



Introduction to Environmental Plans, Permits & Assessments

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MATAWA FIRST NATIONS

Matawa First Nations

- Nine Ojibway and Cree First Nation communities in Northern Ontario
- Four road-access communities
- Five remote communities
 - Accessible by air or winter road
- Population: ~8,000 people





MATAWA FIRST NATIONS

Matawa First Nations Management

- Tribal Council
 - Non-profit organization, est. 1988
 - Governed by Board of Directors & Chiefs Council
- Mission
 - Support membership regain and refocus strong, healthy, self-sufficient communities
 - Economically, Recreationally, Spiritually, Politically, and Educationally
- Provide technical and professional advisory services and programs
 - Health, education, membership, economic development, technical services, etc.

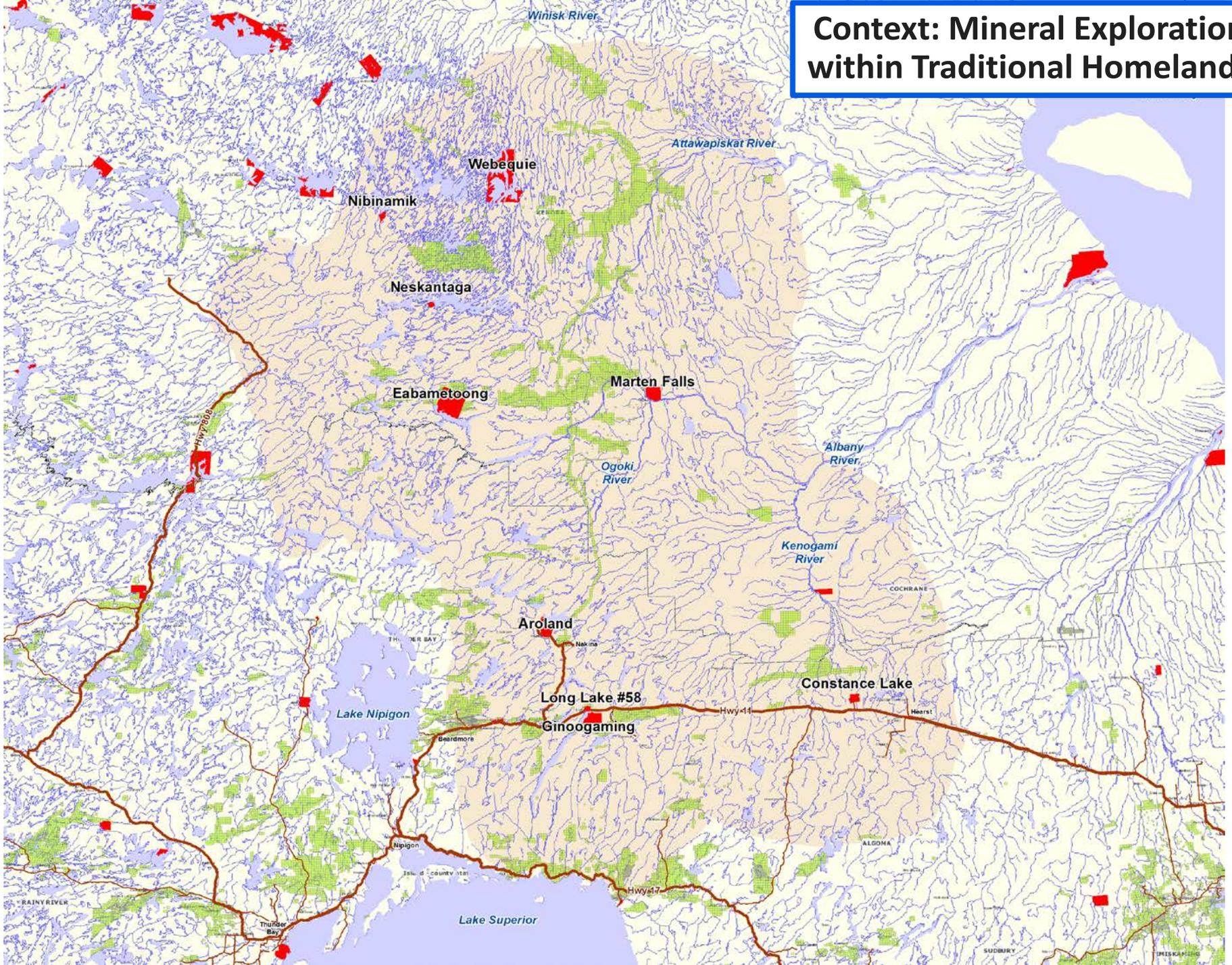


Four Rivers

- Matawa's Environmental Services Group
 - Est. January 2011
 - Team of environmental and technical staff
 - Assist communities to **actively manage land and water resources** within their traditional territories
 - Focus: Training, capacity building, providing information and support
- **Goal**
 - Community Lands & Resource Departments
 - Informed decision-making



