

Indigenous and Community Engagement Plan

Spring Creek Municipal Transformer Station

Prepared for:



Niagara Peninsula Energy Inc.

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Prepared by:



Independent Environmental Consultants

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LAND ACKNOWLEDGEMENT

Niagara Peninsula Energy Inc. (NPEI) would like to acknowledge that the Spring Creek Municipal Transformer Station project (the Project) is proposed on the traditional and treaty territory of Indigenous peoples of Ontario, specifically the Mississaugas of the Credit First Nation and the Six Nations of the Grand River First Nation.

We recognize and honour the presence, resilience, and connection of Indigenous peoples to the land, which has been home to their ancestors for countless generations. We also acknowledge the cultural heritage, wisdom, and contributions that the Indigenous peoples of this territory have made and continue to make to the broader community.

As we embark on the Project, we commit to fostering meaningful relationships and engaging in ongoing dialogue with Indigenous peoples. We acknowledge the importance of understanding and respecting their rights, traditions, and sacred knowledge, and we will strive to collaborate in a manner that is based on mutual trust, equity, and cooperation.

TABLE OF CONTENTS

	<u>Page No.</u>
1.0 INTRODUCTION.....	1
1.1 BACKGROUND	1
1.2 PURPOSE OF THIS ENGAGEMENT PLAN	1
2.0 ENGAGEMENT VALUES	1
3.0 ENGAGEMENT TOOLS AND ACTIVITIES	2
3.1 CONTACT LIST	2
3.1.1 <i>Indigenous Communities</i>	2
3.1.1 <i>Stakeholder and Public Engagement</i>	2
3.2 OVERVIEW OF PROPOSED ENGAGEMENT ACTIVITIES	3
3.2.1 <i>Indigenous Consultation</i>	3
3.2.2 <i>Project Webpage</i>	3
3.2.3 <i>Project Email</i>	3
3.2.4 <i>Notice of Commencement</i>	3
3.2.5 <i>Public Meeting</i>	4
3.2.6 <i>Meetings With Neighbours</i>	4
3.2.7 <i>Regulatory Agency and Municipal Consultation</i>	4
3.3 COMMENT TRACKING	4
4.0 CONSULTATION SUMMARY.....	4
5.0 NEXT STEPS	5

LIST OF TABLES

Table 1: Consultation Schedule5

APPENDICES

Appendix A: Ministry of Energy Delegation Letter

1.0 INTRODUCTION

1.1 BACKGROUND

Niagara Peninsula Energy Inc. (NPEI) is proposing to construct the Spring Creek Municipal Transformer Station (Spring Creek MTS) to address future electrical supply needs in the West Lincoln, Lincoln, and Grimsby areas. The project is a new transformer station that will connect into existing 230 kilovolt transmission circuits for distribution within the surrounding area. The need for the project was identified in the Independent Electricity System Operator's Integrated Regional Resource Plan and Hydro One's Regional Infrastructure Plan processes. The project is located in the Town of Lincoln on Spring Creek Road between Mountain Road and Frost Road, adjacent to an existing Hydro One right of way.

The Spring Creek MTS is subject to the Class Environmental Assessment for Transmission Facilities (Class EA) under the Ontario *Environmental Assessment Act*. It is anticipated that the project will follow the Class EA Screening Process for smaller scale projects that have low potential impact to the environment.

1.2 PURPOSE OF THIS ENGAGEMENT PLAN

This Indigenous and Community Engagement Plan (the Engagement Plan) has been developed to guide engagement during the Class EA process. The Plan includes targeted engagement with Indigenous communities, stakeholders, and the public to ensure they are informed about the project, have an opportunity to participate in the planning process and are given the opportunity to provide feedback. Recommended engagement tools and activities are described in **Section 2**.

The Engagement Plan acts as a tool to support dialogue about the Project and obtain feedback well in advance of the construction phase. This Plan may need to be updated as the project progresses and enters different phases (e.g., permitting, construction).

