotes past people as possibly being “simple” and that is not the case. Recommendation: There has been a shift in northwestern Ontario archaeologists to use the term “Middle Period” to denote this time span.	Appendix R Archaeological Assessments has been updated to incorporate this terminology.	Appendix R	1211
Nibinamik First Nation	114	There seems to be a notion that present day environment is the same as it was 2,000 years ago, 5,000 years ago but that is not likely the case. Recommendation:	A summary of the natural environment can be found in Section 1.3.1 of Appendix R Archaeological Assessments.	Comment noted; see response for details	1212

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		The Assessment must include some consideration as to how the environment would have looked like in the past – it is not realistic to use the present landscape as it has been modified by dam construction, water levels changing etcetera.			
Nibinamik First Nation	115	Only a small number of sites were asserted as being present. However, this ignores the possibility that the undeveloped nature of the region also means that there have been very few formal archaeological surveys Recommendation: There must be consideration that these areas have never been examined for archaeological resources because there has not been much development in the area – predicating the need for documenting archaeological resources. The perspective that there is a lack of sites, reflects a bias. The lack of identified sites does not mean there are no sites to be identified.	We agree that the absence of previously documented archaeological sites does not indicate an absence of archaeological resources. In areas with limited historical development activity, it is expected that fewer assessments have taken place. Further Stage 2 archaeological assessment is required for the Community Access Road where any proposed impacts are located within areas of high archaeological potential, as identified in the Stage 1 Archaeological Assessment reports (Appendix R). The report recommendations state that all archaeological concerns within the impact areas must be addressed before any ground disturbing activities may begin. Archaeological potential is determined not solely by the presence or absence of known sites, but by multiple criteria.	Comment noted; see response for details	1221

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			These include proximity to water sources, landform characteristics, and areas of cultural interest identified by Marten Falls First Nation and other Indigenous communities. This approach makes sure that potential archaeological resources—documented or not—are appropriately considered and protected.		
Nibinamik First Nation	116	There is no mention of results from the helicopter fly-over. Recommendation: Please elaborate on what was determined by the fly-over investigation. It is recommended to provide a discussion on what was observed, what was ruled out, what was determined to have more investigation.	A flyover with helicopter was completed on September 26 and October 4, 2019 to review the Local Study Area. The conditions and results of the field inspection can be seen in Section 6 of Appendix R Archaeological Assessments. The following is taken from Section 1.3.4 of Appendix R: The route flown included the proposed western route alternatives from Painter Lake Road, following the western corridor up to the Albany River and across to Ogoki Post (Marten Falls First Nation Reserve No. 65). The return trip followed the far west route option to the Albany River, then back down the easterly option back to Painter Lake Road. The goal of the visual inspection	Comment noted; see response for details	1223

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			was to evaluate the archaeological potential of the route to determine which areas could be identified as retaining low archaeological potential, and therefore be excluded from further work. The presence of different types of vegetation (i.e., coniferous, deciduous trees) and/or evidence of standing water (e.g., muskeg, bog, fen) was noted, which will be used to inform the fieldwork strategy for further Stage 2 work.		
Nibinamik First Nation	117	There is no consideration for navigable waterways, no discussion of how the lands were used in the past and what might be important to Indigenous Peoples as they travel the landscape. Recommendation: More consideration of First Nations and how they utilized the landscape would be appropriate. Nibinamik recommends a physical inspection of all the areas as a means to narrow down what needs shovel testing.	Further Stage 2 archaeological assessment is required for the Community Access Road where any proposed impacts are located within areas of high archaeological potential, as identified in the Stage 1 Archaeological Assessment reports from Appendix R Archaeological Assessments. The report recommendations state that all archaeological concerns within the impact areas must be addressed before any ground disturbing activities may begin.	Comment noted; see response for details	1224
Nibinamik First Nation	118	Mentions 9 areas to be inspected but only two looked at (page i). Recommendation: Please provide further information about when the remaining areas will be	The previously completed Stage 2 fieldwork was only completed on a portion of the impact areas, as winter weather did not allow the archaeological team to continue. Further Stage 2 archaeological assessment is required	Comment noted; see response for details	1225

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		examined.	for the Community Access Road where any proposed impacts are located within areas of high archaeological potential, as identified in the Stage 1 Archaeological Assessment reports from Appendix R Archaeological Assessments. The report recommendations state that all archaeological concerns within the impact areas must be addressed before any ground disturbing activities may begin.		
Nibinamik First Nation	119	Point 2 of the recommendations suggest that archaeological potential includes historic water sources – this is not identified in the repot – its mentioned but there is no discussion or mapping of this aspect. Recommendation: The assessment requires a section on mapping the historic waterways and glacial shorelines which should be done using LiDAR data. The Assessments lack of consideration for of high-potential archaeological site along historic waterways renders it insufficient to address and mitigate potential archaeological impacts.	All available mapping resources—including high-resolution LiDAR data—were reviewed and incorporated into the evaluation of archaeological potential for this assessment. This information was analyzed alongside detailed topographic mapping, satellite imagery, and historical documentary sources to make sure that historic waterways, glacial shorelines, and other landscape features associated with archaeological potential were fully considered. In addition to technical datasets, Anishinaabe Knowledge was meaningfully integrated into the assessment to provide culturally grounded insights into historical land use. A helicopter flyover of the Local Study Area was also undertaken to support	Comment noted; see response for details	1228