Context: Mineral Exploration within Traditional Homelands





Introduction to Environmental Plans & Permits



Environment Definition

- Provincial Environmental Assessment Act:
 - **Air, land, or water;**
 - **Plant and animal life, including human life;**
 - The **social, economic and cultural** conditions that influence the life of humans or a community;
 - Any **building, structure, machine** or other device or thing made by humans;
 - Any **solid, liquid, gas, odour, heat, sound, vibration or radiation** resulting directly or indirectly from human activities; or
 - Any part or combination of the foregoing and the **interrelationships** between two or more of them.



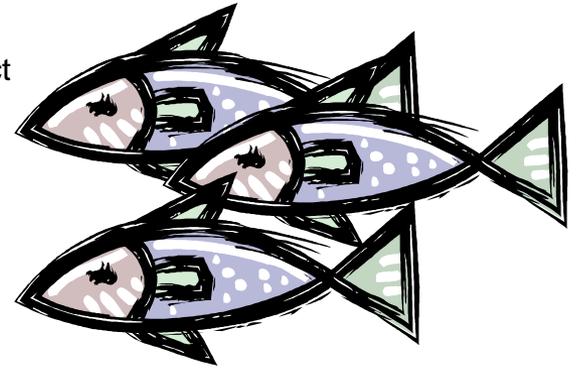


Environmental Planning

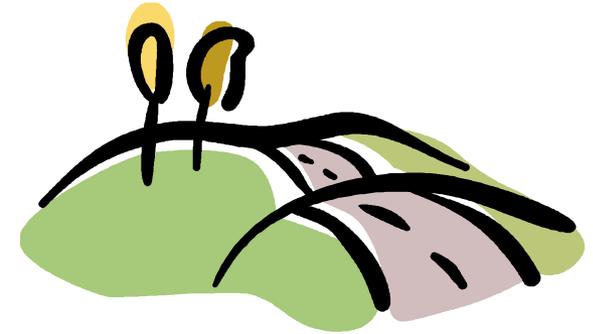
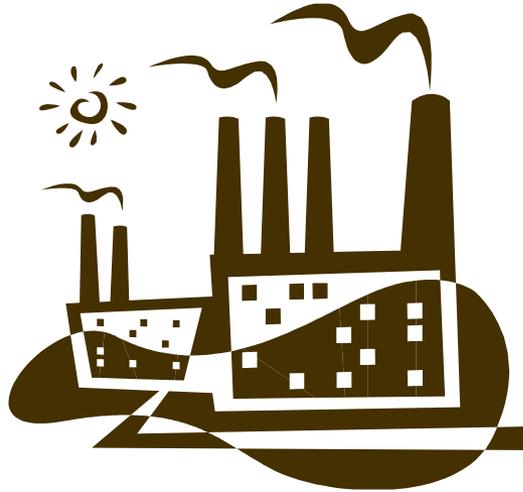
- Environmental Planning: Processes used to make a **decision about activities or developments** impacting the environment.
- Decisions can be permits and/or proposal plan approvals
 - **In Ontario:** Permits and proposal plan approvals are **issued by bodies with regulatory authority**, in coordination with regulations
- Environmental Planning may include **environmental studies, environmental monitoring and community engagement activities**
 - Dependent on the type of project, required permits or approvals and regulatory authorities involved



Fisheries Act (Federal)
Fish and Wildlife Conservation Act



Crown Forest Sustainability Act
Public Lands Act

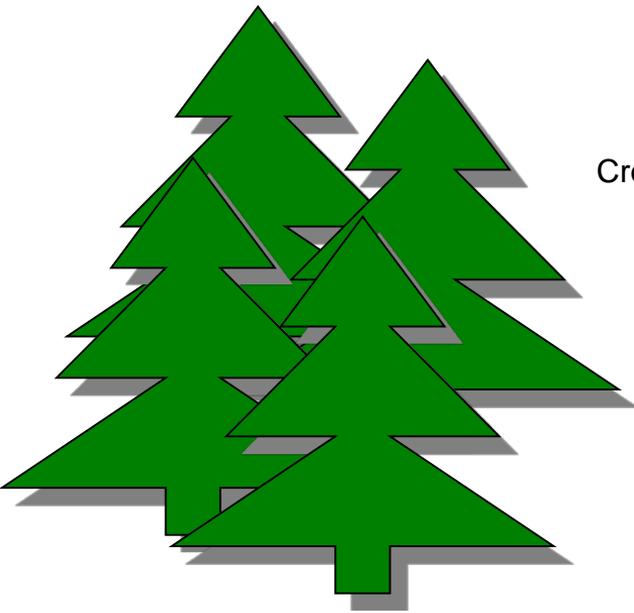


Public Transportation and Highway
Improvement Act

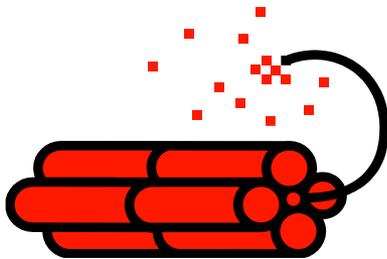
Environmental Protection Act



Ontario Water Resources Act



Navigable Water Protection Act
(Federal)