2.0 ENGAGEMENT VALUES

NPEI values feedback and aims to incorporate it into Project planning, where possible. The goal of the Engagement Plan is to ensure that Indigenous communities, adjacent landowners, the municipality, and other affected stakeholders gain a comprehensive understanding of the Project. To achieve this, the following objectives for engagement have been developed:

- *Establish trust and understanding:* Our goal is to earn the trust of the community by providing diverse opportunities for engagement throughout the project.
- *Foster positive and constructive relationships:* We are committed to building positive relationships. By actively engaging with diverse communities and valuing their perspectives, we seek to create a platform for constructive dialogue.
- *Ensure timely, transparent, and effective communication:* Our approach will be characterized by open and proactive communication.
- *Provide tailored consultation opportunities:* We will consider the specific interests and needs of others, ensuring that engagement materials and discussions are targeted to meet the requirements of those involved.

3.0 ENGAGEMENT TOOLS AND ACTIVITIES

The following section provides a description of the engagement tools and activities associated with carrying out the Engagement Plan and includes the following components as required by the Class EA process:

- Identification of Indigenous communities, potentially affected stakeholders and the public that may be impacted by with interest or jurisdiction
- Providing a Notice of Commencement to Indigenous communities, potentially affected stakeholders, and the public
- A description of how the project may affect the environment
- Informing Indigenous communities, potentially affected stakeholders, and the public of when, where, and how they can be involved in the Project
- Identifying and addressing questions, feedback and concerns raised in relation to the Project
- Documenting how input has been considered during the EA Process, and project planning and development

3.1 CONTACT LIST

3.1.1 *Indigenous Communities*

NPEI is committed to meaningful, ongoing engagement and relationship building with Indigenous communities whose lands are located in whole or in part near the Project site, or who have interest in the Project. Prior to commencing the Class EA process, NPEI reached out to the Ministry of Energy to notify them about the project and obtain direction on which Indigenous Communities should be engaged through the planning process. The Government of Ontario (the Crown) has a constitutional duty to consult and, where appropriate, accommodate Indigenous communities. The direction from the Ministry of Energy, including engagement recommendations, is provided in **Appendix A**.

3.1.1 *Stakeholder and Public Engagement*

To ensure communication efforts reach the right audiences to support an organized and responsive approach to relationship management and to meet the Class EA requirements, a stakeholder and public contact list has been created for the project. The contact list will inform distributions of all project-related communications. Communications will be distributed directly to stakeholders via email, mail, and, if necessary, hand delivery. The contact list is a living document and will be maintained by the IEC. As the Class EA proceeds, the contact list will be updated to include all stakeholders who express interest in the project.

The project contact list includes:

- Potentially affected stakeholders including residences (landowners and tenants) in the project site vicinity
- Potentially interested members of the public
- Local interest groups
- Municipal, provincial, and federal government officials
- Other relevant government agencies

The contact list was developed by utilizing the following information gathering mechanisms:

- Desktop research and review of background information
- The Class Environmental Assessment for Transmission Facilities
- Current understanding of the project and local area
- Feedback from previous consultation activities undertaken in the local area

3.2 OVERVIEW OF PROPOSED ENGAGEMENT ACTIVITIES

Project communications serve as a targeted means of distributing project information to key members of the public and identified stakeholder groups, ensuring that they have been informed of the project. Project information will be communicated on the project website and through Notices (Section 3.2.3) and a Public Meeting (Section 3.2.4).

3.2.1 Indigenous Consultation

Prior to commencing the Class EA process, NPEI will reach out to meet with Indigenous communities identified by the Ministry of Energy to build a relationship, learn about Indigenous history, rights, and concerns within the area and to discuss how the Project may affect their traditional land. Tailored communications will be provided to identified Indigenous communities prior to the NoC and throughout the Class EA. Further, Indigenous communities will be offered the opportunity to participate in project field studies, to share traditional knowledge as part of the archaeological assessment and will be offered one-on-one meetings with the project team to discuss the project and provide feedback.