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			on-the-ground validation of landscape features and to confirm the presence or absence of landforms typically associated with high archaeological potential. Through the combined use of LiDAR, historical mapping, Indigenous Knowledge, satellite imagery, and direct aerial observation, we have comprehensively assessed the potential for archaeological sites along historic waterways and other key landforms within the project area.		
Nibinamik First Nation	120	The Assessment states that an artifact was found during a beach walk, and that the area was walked. There is a lack of details around how this find was addressed. Recommendation: More clarification as to the context of the find is needed such as, was this a pedestrian surface find? Was it found in a shovel test pit? If it was found on a beach was there no shovel testing? Nibinamik requests that more information is provided on the nature of assessment that was performed in response to this find.	Location 1 consisted of an isolated primary flake manufactured from Hudson's Bay Lowland chert, identified during pedestrian travel to the extraction point. Following its identification, the team conducted pedestrian survey transects at 1-m intervals within a 20-m radius around the find spot; no additional materials were recovered. Shovel test pits were excavated within 50 m of the shoreline wherever soil was present, at minimum 5-m intervals. Each test pit measured at least 30 cm in diameter, and all excavated sediment was screened through 6-mm hardware mesh to facilitate the recovery of cultural	Comment noted; see response for details	1229

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			material. No further artifacts were recovered from the shovel tests adjacent to Location 1. The report containing this information is currently under review by the MCM.		
Nibinamik First Nation	121	Again, with Location 2 there is no context of how the artifact was uncovered or subsequent actions and investigations. Recommendation: The MFCAR Project Team need to clarify the context of the find; was this find a surface find, or was it in a shovel test and if so, how was shovel modified to address the potential for further artifacts in the area?	Location 2 is a campsite on exposed bedrock adjacent to a fishing location. Visible contents of the campsite included a can and bottle dump, an outhouse structure, cooking areas/hearths and utensils, and remnants of tent structures and boat tie ups. The campsite appears to have been occupied extensively through the late 20th and 21st centuries. Survey transects were walked by the team at 1 m intervals, with a great deal of material noted on the surface, including a can and bottle dump, an outhouse structure, cooking areas/hearths and utensils, all near a known preferred fishing location. Select GPS points were taken of items identified, and no test pits were excavated in this location given the amount of material present on the surface. The visible material and subsequent discussions with Marten Falls First Nations representative on site was determined enough information to designate the area a site that requires further archaeological investigations prior	Comment noted; see response for details	1230

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

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			to impacts. The report containing this information is currently under review with the MCM.		
Nibinamik First Nation	122	There does not seem to be a protocol to address how communities want artifacts or sites handled through all Project phases. Recommendation: Nibinamik requests to be involved in developing a Chance Find and Ancestral Remains Handling Protocol. This must include engagement to a) understand what archaeology is and the process 2) develop an appropriate protocol for handling artifacts and sites 3) develop protocols for community Elders to visit sites and discuss and value they might have to the community as a whole 4) develop repatriation for artifacts back to the community if appropriate.	Further archaeological work is still required for the Community Access Road. Once this work is complete, recommendations for chance-find procedures can be developed prior to construction. If the Community Access Road EA/IS is approved to proceed, a consultation and engagement program will be established during detail design, including with Nibinamik First Nation. The development and implementation of the Protocol will ultimately be the responsibility of the future owner/operator of the Community Access Road. Marten Falls First Nation continues discussions with the Province regarding ownership and operational responsibilities.	Comment noted; see response for details	1231
Nibinamik First Nation	123	The use of the 90th percentile in baseline air data may understate short-term air quality risks when compared to acute exposure guidelines, potentially giving a false sense of human health safety. While appropriate for long-term averages, this approach can miss peak exposures tied to activities like wood and	Mitigation measures were not incorporated into the dispersion modelling assessment. By excluding mitigation from the modelling, the assessment reflects a conservative worst-case scenario based on the information available at the time.	Final EA/IS Section 9.5.4 Appendix S	1233

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		diesel burning—both of which are Project components. Therefore, additional mitigation measures should be implemented to address the potential health impacts of these emissions throughout the Project (including camp infrastructure which is absent from the assessment). Recommendation: The baseline air quality demonstrates the Project may underestimate health risks from diesel and wood burning for workers and local land users. To address this, additional mitigations should include: • Clear communication of burning activities, • Air quality monitoring (particularly at near by receptor such as camps or work in proximity to prescribed burns) • Donation of timber to First Nations communities, • Use of low-emission Tier 4 engines or retrofits, • Environmentally safe dust suppressants, • Prompt revegetation of exposed soils through progressive reclamation, and Indigenous-led stewardship and wildfire prevention programs.	Suggested mitigation measures are incorporated into Section 9 of Appendix S Atmospheric Environment Technical Support Document and Section 9 of the Final EA/IS for consideration during subsequent phases of the Community Access Road.		
Nibinamik First	124	Nibinamik members raised concerns	The Environmental Assessment / Impact	Comment	1620

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nation		about how climate change is already impacting their lives, including increased wildfire risk, unreliable winter roads, and reduced safe access to the land. While the Draft EA/IS acknowledges global climate trends, it fails to assess cumulative regional GHG effects from foreseeable linked developments. This gap limits understanding of how the Project may worsen climate risks and undermine First Nations land access, mobility, and cultural continuity. Furthermore, based on the inadequate cumulative effects assessment and general conclusion that GHG impacts are not significant there are no GHG or climate specific mitigations. A more thorough assessment is needed to address these rights-based impacts. GHG specific mitigations are required to meaningfully address project impacts. The GHG cumulative effects assessment should include emissions from foreseeable regional projects like additional roads, mining, and forestry. While climate change is global, reducing GHGs also benefits local air quality. The Draft EA/IS lacks adequate cumulative assessment and project-specific GHG mitigation, which conflicts with rights-based impact considerations and IAAC	Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. As outlined in Section 10 of the Final EA/IS, the cumulative effects assessment was completed in accordance with The Impact Assessment Act (Government of Canada, 2017a), which requires consideration of cumulative environmental effects that may result from the Project in combination with other past, present, or reasonably foreseeable physical activities. The list of activities included in the cumulative effects assessment is provided in Table 10.1-1 (formerly Table 10-1) (Project Inclusion List) of the Final EA/IS. This table identifies the projects and activities that met the spatial and temporal overlap criteria and for which publicly available information was accessible at the time of assessment. Project-specific greenhouse gas mitigation measures are detailed in Table 9.5-22 (formerly Table 9-42) of the Final EA/IS.	noted; see response for details	

