

# Regional Assessment of the **St. Lawrence River Area** TERMS OF REFERENCE



## Preamble

These terms of reference provide overall direction on the purpose, scope and deliverables of the Regional Assessment of the St. Lawrence River Area and provide a collective common understanding of the Regional Assessment Working Group's duties.

Regional assessments are processes where the Government of Canada and interested jurisdictions partner to evaluate the positive and negative effects of multiple past, existing and future activities and developments within a given geographical region to inform future project-specific impact assessments, planning, and decision-making related to projects. The *Impact Assessment Act* (IAA) mandates that any pertinent regional assessment be considered at specific stages during the impact assessment process for future designated projects within a studied region. The Regional Assessment of the St. Lawrence River Area will improve the effectiveness and efficiency of impact assessments and determinations of future projects carried out on federal lands subject to the IAA and other decision-making processes. The establishment of baseline conditions and targeted conditions will help streamline the information collection process for project assessments and support better scope definition.



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## 1.0 Context

First Nations have a long history of occupation and use of the St. Lawrence River and its shores. Since time immemorial, First Nations have used them to fish and trade, for transportation, and as a gathering place. First Nations have an in-depth knowledge of the river and its resources, which is central to First Nation rights, identities and cultures.

The St. Lawrence River, which is an essential waterway connecting the Atlantic Ocean to the Great Lakes, is recognized by the St. Lawrence economic development council as a significant economic asset facilitating the transport of goods and international trade.

On July 29, 2020, the Mohawk Council of Kahnawà:ke (MCK) submitted a request to the Minister of the Environment (Minister) to conduct a regional assessment of an area of the St. Lawrence River, as per sections 93 to 103 of the *Impact Assessment Act* (IAA).

As the requester, MCK highlighted that, with the economic development that has taken place over the past few decades, the St. Lawrence River has undergone several significant environmental impacts such as the degradation of water quality, the denaturalization and erosion of its banks, as well as a reduction in the population of certain animals and plants and habitat degradation. Major excavation and shoreline modification work has been carried out to ensure navigation, erosion control, and industrial development. Sediments resulting from dredging activities have damaged grass beds and other fish habitats. Dams built on the St. Lawrence River and its tributaries reduce the natural water level variations required to maintain healthy wetlands and hinder the movement of migratory aquatic species. Large quantities of nutrients from agriculture have contributed to the degradation of water quality and have promoted excessive growth of aquatic plants in slow-flowing areas of the St. Lawrence River.

The increase in maritime traffic on the river causing increased contamination, habitat degradation, water quality deterioration, as well as the introduction of invasive species, is an obstacle to the ability of First Nations to exercise their governance rights and stewardship responsibilities.

MCK's request highlighted that notwithstanding the project-based environmental and impact assessments which had been conducted in the region, cumulative effects of development have failed to be thoroughly considered. As a result of the lack of adequate consideration of cumulative effects, MCK is of the opinion that current environmental, health, social and economic conditions should not be used as reference points to assess the impacts of future projects. According to MCK, future impact assessments should strive to enhance the environment at a regional scale and respond to the historic impacts to the rights and interests of the Mohawks of Kahnawà:ke, which have already been incurred.

In his response of October 27, 2020, the Minister determined that there is potential merit in conducting a regional assessment and that further analysis and engagement would be necessary before deciding to move forward. The Minister instructed the Impact Assessment Agency of Canada (IAAC) to initiate an engagement process with governmental agencies, MCK and other Indigenous Peoples, and non-governmental organizations to help define the nature, scope, objectives and outcomes of a potential regional assessment in the St. Lawrence River.

Following this engagement process, on July 15, 2021, the Minister decided to proceed with the Regional Assessment of the St. Lawrence River Area (SLRA) and instructed IAAC to begin the Planning Phase recognizing that there is anticipated development in the region that has the potential to cause adverse effects within federal jurisdiction, including cumulative effects, as well as potential for impacts to the rights of Indigenous Peoples in the region.

On December 17, 2024, the Minister confirmed his commitment to move forward and authorized IAAC to conduct the SLRA in partnership with MCK and other interested First Nations in the region.