3.2.2 Project Webpage

A project webpage will be created to establish an information resource for Indigenous communities, adjacent landowners, the municipality, and other affected stakeholders. The website will provide access to Project documents, the public community meeting notice, and will be an important source of communications relevant to the Project.

3.2.3 Project Email

A project email will be established and included in project communications as a point of contact for stakeholders and interested parties. This email will be the main point of project correspondence. Section 3.4 below provides details on tracking communications from the project webmail.

3.2.4 Notice of Commencement

A Notice of Commencement (NoC) will be issued to formally announce the project undergoing the Class EA process. The notice will include all required information as detailed in Section 3.3.2 in the Class EA. The NoC will be provided directly to Indigenous communities, stakeholders, and the public in the contact list. Notices will be accompanied by tailored letters for Indigenous communities, agencies, and neighboring properties. The NoC will be posted on the project webpage and following distribution to stakeholders, the NoC will be posted in the local newspaper to inform the public.

3.2.5 Public Meeting

A public meeting will be held to ensure the public have an opportunity to participate in the ESP, to receive project information, provide meaningful input and for NPEI to identify and address public concerns and issues. A notice for the public meeting will be compiled and distributed to the Indigenous and Stakeholder Contact Lists, posted to the project webpage, and placed in a local newspaper at least two weeks in advance of the public meeting to ensure adequate notification.

The meeting will include a presentation followed by a question-and-answer period, and storyboards to allow attendees to read through and converse with NPEI. Comment forms will be available to allow attendees to provide additional input on the project. IEC will coordinate meeting planning, prepare a meeting plan to guide planning, develop meeting materials and provide in-person support at the meeting. Following the meeting, IEC will prepare a meeting summary highlighting the key takeaways and any comments/questions from the attendees.

3.2.6 Meetings With Neighbours

Prior to commencing the Class EA process, NPEI hosted a meeting with adjacent neighbours to communicate early information and inform them about the Project. As needed, NPEI will meet with landowners to provide information on the proposed Project, listen to community perspectives and concerns that can be addressed in the design of the Project.

3.2.7 Regulatory Agency and Municipal Consultation

Appropriate federal, provincial, and municipal agency technical representatives will be directly consulted throughout the Class EA to understand agency requirements, technical input and resolve any issues or concerns. The goal of these meetings is to provide information on the proposed Project and discuss any additional approvals that will be required.

The Ministry of the Environment, Conservation and Parks (MECP), and other agencies, upon request, will also be provided the Environmental Screening Report for review prior to issuing the Notice of Completion (NOC).

3.3 COMMENT TRACKING

Comment tracking is an important component of the Class EA process. Throughout the project, IEC will maintain a database of all comments, questions and concerns received from stakeholders and the public on the project, and the responses provided. IEC will also maintain records of all incoming and outgoing project communications. This database and records are a critical component of the process to ensure all concerns have been fully considered and addressed during project planning and development.

4.0 CONSULTATION SUMMARY

Documenting discussions throughout the engagement process is essential for future decision-making. A summary of project consultation will be prepared and included in the Environmental Screening Report. The summary will include:

- A description of the consultation program and consultation activities/events
- A list of stakeholders, agencies and Indigenous communities contacted or consulted
- A summary of concerns or issues, and how they have been resolved or addressed

- Copies of key public comments
- Agency and Indigenous community stakeholder specific sections providing information on consultation activities during the Class EA, including a summary of concerns or issues that were addressed or resolved and a log of project communications

5.0 NEXT STEPS

NPEI is dedicated to developing the Project with respect for the local community and the environment. Engagement as part of the Class EA process will take place over 2024. In Spring 2024, NPEI will initiate the Class EA process as well as permitting and planning approvals. Engagement will continue throughout this phase and is fundamental for obtaining the necessary approvals needed to construct the Project. Engagement milestones for the project are noted in the table below and align with the current overall project schedule.