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		guidelines. Nibinamik recommends deferring MFCAR decisions until: • A Cumulative Effects Assessment of GHG is complete, expanding the Project's GHG scope to include lifecycle emissions (account for camps operations and long-term aggregate operation), and • There are Project-specific mitigations incorporating low-carbon procurement strategies, and supporting offsets through forest/wetland preservation and Indigenous-led stewardship and wildfire prevention programs.	Comments related to potential decisions or decision-making processes under the Impact Assessment Act or the Ontario Environmental Assessment Act should be directed to IAAC and MECP, as these agencies are responsible for regulatory decisions regarding the Community Access Road.		
Nibinamik First Nation	125	It is understandable that some temporary construction impacts on visual receptors may be considered infrequent and medium- term and reversible. However, the road itself, and watercourse crossing, are permanent infrastructure. In absence of a decommissioning plan this Project is not reversible, and impacts are continuous. This is particularly important for crossings and receptors that have not been georeferenced or not captured within the IK provided. Considering there was limited geographic confirmation of receptors received through IK there is a high degree of uncertainty the results (and insignificance of residual effects) are applicable to IK receptors and the bridges. It is recommended that	Section 7 of Appendix V Visual Environmental Technical Support Document now considers the road infrastructure and crossings as permanent visual effects. Section 2.1.4 of Appendix V states that, "Upon completion of construction, sand and gravel pits, including temporary access roads leading to the pits will be rehabilitated (progressive and final rehabilitation) and surrendered in accordance with the Aggregate Resources Act." Mitigation measures in Section 7.5 of Appendix V include reclamation of temporary construction areas as soon as practical, as well as for land user and	Appendix V	1234

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		mitigation include components to ensure the visual mitigations are effective. Recommendation: The recommendations to address this concern are as follows: • The temporary footprint must be blocked off for access by vehicles and off-road vehicles to prevent the development of trails. Reclamation takes time to establish and without access restrictions temporary footprint may enable vehicle and off- road vehicular parking and access into otherwise inaccessible areas. This can lead to the development impromptu visual impacts. Mitigation must include components to ensure the visual mitigations (like reclamation, and monitoring for trail development) are effective and incorporate operation phase considerations. • The bridges are a permanent visual impact so the commitment to monitor use levels and determine the need to address visual effects (Dillon Consulting Ltd., January 2025 (c), pp. 99, 103) is not effective. It is recommended that the design incorporates suggestions from land users as to how to address the visual impacts of bridges.	community input on crossing design. Project-wide mechanisms for land users to raise concerns (including about potential trails established by 3rd parties after or during Project Construction) are established at the EA/IS level rather than within the Visual chapter . Impromptu parking or trail creation by third parties remains outside the scope of the Visual Environment assessment.		

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Nibinamik First Nation	126	It is recognized that the Project has committed to reclamation for the temporary construction footprint, however these efforts take time to established and are not sufficient on their own to prevent the Project from enabling the development of side trails. Furthermore, the Project caveat to restore disturbed areas from construction activities where possible (Dillon Consulting Ltd., 2025c, p. 110) does not provide assurance that appropriate reclamation will take place to address the ecological needs, let alone visual impacts. Measures to improve the effectiveness of visual mitigation would improve the potential for the desired results (no residual effects) to be achieved. Recommendation: It is recommended that the visual environment mitigations include firm commitments to reclaim and restore temporary footprint. This should be paired with measures and objectives to reduce the visibility of permanent footprint (i.e., shrubs and trees to block line of sight).	Reclamation requirements are outlined in Section 7.5 of Appendix V Visual Environment Technical Support Document and detailed in Table 7-1 of Appendix V, which commits to decommissioning and progressively reclaiming all temporary work areas. These are also found in Appendix J Vegetation Technical Support Document of the Final EA/IS. To make these measures verifiable, Section 9.2 of Appendix V and Table 9-2 of Appendix V now include specific compliance checks and adaptive actions. Reclaimed areas must meet the defined design and revegetation targets, and any non-compliance must be corrected within seven days. Visibility reduction for permanent infrastructure is also addressed in Table 7-1 and Table 9-2 of Appendix V through edge planting, infill shrubs, and tree-screening commitments—particularly at bridge crossings and community approach corridors—to maintain line-of-sight screening and visual continuity during operations and maintenance. In addition, the Final EA/IS has included	Appendix V	1235

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			the development of a Vegetation Restoration Plan as a mitigation measure. The development and implementation of the Vegetation Restoration Plan will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	127	Considering there was limited geographic confirmation of receptors received through IK there is a high degree of uncertainty the results, and insignificance of residual effects, are applicable to IK receptors. Furthermore, it is noted that IK data is largely provided by Marten Falls First Nation and may not be comprehensive enough to address First Nations current land use. Recommendation: There are other project commitments to have a communication mechanism in place for land users to voice their concerns, and for those concerns to be addressed. It is recommended that this mechanism is inclusive of visual effects and that concerns or impacts are mitigated appropriately and meaningfully	A. The Final EA/IS also acknowledges the uncertainty related to the geographic confirmation of IK receptors and the limitations of currently available IK. With regard to the development of visual monitoring, as noted in Nibinamik First Nation's Aboriginal and/or Treaty Rights and Interests: Draft Impact Assessment Report, proposed mitigation measures include the collaboration with local existing environmental advisory committees to support the development and implementation of all environmental monitoring programs. The objective is to include Indigenous interests and perspectives, particularly concerning resources utilized for rights-based purposes. In the absence of an existing advisory committee with an aligned mandate to Marten Falls First Nation, a	Comment noted; see response for details	1236