## 2.0 Definitions

**“assessment area”** means the geographical extent of the Regional Assessment of the St. Lawrence River Area see section 4.3. (aire d’évaluation)

**“assessment priorities”** means key environmental, health, cultural, social or economic components, which may be affected by targeted physical activities and complementary activities occurring in the assessment area (selected by the Regional Assessment Working Group, see section 4.1). (priorités d’évaluation)

**“baseline conditions”** means the current state of assessment priorities for environmental, health, cultural, social or economic reference conditions creating the background for evaluating effects of future projects within the assessment area. (conditions de référence)

**“Chief”** means an elected or customary leader of a First Nation government. (chef.fe)

**“complementary activities”** means past, existing and foreseeable activities, under all jurisdictions, and related stressors which are not subject to the *Impact Assessment Act* but that may provide additional regional context for the regional assessment’s cumulative effects analysis. (activités complémentaires)

**“cumulative effects”** means changes to the environment or to health, cultural, social or economic conditions caused by interactions of human activities and natural processes that accumulate over time and space. (effets cumulatifs)

**“effects”** means, unless the context requires otherwise, changes to the environment or to health, [cultural], social or economic conditions and the positive and negative consequences of these changes (s.2 of IAA). (effets)

**“enhancement measures”** means actions that, if implemented, may have a net positive impact on one or multiple assessment priorities and/or towards achieving one or multiple targeted conditions. (mesures d’amélioration)

**“First Nation Partners”** means First Nations who are represented in the Regional Assessment Working Group. (see section 5.2). (Premières Nations partenaires)

**“IAA”** means the *Impact Assessment Act* (S.C. 2019, c. 28, s. 1). (LEI)

**“IAAC”** means the Impact Assessment Agency of Canada. (AEIC)

**“Indigenous Knowledge”** means a living set of complex knowledge systems based on the worldviews of Indigenous Peoples. (savoirs autochtones)

Indigenous Knowledge reflects the unique systems of cultures, languages, values, histories, governance and legal systems of Indigenous Peoples. It is place-based, cumulative and dynamic. Indigenous Knowledge systems involve living well with, and being in relationship with, the natural world. Indigenous Knowledge systems build upon the experiences of earlier generations, inform the practice of current generations, and evolve in the context of contemporary society.

First Nations, Inuit and Métis communities each have distinct ways of describing their knowledge. Knowledge holders are the only people who can truly define Indigenous Knowledge for their communities.

**“Indigenous Peoples”** is a collective name for the original peoples of Turtle Island (North America) and their descendants. (peuples autochtones)

**“jurisdiction”** means a federal authority, any agency or body that is established under an Act of Parliament and that has powers, duties or functions in relation to an assessment of the environmental effects of a designated project, or the government of a province. (instance)

**“local knowledge”** refers to beliefs, practices, knowledge, skills and competencies developed by individuals or shared by a community that accumulate over time through direct use of or interaction with a resource or the environment (natural or social). (savoirs locaux)

**“mitigation measures”** means measures to eliminate, reduce, control or offset adverse effects within federal jurisdiction, direct or incidental adverse effects or adverse environmental effects, as defined in section 81 of the IAA, and includes restitution for any damage caused by those effects through replacement, restoration, compensation or any other means (s.2 of IAA). (mesures d’atténuation)

**“priority interventions”** means targeted actions identified as having a strongly positive impact towards achieving the targeted conditions established in the Regional Assessment. (interventions prioritaires)

**“Regional Assessment”** means the regional assessment that the Minister of the Environment authorized the Impact Assessment Agency of Canada to conduct, in partnership with MCK and other First Nations that are part of the Regional Assessment Working Group, pursuant to subparagraph 93(1)(a)(ii) of the *Impact Assessment Act*, in the assessment area and which is the subject to the present terms of reference. (évaluation régionale)

**“Regional Assessment Working Group”** means the group established to conduct the Regional Assessment, which consists of members delegated by each First Nation Partner and Impact Assessment Agency of Canada officials. (groupe de travail sur l’évaluation régionale)