Explosives Act (Federal)

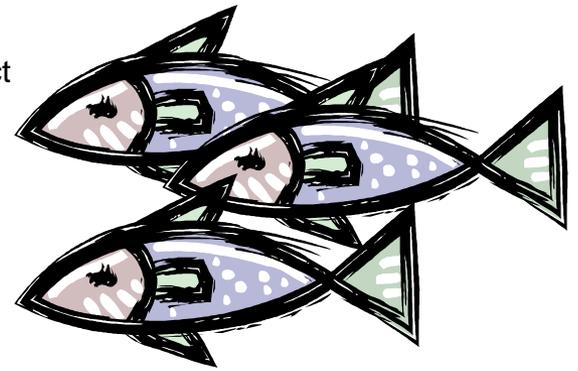
Legislation Examples

Environmental Planning Challenges

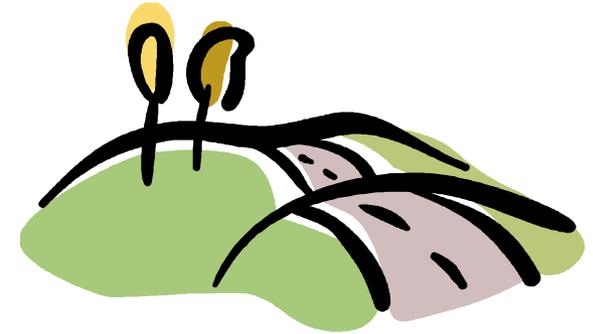
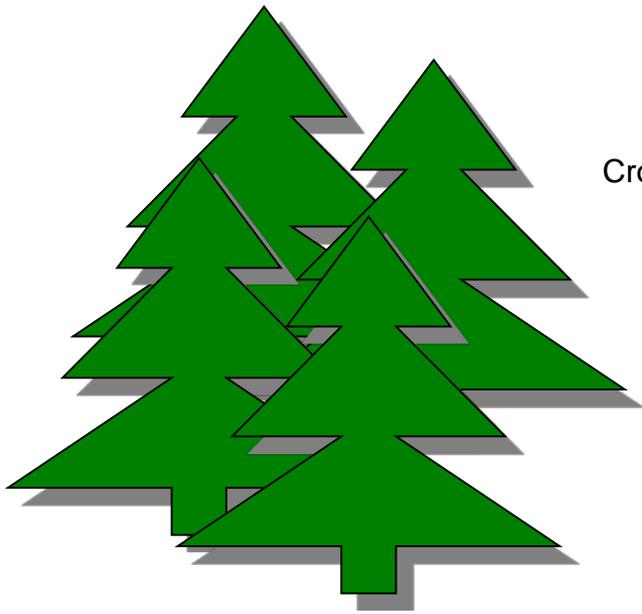
- Environmental Planning processes geared towards regulatory authority approval of plans or permits are **driven by Ontario or Canadian government regulations or legislation**
 - Processes often do not meet First Nation community expectations for environmental planning
 - Existing regulatory processes can be very targeted and paper-based
 - Processes are **not founded on community-based processes for environmental planning**