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Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		through the operational phase. This is especially important for addressing potential impacts to receptors that require georeferencing or to address gaps in the IK available at the time of undertaking the assessment. Meaningful and ongoing communication could be supported through the development of a Visual Monitoring and Adaptive Management Plan with clear triggers for action. This could include addressing impromptu development of parking for land access and creation of trails, unsuccessful reclamation, and impacts to First Nations land use receptor sites that were not included or georeferenced during the assessment.	Terms of Reference between relevant agencies and Nibinamik First Nation will be established. B. With regard to an Adaptive Management Plan, its development and implementation will be the responsibility of the owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	128	The visual assessment states “it is possible that effects from nearby projects may result in similar effects to those described in this report, however they would be occurring in different spatial and temporal location and would thus not overlap with the effects from this Project and no cumulative effects would occur” (Dillon Consulting Ltd., 2025c, p. 108) This is a significant limitation, especially given the context of the MFCAR as part of the broader Ring of Fire development. Visual impacts from multiple, interconnected linear and resource	The Cumulative Effects Assessment in Section 8 of Appendix V Visual Environment Technical Support Document revisits and expands on earlier statements regarding reasonably foreseeable projects. Section 8.3 of Appendix V screens all past, present, and foreseeable activities (as listed in Table 10.1-1 (formerly Table 10-1) of the Final EA/IS) and carries forward those with defined footprints and co-visibility potential, including the Northern Road Link, Anaconda and Painter Lake Road upgrades, and Rapid Lynx Broadband.	Comment noted; see response for details	1238

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		extraction projects are inherently cumulative, and dismissing them as "minor and contained" without a comprehensive cumulative visual assessment could be a serious oversight. Recommendation: It is recommended that the MFCAR Project Team revisit the decision to exclude reasonably foreseeable projects from the cumulative effects assessment for the visual environment. Especially given the uncertainty around IK georeferencing and potential overlap with other developments. Acknowledge and explicitly assess how the MFCAR, combined with other planned and foreseeable projects, in the region (e.g., other access roads, mining or forestry operations), will cumulatively impact the visual landscape, wilderness character, and viewscapes from all sensitive receptors over the long term. This should include strategic visual simulations of the aggregated projects that encompasses the full extent of the Ring of Fire development and its associated infrastructure.	The assessment then characterizes cumulative interactions in Sections 8.4 through 8.6 of Appendix V and concludes that cumulative effects are Not Significant at the Visual Environment Valued Component scale, with short-term, localized interactions remaining Possible during overlapping construction periods. Some broader developments associated with the Ring of Fire were not included because they lack sufficient spatial definition to be assessed for visual overlap as required under the Impact Assessment Agency's definition of reasonably foreseeable activities. Appendix V acknowledges uncertainty related to Indigenous Knowledge receptor precision and addresses this through the monitoring and adaptive management framework in Section 9 of Appendix V, which allows additional issues to be identified and mitigated as development if the Community Access Road becomes more defined through detail design.		
Nibinamik First Nation	129	Operational mitigations lack ongoing involvement with First Nations communities to mitigate the potential	As described in Section 7.3.1.1.2.2 of Appendix P Acoustic and Vibration Environment Technical Support	Comment noted; see response for	1239

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		ongoing noise impacts and as such do not sufficiently mitigate Project effects. Recommendation: Nibinamik agree with the mitigations in place for construction and recommend that these are extended to operation/maintenance. This specifically includes. • The same activity coordination to avoid, overlap with the timing of traditional land use activities, is applied to road maintenance. This entails ongoing consultation and coordination with all local communities throughout the life of the Project. • The same complaint resolution mechanism where the operation contractors can be contacted to address perceived issues and investigate concerns when they are reported. Accountability mechanisms must be in place to ensure rights impacts are addressed throughout Project operation.	Document, it is expected that the mitigation measures listed for construction will also apply to maintenance activities.	details	
Nibinamik First Nation	130	Nibinamik recognizes that the detailed designed are not complete for the project, however, the current list of mitigations do not include the potential design components that can address noise impacts. The ability for long term noise impacts to be addressed through	The assessment of noise residual effects determined that the magnitude of residual effects associated with increased operational noise from the Community Access Road is low. As a result, no additional mitigation measures are anticipated.	Comment noted; see response for details	1241

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		the Project design must be added to the Noise Impact Assessment list of mitigations and incorporate natural solutions such as using trees and terrain to mitigate noise impacts. Recommendation: It is recommended that noise mitigations encompassed in the Draft EA/IS include design considerations, and that a component of the design consideration includes: • Trees to provide added noise buffering capacity. Where there are no trees along the edge of the ROW, appropriate species must be selected and planted in sufficient density to support the establishment of long-term sound barriers. • Where fill placement will support buffering points of reception from noise impacts the use of engineered terrain must be considered as part of the design. It is acknowledged that the cut fill balance has not been determined and the movement of material has additional environmental impacts, this solution must be weighed against other potential impacts and should form a component of consultation through the design phase for joint decision-making.			
Nibinamik First Nation	131	Mitigations and accommodations are developed based on the effects	1. Health Canada's Thresholds We acknowledges the concerns raised	Comment noted; see	1243