Table 1: Engagement Milestone Schedule

Consultation Activity	Timeline (2024)
Initial Meetings with Indigenous Communities	March-April
Notice of Commencement	May
Stakeholder and Regulatory Meetings	May
Environmental Fieldwork, Data Collection and Baseline Analysis	April – July
Completion of Draft Environmental Screening	Summer - Fall
Meetings with Indigenous Communities, Stakeholders and Agencies	Summer - Fall
Notice of Public Meeting	Fall
Public Meeting (in-person)	Fall
Prepare Consultation Summary & Final Environmental Screening	Fall/Winter
Submit Statement of Successful Screening to MECP	Fall/Winter

Appendix A:

Indigenous Communities List

Ministry of Energy

Energy Networks and Indigenous Policy
Branch

Indigenous Energy Policy

77 Grenville Street, 6th Floor
Toronto, ON M7A 67C
Tel: (416) 315-8641

Ministère de l'Énergie

Direction Générale des Réseaux Énergétiques
et des Politiques Autochtones

Politique Énergétique Autochtones

77 Rue Grenville, 6^e Étage
Toronto, ON M7A 67C
Tel: (416) 315-8641



November 9, 2023

VIA EMAIL

Shanon Wilson
Senior Vice-President, Asset Management
Niagara Peninsula Energy Inc
7447 Pin Oak Drive
Niagara Falls, ON L2E 6S9

Re: Niagara Peninsula Energy Inc. Transformer Station Project

Dear Shanon Wilson:

Thank you for your email dated August 30, 2023 notifying the Ministry of Energy (ENERGY) of Niagara Peninsula Energy Inc.'s (NPEI) intention to commence the process set out in the Class Environmental Assessment for Minor Transmission Facilities (MTF Class EA) for a new Municipal Transformer Station (the Project) to address future electrical needs in the West Lincoln/Lincoln area.

We understand that the Project is a new additional transformer station that will connect to the 230kV transmission circuits and lower the voltage to 27.6kV for distribution within the surrounding area. The Project is expected to improve load transfers and reliability and provide additional supply capacity and be constructed on what is currently agricultural land.

Duty to Consult with Indigenous Communities

The Government of Ontario (the Crown) has a constitutional duty to consult and, where appropriate, accommodate Indigenous communities when it has knowledge of established or credibly asserted Aboriginal or treaty rights protected under section 35 of Canada's Constitution Act 1982 (s. 35 rights) and contemplates conduct that might adversely affect those rights. This rights-based consultation with Indigenous communities is distinct from the requirement that may exist to consult with Indigenous communities as interested parties under the MTF Class EA. Nevertheless, these two processes can be integrated. Consultation done under the MTF Class EA may be a means by which the Crown can be satisfied that any concerns from Indigenous communities about adverse impacts to their s. 35 rights have been heard and, where appropriate, accommodated.

Although the legal duty to consult remains with the Crown, the Crown may delegate the procedural aspects of consultation to project proponents. The procedural aspects of the duty to consult are those portions of consultation related to the process of consultation, such as sharing information, holding meetings and/or receiving comments. Project proponents are typically best

positioned to speak to the specific planning, technical and environmental aspects of projects and, where appropriate, to consider possible ways to address or mitigate any concerns raised by Indigenous communities about potential impacts of the project. The Crown remains responsible for providing oversight of the consultation process and ensuring the adequacy of consultation with communities to whom the duty to consult is owed.

ENERGY is the primary contact for Ontario’s duty to consult under the MTF Class EA, while the Ministry of the Environment, Conservation and Parks (MECP) retains overall responsibility for the MTF Class EA process. Accordingly, ENERGY may be involved early in the project planning process for facilities subject to the MTF Class EA to determine whether there may be a duty to consult, and if so, to identify the communities to consult and to delegate to proponents the procedural aspects of consultation.