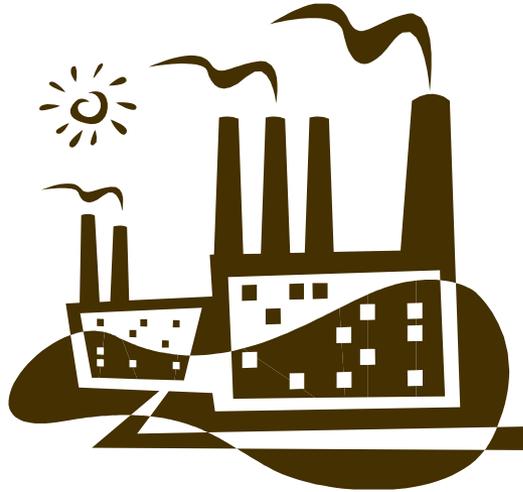
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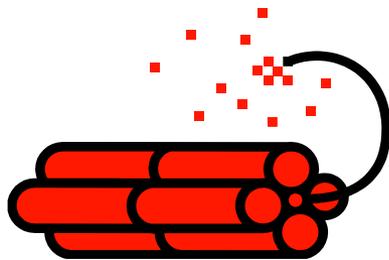
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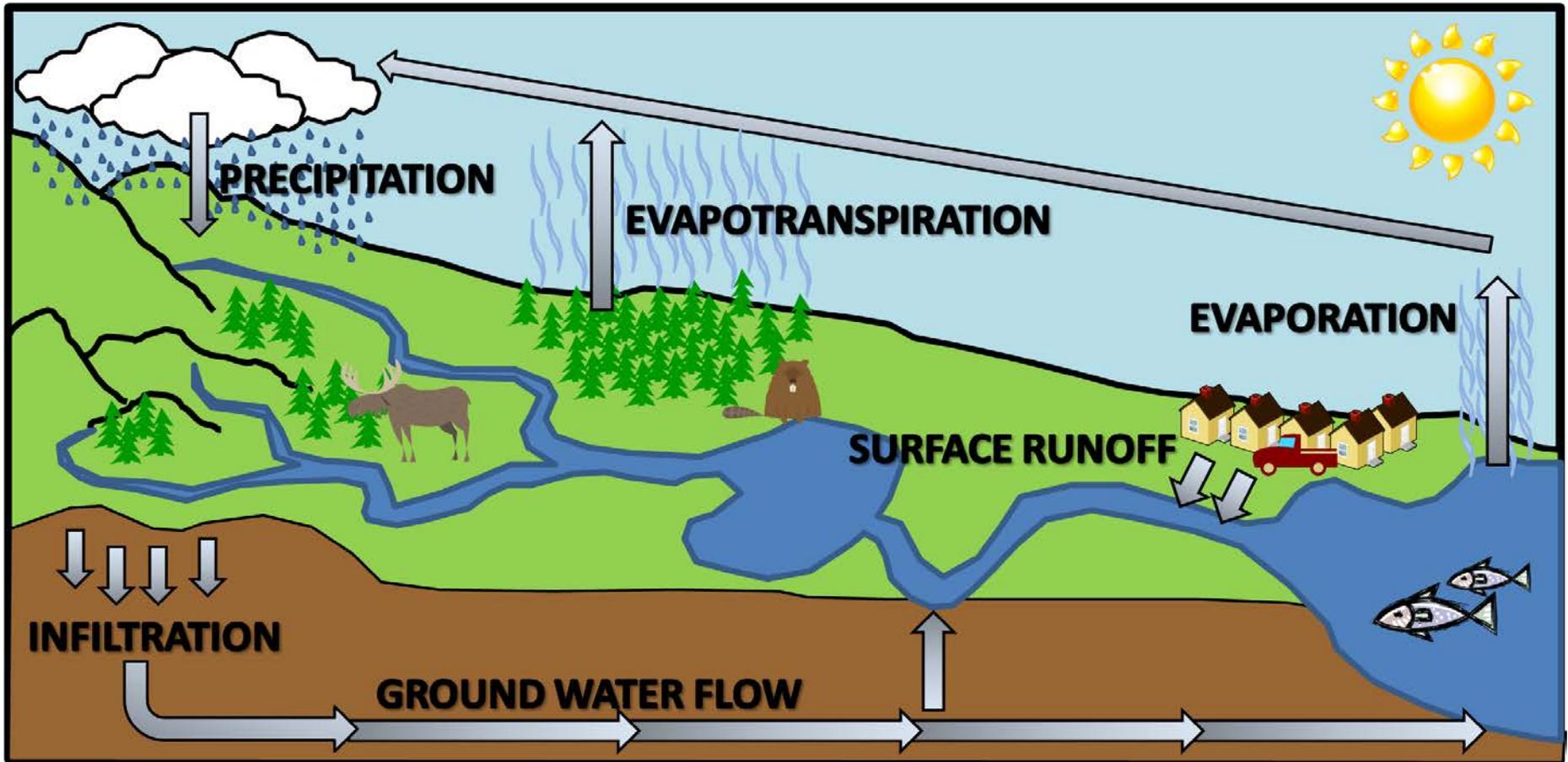


Ontario Water Resources Act



Explosives Act (Federal)

View of Environment



View of Environment



Overcoming Environmental Planning Challenges

- First Nation **participation and influence** of environmental planning processes and related activities (including appropriate community engagement) are **aided by relationships with government and/or industry**
- The **development of community-specific Environmental Planning processes**, such as mining communication processes or cultural impact assessment processes, **can aid in a First Nation's participation** in permitting and plan approval processes
 - Processes need to be flexible to accommodate the host of projects a community may be impacted by