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		exceeding the guidelines and criteria, which determine impact. For the noise assessment these metrics and triggers are largely from Health Canada (the applicable noise limit applied is 55 decibels as indicated in Tables 7-4, 7-5, and 7-6) which has not been confirmed to accommodate the Indigenous needs to practice rights and use the land. Further, the cumulative effects and impacts are established through the inclusion of other physical activities. In this case the physical activities included are the Webequie and Northern Link road construction and operations, and forestry road maintenance. This project list does not encompass the other development that is planned and reasonably foreseeable in the region. Recommendation: Thresholds for annoyance should be developed in collaboration with First Nations land users. The Health Canada thresholds of 55 decibels may not necessarily represent the threshold of impact or annoyance imposed by noise during the exercise of rights, such as hunting, which requires quitter conditions. The cumulative effects assessment should consider the operational noise of potential mining	regarding Health Canada's noise thresholds and the acoustic conditions required for the exercise of Aboriginal and Treaty rights. The Final EA/IS and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. No changes to the methods of the noise assessment was completed for the Final EA/IS. 2. Cumulative Effects Assessment The cumulative effects assessment includes reasonably foreseeable developments that may overlap with noise from the Community Access Road. The cumulative effects assessment was prepared in accordance with The Impact Assessment Act (Government of Canada, 2017a) and the approved Terms of Reference for the Community Access Road. 3. Regional Assessment We acknowledge the importance of the Regional Assessment and the broader context in which the Community Access Road project exists. However, it is important to clarify that the Regional Assessment is being led by the IAAC and	response for details Final EA/IS Table 9.5-13	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		activities, and their exploration to effectively and accurately predict the cumulative noise. In absence of this assessment being completed as part of the MFCAR Project, the regional assessment must present a more accurate reflection of cumulative noise and the development of meaningful mitigations or accommodations. Nibinamik proposes that this project proved accommodation to the noise impacts through the collaborative regional establishment of an area(s) set aside for quiet conditions. This includes any spiritual areas and a minimum 5km buffer from ground-based noise. Noise restrictions must apply not only to ground equipment and blasting, but to aircraft as well.	is outside the scope of the Community Access Road, which is being conducted under a separate and established regulatory process. 4. Mitigation Measures Related to Aircraft Section 7.3.1 of Appendix P Acoustic and Vibration Environment Technical Support Document and Table 9.5-13 of the Final EA/IS include the following: - Engage with Indigenous communities and relevant stakeholders to coordinate the planned construction schedule before the start of construction and prior to specific noisy activities to minimize overlap with the timing of traditional land use activities (e.g., fall and spring hunting seasons)		
Nibinamik First Nation	132	Nibinamik members also highlighted impacts of climate change including the change of fish species present or absent and wildfire risk. It is important that adaptation measures include design components that will improve risk mitigation. The road may inherently serve a firebreak; however, modelling demonstrated increase of heat, thunderstorms, as well as human access (precursors of wildfire) it is important that MFCAR does not impose change (mainly	Culverts will be appropriately sized and positioned to make sure flow across the Community Access Road will maintain hydrological connectivity. In addition, the following text has been added to Section 12.2 of Appendix Y Climate Adaptation and Resiliency Technical Support Document, "Shifts in rainfall patterns will likely result in more extreme rainfall events and longer dry periods. Such dry periods in concert with	Appendix Y	1244

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		to the hydrological condition of the surrounding areas) and potentially exacerbating the wildfire conditions. Recommendation: Appropriately sized culverts must be positioned to ensure flow across the ROW to maintain hydrological connectivity and prevent drying effects which exacerbate wildfire potential. The road itself will have the potential to act as a firebreak and emergency access for firefighters; strategic location for turnouts and rest stops can improve potential connectivity to water sources for firefighters or act as safe haven for firefighting personnel. Importantly, the ROW may serve as a future corridors for communication infrastructure which can support emergency management and human safety, all of which can be considered with the design.	higher temperatures will lead to more wildfires. The Community Access Road could, to an extent, act as a limiting factor and a potential fire break."		
Nibinamik First Nation	133	The Assessment mentions local meteorological stations with data from 1981 - 2024 and Natural Resource Canada data from 1950-2012. It is unclear why the baseline data is from a 30year period of the available data (1981-2012) and if the baseline dataset represents the most significant weather events, and in particular rainfall or	For climate change risk assessment, it is industry standard and best practice to use 30-year time horizons to average daily weather data and derive climate information. This approach aligns with definitions established by the World Meteorological Organization, Environment and Climate Change Canada, and other international and	Comment noted; see response for details	1245

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		snowfall intensity and duration. This may result in the modelling output not predicting the potential severity of weather MFCAR may experience. The operational lifespan of the road is unknown, but it is reasonable to rely on a more substantive weather dataset to capture extreme events between 2010 and 2025, as well as pre- 1981. This would support engineering and design consideration to ensure the road is equipped to manage the potential snow and rain volumes. Recommendation: The climate risk evaluation indicates that rain (extreme daily, short-duration high-intensity, and thunderstorm) represent the majority of high and moderate risk. The modelling details should be updated to encompass the full depth of data available (1950 -2024) to ensure the design and engineering of water management systems and bridges are capable of maintaining integrity through maximum intensity future scenarios.	national agencies, which define climate as the 30-year average. This duration is considered sufficient to smooth out internal variability in the atmospheric system while remaining and short enough to preserve not suppress long-term climate change signals. At the time of the analysis, the most recent climate normal (or historical reference period) available for the region was 1981-2010. The climate change risk assessment incorporates additional climate data projections for the periods 2041-2070 and 2071-2100. These projections are independent of the historical reference period. Therefore, extending the historical database to 1950-2024 would not alter the outcome of the risk assessment.		
Nibinamik First Nation	134	Snow and melting are addressed in the Summary of Effects and Adaptations Recommendation – Operation Phase with inspections, maintenance, public communication, emergency	The design of the roadway and bridges will comply with all aspects of MTO Design Standards addressing roadway profiles, roadside ditches and road surface cross slopes for the purposes of	Comment noted; see response for details	1246

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		preparedness. There are components of design that can support managing snow and melt which are not clearly included. Recommendation: While snowfall does not represent a high risk, there must be measures in place to prevent ice buildup (crowned road and bridge slope), facilitate plowing such as wide lanes and shoulders with shoulder marking, consideration for blowing snow, and warning signage	avoiding water ponding / ice buildup. Design parameters will also take into consideration snow plowing and maintenance requirements during the design of roadway shoulders and bridge widths along with appropriate signage.		
Nibinamik First Nation	135	The ATRIS program is geared toward the EA/IS process, however given the Project recognition that rights impacts extend into the operations phase of this project it is unclear why the ATRIS is limited to the assessment scope of the Project. Recommendation: The ATRIS process must continue through construction and operations, with meaningful participation from affected First Nations communities to evaluate the effectiveness of mitigation measures (and adaptive management as necessary) to protect rights throughout the Project life.	The Draft Nibinamik Aboriginal and/or Treaty Rights and Interests: Existing Conditions & Impacts Assessment Report (ATRI Report) was shared with Nibinamik First Nation in the summer of 2025, with the final report being released in the spring of 2026. The residual impact assessment, as per Section 7.4 of the ATRI Report, includes a description of the potential impacts to Aboriginal and/or Treaty Rights and Interests, recommended mitigation measures to avoid or reduce the potential negative impacts, and an assessment of the potential residual impacts after the application of mitigation measures including their level of severity and prediction confidence.	Comment noted; see response for details	1247