**“Registry”** means the Canadian Impact Assessment Registry established under section 104 of the *Impact Assessment Act* (s.2 of IAA). (registre)

**“report”** means the final report provided to the Minister of the Environment and the Chiefs pursuant to subsection 102(1) of the *Impact Assessment Act* and further defined in section 7 of these terms of reference. (rapport)

**“study zone”** means the appropriate spatial boundaries for describing and analyzing potential effects, including cumulative effects, on each assessment priority. A study zone could extend

beyond the boundaries of the assessment area, as it is explicitly tied to each assessment priority being studied. (zone d'étude)

**“sustainability”** means the ability to protect the environment, contribute to the social and economic well-being of the people of Canada and preserve their health in a manner that benefits present and future generations (s.2 IAA). (durabilité)

**“targeted conditions”** means the states of environmental, health, cultural, social or economic conditions of assessment priorities which are deemed socially and environmentally acceptable and against which to assess effects of future projects within the assessment area and future regional conservation and restoration efforts. (conditions ciblées)

**“targeted physical activities”** means past, existing or future physical activities and their related activities within the assessment area that are likely to be subject to federal impact assessments or environmental effect determinations as per s. 82 of the *Impact Assessment Act*, as listed in section 4.2 of the present terms of reference. (activités concrètes ciblées)

## 3.0 Goal and objectives of the Regional Assessment

### 3.1 Goal

The main goal of this Regional Assessment is to gain more insight into the state of the St. Lawrence River within the assessment area<sup>1</sup> by assessing the relationships between targeted physical activities, complementary activities, and the ecosystems within which they occur. In this way, a set of baseline and targeted conditions, which take into account both Indigenous Knowledge and Western science, can be established to better evaluate the effects of activities (past, existing and future). This set of conditions will help to identify strategies for these activities and other efforts to achieve environmental and social gains that improve upon present-day conditions in an efficient, collaborative manner.

### 3.2 Objectives

#### a) Provide regional context for the assessment area.

- Describe the spatial and temporal scope of the regional assessment;
- Describe assessment priorities defined in section 4;
- Identify high ecological and cultural value locations that have high potential to support / sustain assessment priorities.
- Describe past and existing targeted physical activities and complementary activities and their evolution over time;
- Provide an understanding of the organization of the marine transportation sector in the assessment area and provide an overview of the relationships between existing infrastructure;

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<sup>1</sup> Some assessment priorities could have a larger study zone than the assessment area.

- Compile, and review available data, information and knowledge to characterize and establish baseline conditions of assessment priorities in the assessment area or study zones;
  - For each Indigenous community that may be affected by targeted physical activities and complementary activities, establish targeted conditions / portraits of land-marine uses and rights practiced;
    - To take into account their unique context, each First Nation Partner of the Regional Assessment Working Group and participating Indigenous community will be solicited to develop their respective targeted conditions.
- b) Provide an understanding of current positive and adverse effects of targeted physical activities and complementary activities on environmental, health, cultural social and economic assessment priorities.**
- Compile and describe existing information (current knowledge and scientific literature) related to the effects, both positive and adverse, of targeted physical activities and complementary activities in the assessment area on the assessment priorities described in section 4<sup>2</sup>. This includes effects on the rights of Indigenous Peoples recognized and affirmed by section 35 of the *Constitution Act, 1982* and the *United Nations Declaration on the Rights of Indigenous Peoples*.
- c) Carry out a cumulative effects analysis of the region.**
- Provide an overview of foreseeable and potential future targeted physical activities, including their expected locations in the assessment area;
  - Provide an overview of foreseeable complimentary activities, including their expected locations in the assessment area;
  - Provide a description of areas currently identified as being more impacted by cumulative effects;
  - Identify and analyze potential cumulative effects due to the targeted physical activities in combination with the effects of complementary activities (to be selected by the Regional Assessment Working Group as appropriate) that will or may affect the assessment priorities:
    - Select the spatial and temporal boundaries of study zones appropriate for each assessment priority;
    - Describe existing and potential cumulative effects on the assessment priorities caused by the interactions of human activities and natural processes that accumulate over time and space;
    - Describe how climate change can influence cumulative effects; and
    - Based on the analysis of cumulative effects, identify any assessment priorities and locations that may be of concern / may be below targeted conditions related to these effects.
- d) Identify information and knowledge gaps and opportunities to address them.**
- Identify and analyze information, data and knowledge gaps, focusing on assessment priorities, and related gaps that may hinder the identification of baseline conditions or the