Environmental Permitting & Plans Approvals Overview



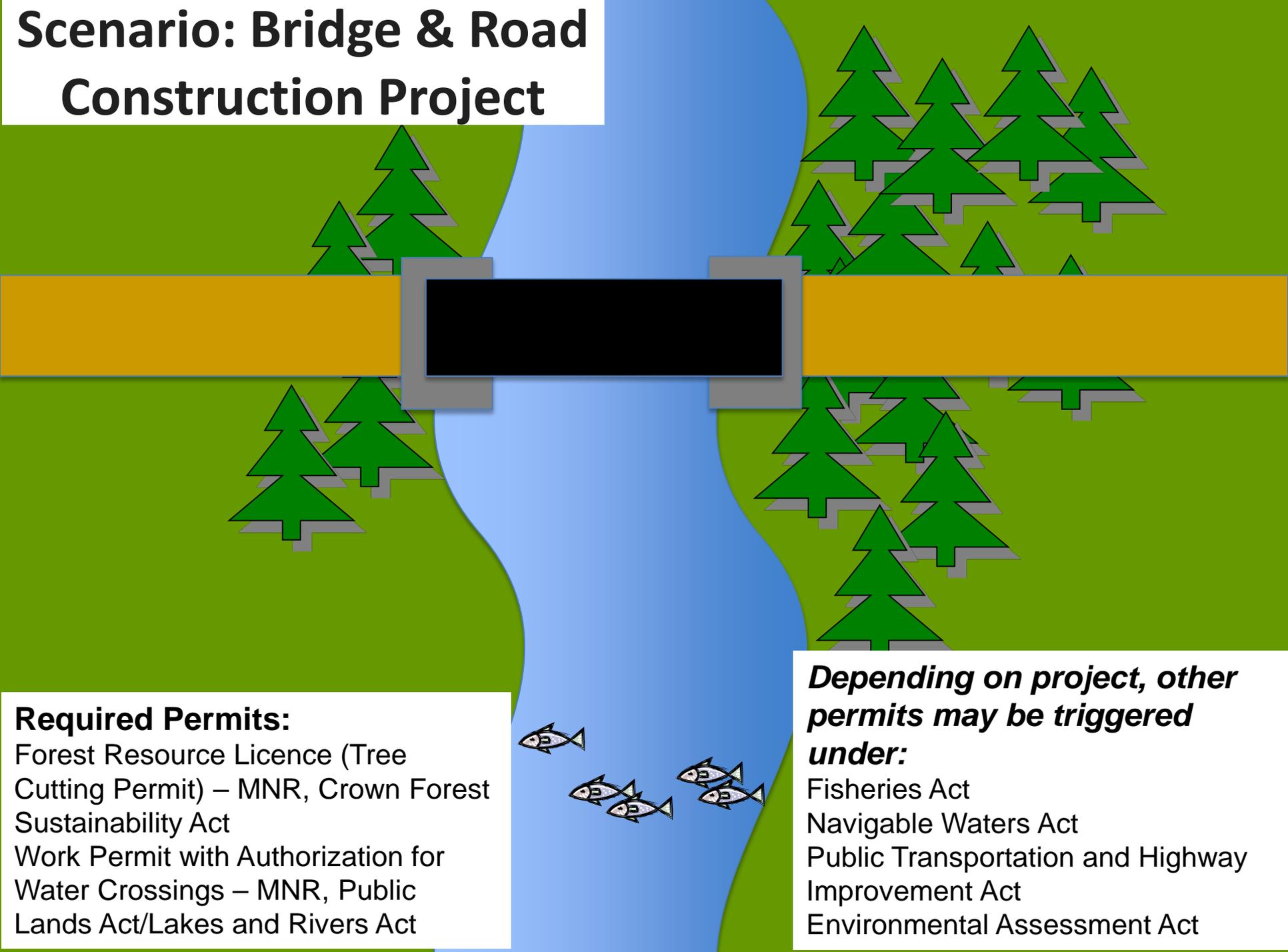


Environmental Permitting & Plans Approvals Overview

- Mandated by **regulatory trigger**
- **Intent: ensure compliance** with regulations prior to the activity starting
 - Permits or approvals **include conditions** in which the activity will take place
 - May include timing of activities, monitoring, reporting, etc.
- The nature of the regulatory triggers (and type of regulatory approvals) depends on the nature of the project or proposed activities
 - May trigger federal or provincial regulatory approvals
 - May trigger other regulatory authorities
- **Permitting and plan approvals** can therefore **vary by region and situation**



Scenario: Bridge & Road Construction Project



Required Permits:

Forest Resource Licence (Tree Cutting Permit) – MNR, Crown Forest Sustainability Act