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Responsibility for carrying forward ATRI commitments during the construction and operations phases will be with the future owner/operator of the Community Access Road. Marten Falls First Nation continues to have discussions with the Province regarding the ownership and operations for the Community Access Road.		
Nibinamik First Nation	136	The purpose of the Draft EA/IS review is to verify how IK has been integrated into the Project assessment, in absence of the Rights Assessment available in the Draft EA/IS Nibinamik is unable to provide any insight as to whether the inclusion of IK accurately represents or encompasses the community's rights and interests. This is further contradictory to the Project guiding principle of inclusion and transparency. Recommendation: It is recommended that the updated EA/IS and completed Rights Assessment be shared with First Nations communities prior to finalization and posting for public comment. Further, Nibinamik should receive the capacity to provide their own Rights Assessment to inform the Final EA/IS.	As part of the EA/IA regulatory process, the Community Access Road prepared community-specific Aboriginal and / or Treaty Rights and Interests Draft Impact Assessment Reports (Draft ATRI Report). The Draft ATRI Reports were not released with the Draft EA / IS. Indigenous communities, including Nibinamik First Nation, received their report for a 90-day review period on July 11, 2025. Nibinamik First Nation provided comments on their Draft ATRI Report. These comments, if applicable, have been considered and incorporated into the Final ATRI Report. Please note that the individual ATRI Reports remain confidential and are not open to Indigenous community or public review. A summary has been provided in the Final EA / IS for public review and comment and the Final ATRI Report will be provided to Nibinamik First Nation	Comment noted; see response for details	1249

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			following the submission of the Final EA / IS. We acknowledge your request for funding to help support your own Rights Assessment to inform the Final EA / IS. During the EA/IA process, MFFN provided funding opportunities through the IK and Community Capacity funding programs, of which Nibinamik First Nation participated in the Capacity Funding Program. Consultation and engagement of the Final EA / IS will be undertaken by the government agencies.		
Nibinamik First Nation	137	Limited IK is available for VCs (Table 8-2, Table 8-13, and Table 8-52). While some of the IK provided is noted to be confidential and for this reason not listed in the Draft EA/IS, The IK Tables highlight that IK stems largely from Marten Fall and Aroland First Nations, with minimal contributions from 8 of the 23 Indigenous communities identified for consultation. The limited IK contributions suggest the effectiveness of consultation is questionable. The absence of the Right Assessment eliminates the opportunity for Nibinamik to verify that the rights and interest of the Nation are addressed in the Project. The deficit in achieving equitable and meaningful	We appreciate your feedback and the time you have taken to share your perspective. However, the comments are directed at government agencies and outside the scope of the Community Access Road. We would therefore encourage you to direct these to the regulators, as they will be best positioned to address them. Individual Draft ATRI reports were prepared for each Indigenous communities, including Nibinamik First Nation. Their Draft ATRI report was issue on July 10, 2025, after their comments on the Draft EA/IS were received. Nibinamik First Nation received a 90-day	Comment noted; see response for details.	1250

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		participation for all Rights-holders can be counterbalanced by withholding all Project decisions, including application approval, until after the Regional Assessment has taken place. Recommendation: Nibinamik insists that all development, and especially the MFCAR as the precursor to further development, must be governed by a process grounded in Aboriginal and Treaty rights, full transparency, and environmental stewardship. The risks of committing to a development path for MFCAR without fully understanding long-term, synergistic consequences to Aboriginal and Treaty Rights and Interests, limit the ability to truly mitigate regional impacts effectively. This aspect becomes increasingly important with the Draft EA/IS indicating there is limited IK provided by other rights- holders. Nibinamik recommends that approval decisions for the MFCAR Project are withheld until after the Regional assessment is complete. This would improve mitigating impacts to Aboriginal and Treaty Rights and Interests in several ways: • Improved understanding of the full regional context, potential stresses, sensitive areas and rights impacts. This	review period and has submitted their comments on their Draft ATRI Report for finalization. As part of the Process, the Final ATRI reports need to be shared with the provincial and federal regulators to complete their assessment. The Final ATRI reports are needed by provincial and federal regulators to assess potential impacts on rights and interests, and to determine whether regulatory requirements have been met. MFFN chose not to share the Draft ATRI Reports with the regulators to allow communities the opportunity to review their Draft ATRI Report and provide feedback. We plan to use your community's feedback to prepare the Final ATRI report. To protect sensitive / confidential information, any non-publicly available content found in Sections 5 and 7 will be redacted, if applicable, before the Final ATRI reports are submitted to the regulators.		

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		regional understanding should then inform the assessment and decision-making for individual projects like the MFCAR and their actual risk to rights. • Improved identification of regional thresholds, critical habitats, cumulative tipping points, and areas of high cultural significance, and rights impacts that might not be apparent when looking at one road in isolation. • Mitigations can be designed at a regional level to address systemic issues and rights impacts, not just project-specific ones. For example, if the Regional Assessment reveals a cumulative impact on a VC, individual project can be better coordinated and perhaps more stringent, or even lead to re-thinking the overall regional development plan. • Improved identification of areas where development should be avoided entirely, or where specific types of development are more appropriate. It could also lead to regional monitoring programs and adaptive management strategies. This could improve the ability for rights impacts to be addressed and mitigated in advance of individual project advances that may incrementally erode rights, or the conditions necessary for meaningful exercise of rights.			