Based on ENERGY’s review of the information provided by NPEI with respect to the Project, including the nature and location of the Project and anticipated environmental effects, and the Crown’s current understanding of asserted or established s. 35 rights in the Project area, ENERGY has determined that the Crown owes a duty to consult with Indigenous communities in respect of the Project.

Delegation of Procedural Aspects of the Crown’s Duty to Consult

On behalf of the provincial Crown, ENERGY is delegating the procedural aspects of any consultation owed in respect of the Project to NPEI through this letter.

Please see the appendix for detailed information on the roles and responsibilities of the provincial Crown and NPEI regarding the MTF Class EA. You should seek guidance from ENERGY at any time if you are unclear about your roles and responsibilities under this process.

Potentially Impacted Indigenous Communities:

Based on the Crown’s assessment of First Nation and Métis community rights and potential project impacts, the following Indigenous communities should be consulted on the basis that they have or may have constitutionally protected Aboriginal or Treaty rights that may be adversely affected by the Project.

Community	Mailing Address
<p>Mississaugas of the Credit First Nation</p>	<p>2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0 T: (905) 768-1133 http://mncfn.ca/</p> <p>Chief Stacy LaForme <i>(no email address available)</i></p> <p>Abby LaForme, Consultation Coordinator Abby.LaForme@mncfn.ca</p>

	<p>Mark Laforme, Director of Department of Consultation and Accommodation Mark.LaForme@mncfn.ca</p>
Six Nations of the Grand River First Nation	<p><i>Correspondence should be directed to both Six Nations' elected council and the Haudenosaunee Confederacy Chiefs' Council (HCCC). Please also copy the Haudenosaunee Development Institute (HDI) on all correspondence to the HCCC.</i></p>
<ul style="list-style-type: none"> Six Nations of the Grand River Elected Council 	<p>1695 Chiefswood Road Ohsweken, ON N0A 1M0 T: (519) 445-2201 F: (519) 445-4208 https://www.sixnations.ca/</p> <p>Chief Shery-Lyn Hill <i>(no email address available)</i></p> <p>Dawn Russell, Consultation Coordinator dawnrussell@sixnations.ca</p>
<ul style="list-style-type: none"> Haudenosaunee Confederacy Chiefs Council (HCCC) 	<p>c/o Haudenosaunee Development Institute 16 Sunrise Court, Suite 600 P.O. Box 714 Ohsweken, ON N0A 1M0 T: (519) 445-4222 1749resource@gmail.com</p>

Based on currently available information about the Project's anticipated impacts, ENERGY's preliminary assessment has determined that consultation is owed at the low end of the consultation spectrum for the Mississaugas of the Credit First Nation and Six Nations of the Grand River First Nation (including Six Nations Elected Council and HCCC). As such, ENERGY requires NPEI to at a minimum notify each community about the Project; share information about the Project and provide an opportunity for the community to comment. Any issues that may be raised by the community should be discussed and considered in light of the potential to impact Aboriginal or treaty rights, with mitigation or other forms of accommodation identified where appropriate. NPEI's initial notice of the Project to the community could include a request to confirm whether the community believes the Project will impact their rights, and accordingly whether they are interested in being consulted. Should no response be received, NPEI should continue to provide high-level notifications in accordance with project stage milestones.

This consultation list may be subject to change based on new information becoming available or changes to the scope of the Project. For example, Indigenous communities may make new rights assertions at any time, and project-related developments may require additional Indigenous communities to be notified and/or consulted. A community may also indicate they are not interested in being consulted in respect of the Project. If any of the above should

occur, NPEI must notify ENERGY immediately so that updates to the consultation list can be made. We recommend that you contact ENERGY if you are unsure about how to deal with a concern raised by an Indigenous community, particularly if the concern relates to a potential adverse impact on established or asserted s.35 rights.

Acknowledgement

By accepting this letter, the Proponent acknowledges this Crown delegation and the procedural consultation responsibilities enumerated in the appendix. If you have any questions about this request, you may contact Sinead Teevan, Policy Intern (Sinead.teevan@ontario.ca).