Work Permit with Authorization for Water Crossings – MNR, Public Lands Act/Lakes and Rivers Act

Depending on project, other permits may be triggered under:

Fisheries Act

Navigable Waters Act

Public Transportation and Highway Improvement Act

Environmental Assessment Act



Environmental Planning – Exploration



Early Exploration

- Ministry of Northern Development & Mines (MNDM): Mining Act
 - **Exploration Plans & Permits**
 - Plan Activities: Lower impact (e.g. line cutting)
 - Permit Activities: Higher impact (e.g. diamond drilling)
 - Aboriginal consultation component
- Other Provincial Ministries
 - Depends on activities (e.g. water crossing to access drill site)
 - Ministry of the Environment (MOE)
 - Ministry of Natural Resources (MNR)





Gold X Scenario: Advanced Exploration

Proposed
Water
Treatment
Plant

Proposed Settling Pond

Proposed
Dewatering

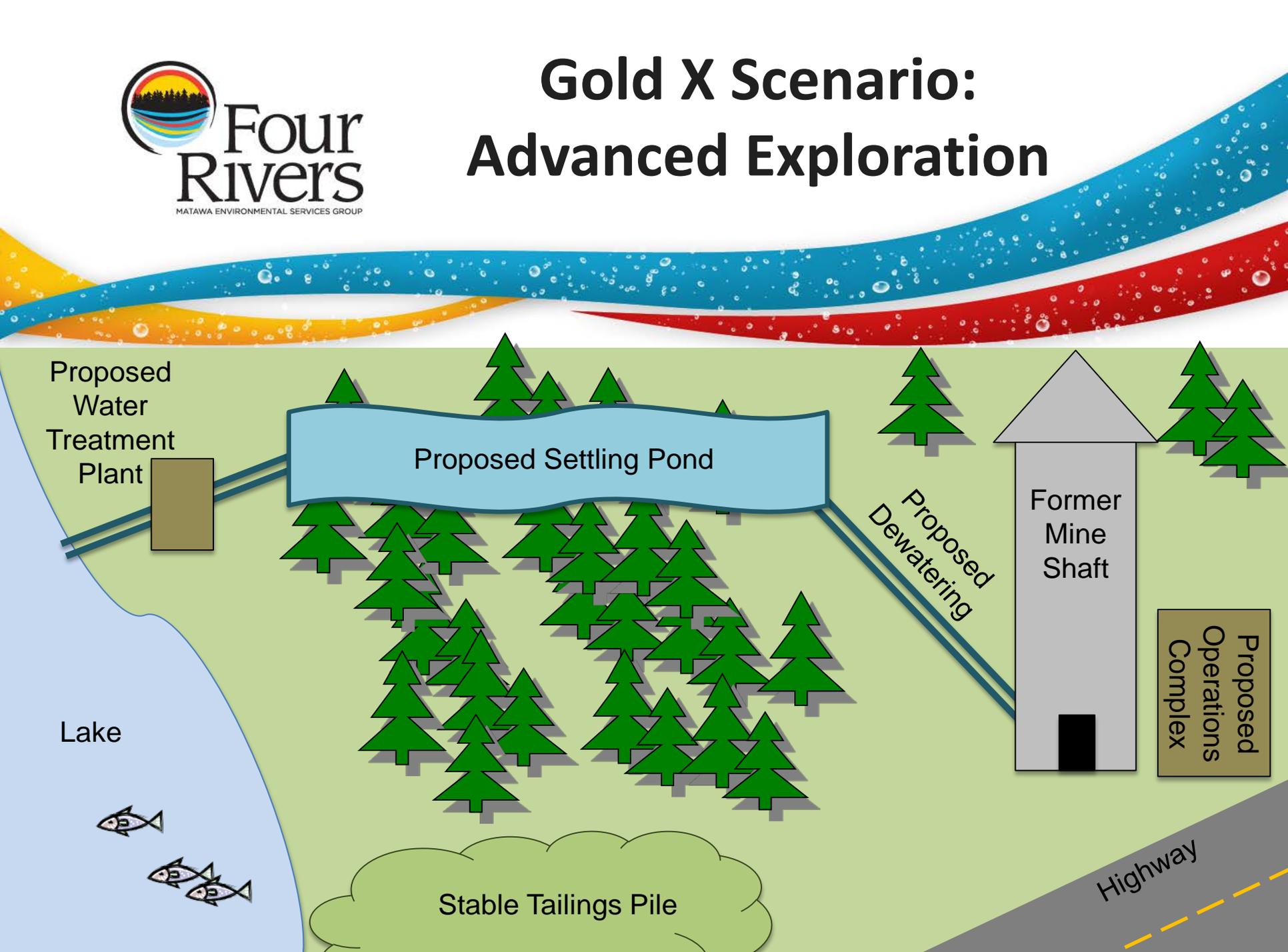
Former
Mine
Shaft

Proposed
Operations
Complex

Lake

Stable Tailings Pile

Highway



Advanced Exploration

- MNDM: Mining Act
 - **Project Definition** filed by Proponent (company doing the work)
 - **Closure Plan** application
 - Details remediation plans to be undertaken during and after Advanced Exploration activities
 - Environmental studies & monitoring
 - Aboriginal consultation
- Other Provincial Ministries
 - Depends on activities