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		• By having the regional picture, decision-makers are less likely to approve individual projects that, when combined, lead to unforeseen or unmanageable rights impacts. The benefit of improved access and sustainable development are desirable but must not be pursued at costs to rights. Not only do the order of assessment need to be reversed for an improved approach to impact mitigation, but the nature of consultation must be adjusted to be more equitable in recognition of First Nations governance and knowledge systems in the MFCAR project decision making.			
Nibinamik First Nation	138	It is imperative that development does not detract from the ability of all First Nations to continue their traditional Ways-of Life and maintain cultural continuity. Rights impacts from road uses, such as dust, invasive species, recreational land users, and human predators who might contribute to the tragedy of missing and murdered Indigenous women, can all be restricted and/or monitored through controlled access. Recommendation: Nibinamik recommends a gated	MFFN has expressed similar concerns and continues to engage in discussions with the Province regarding the ownership and future operations and maintenance of the Community Access Road. Access and ownership including gating security/ID system, are not within the scope of the EA/IS, however it is a matter that will require further dialogue between the communities and the Province.	Comment noted; see response for details.	1252

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		security/identification system is in place. Security measures will address not community safety but environmental risks and conditions that impact Aboriginal and Treaty Rights. Access must only be permitted for the intended use of the Project.			
Nibinamik First Nation	139	Protection of Aboriginal and Treaty Rights involves the maintenance of cultural place names and language. Recommendation: Nibinamik requests that all road signage includes First Nations' languages and that any place names be marked within their First Nations nomenclature.	The inclusion of First Nations names in road signage and place names will be considered during the detail design phase of the Community Access Road.	Comment noted; see response for details	1253
Nibinamik First Nation	140	Addressing rights is not restricted to limiting impacts, it includes distributing benefits. All regional communities are subject to the regional and cumulative impacts of development. Development must provide the opportunities that improve the conditions of communities and entice the membership to stay and exercise rights. This applies not only to those Nations that are directly connected to the road. Nibinamik understands that employment, contracting and procurement opportunities will conform to the specific capacity of this Project	We appreciate your feedback and the time you have taken to share your perspective. However, Marten Falls First Nation cannot make commitments relating to equitable economic benefit sharing and the funding for Nation-tailored training opportunities. The comments are directed at government agencies and outside the scope of the Community Access Road. We would therefore encourage you to direct these to the regulators, as they will be best positioned to address them.	Comment noted; see response for details.	1254

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		construction and operation needs. Recommendation: Nibinamik recommends that there is early, and community-specific (community-driven), job and readiness training for the coming construction and operation of the Project and well as an ancillary infrastructure or development opportunities that may ensue. This includes, for example, hydro transmission or generation projects, quarry operations, security, mineral exploration, environmental services. Nibinamik recommends that this project is accompanied by commitments from the provincial and federal government, as well as the MFCAR Project for equitable economic benefit sharing and the funding for Nation-tailored training opportunities. Given the limitation of Project opportunities, Nibinamik recommends that where the Project is unable to fulfil equitable benefit sharing specific to the Project, those Nations are provided with other funding opportunities. This funding must support the realization of Aboriginal and Treaty Rights and long-term community development goals.			
Nibinamik First Nation	141	The existing conditions and effects assessment focuses on the Local Study	The Final EA/IS and the Technical Support Documents were prepared to	Comment noted; see	1255

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		Area (which includes a 5km buffer around the Construction Disturbance Area). Therefore, effects on land and resource use are considered individually for both Marten Falls First Nation and Aroland First Nation. Recommendation: Effects on Nibinamik land and resource use are grouped into the Regional Study Area, which includes more than 20 other local communities. This leads to a generalization of effects on the region, without allowing for a specific analysis of effects on Nibinamik. Effects of MFCAR on Nibinamik's land and resource use must be assessed separately to understand the impacts and implement appropriate mitigation measures	meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. These documents establish the required spatial boundaries and assessment methods, including the use of a Regional Study Area. A separate, community-specific land and resource use study for Nibinamik First Nation is outside the scope of the Final EA/IS as defined in these requirements.	response for details	
Nibinamik First Nation	142	This map is difficult to read as there are too many components – making it hard to understand what it is trying to show. Recommendation: Please provide a more legible map which clearly shows the study areas for land and resource use.	The symbology for Figure 4-1 has been revised in Appendix U Land and Resource Use Technical Support Document.	Appendix U	1256
Nibinamik First Nation	143	Trapping in the regional study area is described as a historically important activity and as being "less common"	The Final EA/IS and Technical Support Documents were developed in accordance with the Terms of Reference,	Comment noted; see response for	1257

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		today and "largely recognized as a pastime." This however is an over-generalization and does not acknowledge that Nibinamik community members still actively trap for subsistence and cultural purposes. Recommendation: Existing conditions for trapping on Nibinamik's Homelands must be evaluated in the context of this project. This information will be part of the TKLU study that Nibinamik is currently conducting, and must be taking into account in the impact assessment.	the Tailored Impact Statement Guidelines, and the discipline-specific study plans, which define the required spatial boundaries and assessment methods, including use of a Regional Study Area. With the Final EA/IS scheduled for release in February 2026, the Traditional Knowledge and Land Use study currently being undertaken by Nibinamik First Nation cannot be incorporated into the Final EA/IS. If the study becomes available, it will be reviewed and considered during the detail design phase of the Community Access Road.	details	
Nibinamik First Nation	144	Only one factor was considered for this VC, which is potential effects to trapping in the vicinity of the Marten Falls Community Access Road. Once again, potential regional effects of the project on trapping, specifically on Nibinamik, have not been assessed. Recommendation: Potential effects of the project on Nibinamik trapping practices and land and resource use must be assessed as part of this VC.	The Final EA/IS and Technical Support Documents were developed in accordance with the Terms of Reference, the Tailored Impact Statement Guidelines, and the discipline-specific study plans, which define the required spatial boundaries and assessment methods. Impacts on trapping for the defined study areas (Regional Study Area and Local Study Area) have been reviewed and assessed in conjunction with Appendix T Community Well-Being Technical Support Document.	Comment noted; see response for details	1258