I trust that this information provides clarity and direction regarding the respective roles of the Crown and NPEI. If you have any questions about this letter or require any additional information, please contact me directly.

Sincerely,



Amy Gibson, Manager
Indigenous Energy Policy

Cc: Nick Colella, Manager, Environmental Assessment Services, Ministry of Environment, Conservation and Parks

APPENDIX: PROCEDURAL ASPECTS OF CONSULTATION

Roles and Responsibilities Delegated to the Proponent

Please refer to the letter above for specific guidance on the project. On behalf of the Crown, please be advised that your responsibilities as Project Proponent for this Project include:

- providing notice and information about the Project to Indigenous communities, with sufficient detail and at a stage in the process that allows the communities to prepare their views on the Project and, if appropriate, for changes to be made to the Project. This can include:
 - accurate, complete and plain language information including a detailed description of the nature and scope of the Project and translations into Aboriginal languages where appropriate;
 - maps of the Project location and any other affected area(s);
 - information about the potential negative effects of the Project on the environment, including their severity, geographic scope and likely duration. This can include, but is not limited to, effects on ecologically sensitive areas, water bodies, wetlands, forests or the habitat of species at risk and habitat corridors;
 - a description of other provincial or federal approvals that may be required for the Project to proceed;
 - whether the Project is on privately owned or Crown controlled land;
 - any information the Proponent may have on the potential effects of the Project, including particularly any likely adverse impacts on established or asserted Aboriginal or treaty rights;
 - a written request asking the Indigenous community to provide in writing or through a face-to-face meeting:
 - any information available to them that should be considered when preparing the Project documentation;
 - any information the community may have about any potential adverse impacts on their Aboriginal or treaty rights; and
 - any suggested measures for avoiding, minimizing or mitigating potential adverse impacts;
 - information about how information provided by the Indigenous community as part of the consultation process will be collected, stored, used, and shared for their approval;
 - identification of any mechanisms that will be applied to avoid, minimize or mitigate potential adverse impacts;
 - identification of a requested timeline for response from the community and the anticipated timeline for meeting Project milestones following each notification;
 - an indication of the Proponent's availability to discuss the process and provide further information about the Project;
 - the Proponent's contact information; and
 - any additional information that might be helpful to the community;

- following up, as necessary, with Indigenous communities to ensure they received Project notices and information and are aware of the opportunity to comment, raise questions or concerns and identify potential adverse impacts on their established or asserted rights;
- gathering information about how the Project may adversely affect Aboriginal or treaty rights;
- bearing the reasonable costs associated with the procedural aspects of consultation (paying for meeting costs, making technical support available, etc.) and considering reasonable requests by communities for capacity funding to assist in participating in the consultation process;
- considering and responding to comments and concerns raised by Indigenous communities and answering questions about the Project and its potential impacts on Aboriginal or treaty rights;
- as appropriate, discussing and implementing changes to the Project in response to concerns raised by Indigenous communities. This could include modifying the Project to avoid or minimize an impact on an Aboriginal or treaty right (e.g. altering the season when construction will occur to avoid interference with mating or migratory patterns of wildlife); and
- informing Indigenous communities about how their concerns were taken into consideration and whether the Project proposal was altered in response. It is considered a best practice to provide the Indigenous community with a copy of the consultation record as part of this step for verification.

If you are unclear about the nature of a concern raised by an Indigenous community, you should seek clarification and further details from the community, provide opportunities to listen to community concerns and discuss options, and clarify any issues that fall outside the scope of the consultation process. These steps should be taken to ensure that the consultation process is meaningful and that concerns are heard and, where possible, addressed.

You can also seek guidance from the Crown at any time. It is recommended that you contact the Crown if you are unsure about how to deal with a concern raised by an Indigenous community, particularly if the concern relates to a potential adverse impact on established or asserted Aboriginal or treaty rights.