Advanced Exploration

- Ministry of the Environment (MOE)
 - **Certificate of Approval:** Air & Noise, Sewage Works, Waste Disposal & Management
 - **Permit to Take Water**
 - Environmental studies & monitoring
- Ministry of Natural Resources (MNR)
 - **Tree Harvest, Land Use Permit, Aggregate Permits**
- Ministry of Transportation (MTO)
- Federal Ministries
 - Department of Fisheries & Oceans (DFO)
 - Authorization if disrupting fish habitat or specific navigable waters





Community Process Example

Mining Communication and
Community- Based Impact Assessment





Environmental Assessment – Mine Development

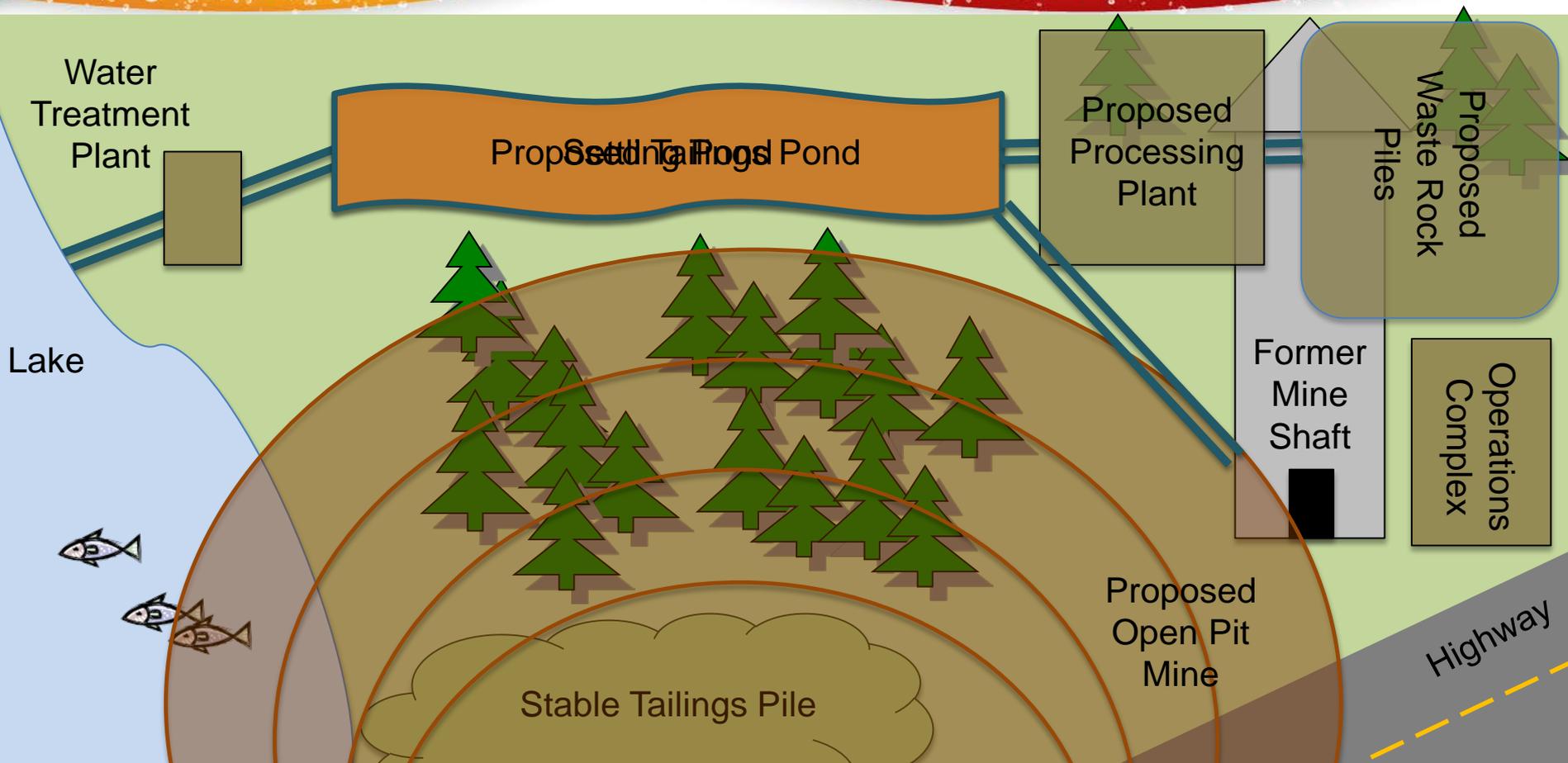


Mine Development

- Project Description filed by Proponent
 - Provincial & Federal governments
- Determine if an **Environmental Assessment (EA)** is required
- What is an EA?
 - Regulatory process to **identify, assess and predict** the social and environmental impacts of a proposed project / activity before the project begins.