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<sup>2</sup> Adverse effects include potential accidents and malfunctions as they relate to activities.

conduct of impact assessments and environmental effect determinations of future targeted physical activities in the assessment area;

- Make recommendations on the methods to fill information, data and knowledge gaps, to improve the effectiveness and efficiency of impact assessment and environmental effect determination processes in the assessment area.

**e) Identify and recommend mitigation measures, follow up measures and other approaches including priority interventions and enhancement and precautionary measures that would benefit assessment priorities<sup>34</sup>.**

- Provide an overview of the different successes and lessons learned from other jurisdictions in the implementation of mitigation and/or enhancement measures aimed at preventing or reducing the negative effects or enhancing the positive effects of similar physical activities;
- Recommend mitigation measures or approaches that are technically and economically feasible which would address potential adverse effects of future targeted physical activities in the assessment area;
- Recommend other approaches such as:
  - priority interventions that could have a strong, positive impact towards achieving targeted conditions;
  - enhancement measures to create and maximize potential positive effects of targeted physical activities in the assessment area; and
  - precautionary measures that can be applied to address concerns associated with gaps in information, data or knowledge (e.g. additional studies recommended).

**f) Describe how the findings and recommendations of the Regional Assessment could inform future project impact assessments, permitting and other decision-making processes for targeted physical activities in a manner that fosters sustainability and restoration and enhances effectiveness and efficiency.**

- Describe how to consider, implement or otherwise address the Regional Assessment findings and recommendations to enhance the effectiveness and efficiency of future project-based impact assessments in the assessment area as well as other decision-making processes;
- Share knowledge and data gathered as well as findings of the regional assessment to support the collection of information for project-level assessments and inform scoping;
- Establish approaches for proponents to contribute towards achieving targeted conditions, with special consideration for the priority interventions and enhancement measures identified through the Regional Assessment;
- If a follow-up program is recommended by the Regional Assessment Working Group, that program should at a minimum, consider and incorporate any new or updated information that becomes available after submission of the report, so that the Regional Assessment remains current;

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<sup>3</sup> The recommendations made may be applicable outside the assessment area.

<sup>4</sup> The Regional Assessment may highlight how complementary activities contribute to cumulative effects in the assessment area, and how they may hinder the achievement of targeted conditions, however IAAC will not make recommendations regarding provincial complementary activities. First Nations will however be able to use the results of the final Regional Assessment report, associated datasets, mapping, and other outputs to inform any future projects or activities in which they will be involved.

#### g) **Gender-based Analysis Plus (GBA Plus)**<sup>5</sup>

- Evaluate how changes caused to the environment or to health, cultural, social or economic conditions, both positive and adverse, potentially affect various population groups using an intersectional approach;
- Formulate recommendations, based on the conclusions of the GBA Plus analysis, on how future impact assessment should take these considerations into account and address them.

## 4.0 Scope of the Regional Assessment

### 4.1 Assessment priorities<sup>6</sup>

Regional assessments, through an information-gathering and evaluation process, assess changes to the environment or to health, cultural, social or economic conditions, and the positive and negative consequences of these changes. They take into account a wide range of environmental, health, and socioeconomic effects to better consider the effects falling within the federal jurisdiction and are therefore not limited to adverse effects within federal jurisdiction that may be caused by physical activities. The Regional Assessment Working Group will consider the following assessment priorities that may be affected by targeted physical activities and complementary activities in the assessment area, including changes to:

#### a) **The environment:**

- Water quality and quantity;
- Air quality and Greenhouse gas emissions;
- Soil and sediment quality;
- Wetlands;
- Wildlife and wildlife habitat, including species at risk, migratory birds, and fish and fish habitat;
- Flora, including species at risk;
- Shoreline integrity
- Sensitive, conservation and protected areas (existing and proposed)

#### b) **Health, cultural, social and economic conditions:**

- Population well-being: health, security, psycho-social conditions, attachment to the territory, cultural and spiritual aspects, and visual landscape;
- River and shoreline uses and activities (occupation, accessibility, commercial and recreational fishing, hunting, gathering and other recreation and tourism, transportation).