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
Nibinamik First Nation	144	The report indicates that since there are currently no existing energy or linear infrastructure projects in the Construction Disturbance Area, this project will have no potential effects on energy and linear infrastructure projects. This conclusion does not consider potential for future linear development that this road will lead to – once there is a road, it will be much easier for proponents to develop energy and linear infrastructure projects. Therefore, the project will have an impact on this VC. Recommendation: This assessment must account for the potential future development of energy and linear infrastructure resulting from the MFCAR project, and include appropriate mitigation measures to address associated impacts.	The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. Inclusion of projects in the cumulative effects assessment (CEA) that do not meet the criteria of reasonably foreseeable is not a regulatory requirement and as such was not developed as part of the Environmental Assessment / Impact Statement. For a project to be considered reasonably foreseeable, sufficient information about the activity must have been available to make a reasonable assessment of its potential effects (i.e., in the planning / approvals / design stage). An assumption that there would be potential future linear developments resulting from the Community Access Road was not included as part of the Project Inclusions List, as there is not adequate information available to determine the potential cumulative effects from potential future linear developments, and therefore cannot be considered reasonably foreseeable. Only projects with information on their location	Comment noted; see response for details Final EA/IS Table 10.1-1	1259

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			and timing publicly available at the time of preparation of the Project Inclusions List, were included. Refer to Table 10.1-1 in the Final EA/IS for the complete Project Inclusions List.		
Nibinamik First Nation	145	Existing conditions and community well-being is assessed at two spatial levels: the Local Study Area (LSA), which includes MFFN and Aroland First Nation, and the Regional Study Area, which includes Nibinamik and more than 20 other First Nations and local communities. Grouping Nibinamik with that many communities does not allow for an adequate assessment of the impacts of the MFCAR on their community well-being, and does not adequately reflect their unique reality. Recommendation: Effects of MFCAR on Nibinamik's community well-being must be assessed on its own, so that appropriate mitigation measures can be implemented to offset these effects. This process must be done in collaboration with Nibinamik.	In addition to the Indigenous Communities within the Local Study Area for Community Well-Being (Marten Falls First Nation and Aroland First Nation), some Indigenous communities from the Regional Study Area, including Nibinamik First Nation, maintain traditional practices that have a potential pathway for effect within the Local Study Area. These practices include hunting, fishing, and navigation of waterways that may be influenced by project activities. To reflect this reality, the methodology for Community Well Being has been updated to include Indigenous communities in the effects assessment where a clear pathway for potential impact exists. This makes sure that potential effects on traditional activities and cultural practices within the project area are appropriately assessed. The assessment to determine whether there was a pathway to effect relies on the Aboriginal Treat Rights and Interests (ATRI) reports prepared for each	Comment noted; see response for details	1260

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			Indigenous community. These reports are confidential in nature, however, the Indigenous communities defined Areas of Interest (AOI) was compared to the Local Study Area to determine whether there was any overlap. Where overlap exists and a pathway for effect is identified, the communities have been included in the assessment and, where effects are identified, appropriate mitigation measures are proposed. The potential pathway to impact for Nibinamik First Nation has been included in the Availability and Quality of Traditional Foods indicators.		
Nibinamik First Nation	146	The Draft EA/IS considers that only the LSA (MFFN and Aroland FN) will be impacted by cumulative effects, which fails to recognize that Nibinamik community well-being will also be directly impacted by the cumulative effects associated to MFCAR. The cumulative effects of MFCAR and other development in the region on Nibinamik community well-being must be assessed as part of this EA/IS.	The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. As outlined in Section 10 of the Final EA/IS, “The Impact Assessment Act (Government of Canada, 2017a) requires that each Environmental Assessment of a project take into account any cumulative environmental effects that are likely to result from the project in combination with the environmental	Comment noted; see response for details	1261

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			effects of other physical activities that have been or will be carried out." In alignment with this requirement, the cumulative effects assessment was prepared in accordance with the approved Terms of Reference for the Community Access Road. Activities were included on the Project Inclusions List where spatial and temporal overlap with local and regional study areas were identified for each of the valued components carried forward from the regional effects assessment; and where information was publicly available from online sources at the time the cumulative effects assessment was completed. The Draft Nibinamik First Nation ATRI Report, provided to Nibinamik First Nation on July 11, 2025, included a section on cumulative effects assessment. And while Appendix T Community Well-Being Technical Support Document does not speak directly to cumulative effects, Nibinamik First Nation is also included within the Regional Study Area for community well-being.		
Nibinamik First Nation	147	The cumulative effects assessment only considers announced future projects and fails to account for the potential	The Environmental Assessment / Impact Statement and the Technical Support Documents were prepared to meet the	Comment noted; see response for	1262

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
		development this road may trigger, including increased mining exploration and activity, as well as potential forestry, hydro, and additional road development. Recommendation: This EA/IS must use the precaution principle by assessing the impacts on community well-being of not only this project and future proposed projects, but also the potential for further development in the region that this road will bring.	requirements outlined in the Terms of Reference, the Tailored Impact Statement Guidelines and the technical discipline-specific study plans. As outlined in Section 10 of the Final EA/IS, "The Impact Assessment Act (Government of Canada, 2017a) requires that each Environmental Assessment of a project take into account any cumulative environmental effects that are likely to result from the project in combination with the environmental effects of other physical activities that have been or will be carried out." In alignment with this requirement, the cumulative effects assessment was prepared in accordance with the approved Terms of Reference for the Community Access Road. Activities were included on the Project Inclusions List where spatial and temporal overlap with local and regional study areas were identified for each of the valued components carried forward from the regional effects assessment; and where information was publicly available from online sources at the time the cumulative effects assessment was completed. The application of the precautionary principle for the assessment of	details	

Table: Summary of Feedback Received and Response / Action – Nibinamik First Nation

Group Name	Comment ID from source	Comment Raised	Response	Addressed in the EA / IS	Internal ID
			speculative future development beyond these requirements are not required for the Community Access Road and were therefore not included.		