Gold X Scenario: Mine Development





Environmental Assessment (EA)

- Goals
 - **Avoid or reduce** negative environmental effects
 - **Increase protection of the environment**, socio-economic conditions, human health and traditional uses of lands and resources
- **Ontario Environmental Assessment Act (EAA)**
 - Environmental Assessment and Approvals Branch (EAAB)
 - Ministry of the Environment (MOE)
- **Canadian Environmental Assessment Act (CEA Act)**
 - Canadian Environmental Assessment Agency (CEAA)
 - Environment Canada (EC)





Environmental Assessment (EA)

- Several steps common to all EAs
 - **Environmental research, predict impacts**
 - Includes public participation throughout
 - First Nations engagement/consultation
 - Generate **EA report**
 - Identifies impacts
 - Discusses options to reduce impacts
 - **Government decision** on project
 - **Project adjusted** to reduce impacts, monitoring enforced

STEP 1
Is an EA
Required?

STEP 2
Plan the EA

STEP 3
Conduct the
EA

STEP 4
Review the
EA Report

STEP 5
EA Decision

STEP 6
Implement
EA Decision

Federal & Provincial EAs

- Depends on activities (triggers)
- Both processes include Aboriginal consultation
- Provincial Environmental Assessments
 - **Class EA** (multiple Ministries, mainly for permitting)
 - **Individual EA**
 - Guided by Terms of Reference (ToR)
 - Coordinated between Ministries
 - Ministry of the Environment
 - 1 year of government process time



Federal & Provincial EAs

- Federal Environmental Assessments (CEAAgency)
 - Guided by Environmental Impact Statement (EIS)
 - **Environmental Assessment** (former Comprehensive Study)
 - Minimum level required for Mine Developments
 - 1 year of government process time
 - **Review Panel**
 - Mainly for interprovincial and international projects
 - EA conducted by panel of experts, public hearings, more participant funding, 2 years of process time
- Joint Review Panel EA
 - Harmonized Federal & Provincial EA process: One EA





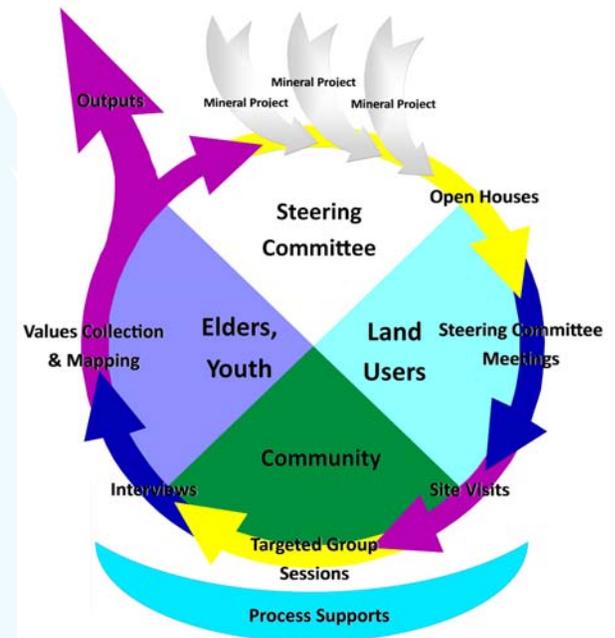
Conclusions





Overcoming Environmental Planning Challenges

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First Nation Environmental Resources

Books

- COO Ontario First Nation Environmental Assessment Toolkit (COO, 2009)
- Living Proof (Tobias, 2009)

Courses/Workshops

- BEAHR Environmental Courses (www.eco.ca/beahr)
- COO EA Toolkit Course (<http://cooeatoolkit.org>)
- CEAA Courses (www.ceaa-acee.gc.ca)
- Environmental Permitting Course (www.blueheronenv.com)
- Northern Ontario First Nation Environment Conference (www.nofnec.ca)

Resources

- Tribal Council Technical Advisory & Support Offices
- Other First Nation Communities, Government, Industry, and Academic Institutions





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Thank you!



Photo by Xavier Sagutch from the traditional area of Eabametoong First Nation

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