The consultation process must maintain sufficient flexibility to respond to new information, and we request that you make all reasonable efforts to build positive relationships with all Indigenous communities potentially affected by the Project. If a community is unresponsive to efforts to notify and consult, you should nonetheless make attempts to update the community on the progress of the Project, the environmental assessment (if applicable) and other regulatory approvals.

If you reach a business arrangement with an Indigenous community that may affect or relate to the Crown's duty to consult, we ask that that Crown be advised of those aspects of such an arrangement that may relate to or affect the Crown's consultation obligations, and that the community itself be apprised of the Proponent's intent to so-appraise the Crown. Whether or not any such business arrangements may be reached with any community, the Crown expects the Proponent to fulfill all of its delegated procedural consultation responsibilities to the satisfaction of the Crown.

If the Crown considers that there are outstanding issues related to consultation, the Crown may directly undertake additional consultation with Indigenous communities, which could result in delays to the Project. The Crown reserves the right to provide further instructions or add communities throughout the consultation process.

Roles and responsibilities assumed directly by the Crown

The role of the Crown in fulfilling any duty to consult and accommodate in relation to this Project includes:

- identifying for the Proponent, and updating as appropriate, the Indigenous communities to consult for the purposes of fulfillment of the Crown duty;
- carrying out, from time to time, any necessary assessment of the extent of consultation or, where appropriate, accommodation, required for the project to proceed;
- supervising the aspects of the consultation process delegated to the Proponent;
- determining in the course of Project approvals whether the consultation of Indigenous communities was sufficient;
- determining in the course of Project approvals whether accommodation of Indigenous communities, if required, is appropriate and sufficient.

Consultation Record

It is important to ensure that all consultation activities undertaken with Indigenous communities are fully documented. This includes all attempts to notify or consult the community, all interactions with and feedback from the community, and all efforts to respond to community concerns. Crown regulators require a complete consultation record in order to assess whether Aboriginal consultation and any necessary accommodation is sufficient for the Project to receive Ontario government approvals. The consultation record should include, but not be limited to, the following:

- a list of the identified Indigenous communities that were contacted;
- evidence that notices and Project information were distributed to, and received by, the Indigenous communities (via courier slips, follow up phone calls, etc.). Where a community has been non-responsive to multiple efforts to contact the community, a record of such multiple attempts and the responses or lack thereof.
- a written summary of consultations with Indigenous communities and appended documentation such as copies of notices, any meeting summaries or notes including where the meeting took place and who attended, and any other correspondence (e.g., letters and electronic communications sent and received, dates and records of all phone calls);
- responses and information provided by Indigenous communities during the consultation process. This includes information on Aboriginal or treaty rights, traditional lands, claims, or cultural heritage features and information on potential adverse impacts on such Aboriginal or treaty rights and measures for avoiding, minimizing or mitigating potential adverse impacts to those rights; and

- a summary of the rights/concerns, and potential adverse impacts on Aboriginal or treaty rights or on sites of cultural significance (e.g. burial grounds, archaeological sites), identified by Indigenous communities; how comments or concerns were considered or addressed; and any changes to the Project as a result of consultation, such as:
 - changing the Project scope or design;
 - changing the timing of proposed activities;
 - minimizing or altering the site footprint or location of the proposed activity;
 - avoiding impacts to the Aboriginal interest;
 - environmental monitoring; and
 - other mitigation strategies.

As part of its oversight role, the Crown may, at any time during the consultation and approvals stage of the Project, request records from the Proponent relating to consultations with Indigenous communities. Any records provided to the Crown will be subject to the *Freedom of Information and Protection of Privacy Act*, however, may be exempted from disclosure under section 15.1 (Relations with Aboriginal communities) of the Act. Additionally, please note that the information provided to the Crown may also be subject to disclosure where required under any other applicable laws.

The contents of what will make up the consultation record should be shared at the onset with the Indigenous communities consulted with and their permission should be obtained. It is considered a best practice to share the record with the Indigenous community prior to finalizing it to ensure it is a robust and accurate record of the consultation process.