#### c) **In addition to the elements listed above, changes specific to Indigenous Peoples:**

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<sup>5</sup> GBA Plus is an analytical process that evaluates how various population groups experience the impacts of major projects and can help determine ways to mitigate these impacts. The analysis must include an intersectional perspective, meaning it should consider multiple intersecting factors, rather than focusing solely on individual identity (such as age, gender, Indigenous identity) or social factors (such as income, social status, education). Using its conclusions promotes transparent, informed, and inclusive decision-making.

<sup>6</sup> The list of assessment priorities may be modified, if necessary, by the Regional Assessment Working Group, following engagement with Indigenous Peoples and organizations, the public, and governmental and non-governmental organizations.

- The rights and interests of Indigenous Peoples, including the usage of lands for the exercise of rights and traditional activities, within the assessment area and study zone(s);
- Important components that support the exercise of rights and traditional activities including stewardship rights and responsibilities, such as:
  - Access and connection to lands and resources;
  - Experience of the territory;
  - Resource quantity, quality, sufficiency and food sovereignty;
  - Elements and sites of archaeological, cultural or ceremonial significance;
  - Intergenerational transmission, including knowledge, language and culture.

## 4.2 Targeted Physical Activities and Complementary Activities<sup>7</sup>

The Regional Assessment Working Group will focus on targeted physical activities and complementary activities within the assessment area and their potential effects. The cumulative effects analysis will consider the relationship of, and potential interactions between, the effects of past, existing and future targeted physical activities and those of past, existing or foreseeable complementary activities across all jurisdictions.

*Non exhaustive list of targeted physical activities* (past, existing, or future physical activities and their related activities within the assessment area that are likely to be subject to federal impact assessments or environmental effect determinations as per s. 82 of the *Impact Assessment Act*):

- Port facilities
- Navigational aid structures
- Bridges
- Construction and real estate development
- Dams and reservoirs
- Dredging and sediment management
- Backfilling
- Erosion control infrastructures (e.g. riprap, low walls)
- Shoreline hardening
- Wildlife management (compensation projects)

*Non exhaustive list of complementary activities* (past, existing or foreseeable activities, under all jurisdictions, and related stressors which are not subject to the *Impact Assessment Act* but that may provide additional regional context for the regional assessment's cumulative effects analysis):

- Agricultural runoff
- Dams and reservoirs
- Dredging and sediment management
- Backfilling
- Other port facilities

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<sup>7</sup> The lists of activities may be modified, if necessary, by the Regional Assessment Working Group, following engagement with Indigenous Peoples and organizations, the public, and governmental and non-governmental organizations.

- Navigation activities<sup>8</sup>
- Recreational activities
- Water intakes and municipal and industrial discharges, including sewage overflows and treatment plant effluents
- Power generation
- Urban runoff (e.g. road salts)
- Resource harvesting (commercial and recreational fishing, hunting, seaweed harvesting, aquaculture, hatcheries...)
- Erosion control infrastructures (e.g. riprap, low walls)
- Shoreline hardening
- Land/riverbank development and privatization

### 4.3 Assessment area

The assessment area covers the fluvial portion of the St. Lawrence River and the St. Lawrence Estuary between the Ontario-Québec border and Pointe-des-Monts on the north shore and Cap-Chat on the south shore, as well as the Saguenay River

Study zones may extend beyond the boundaries of the assessment area displayed below, as they will be explicitly tied to each assessment priority being studied.

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<sup>8</sup> Navigation activities include commercial vessels, cruise ships, ferries, fishing boats, and pleasure craft; the location, intensity, noise and/or movement of these various activities can be distinct sources of environmental stress. Each of these will be treated separately during the analysis.

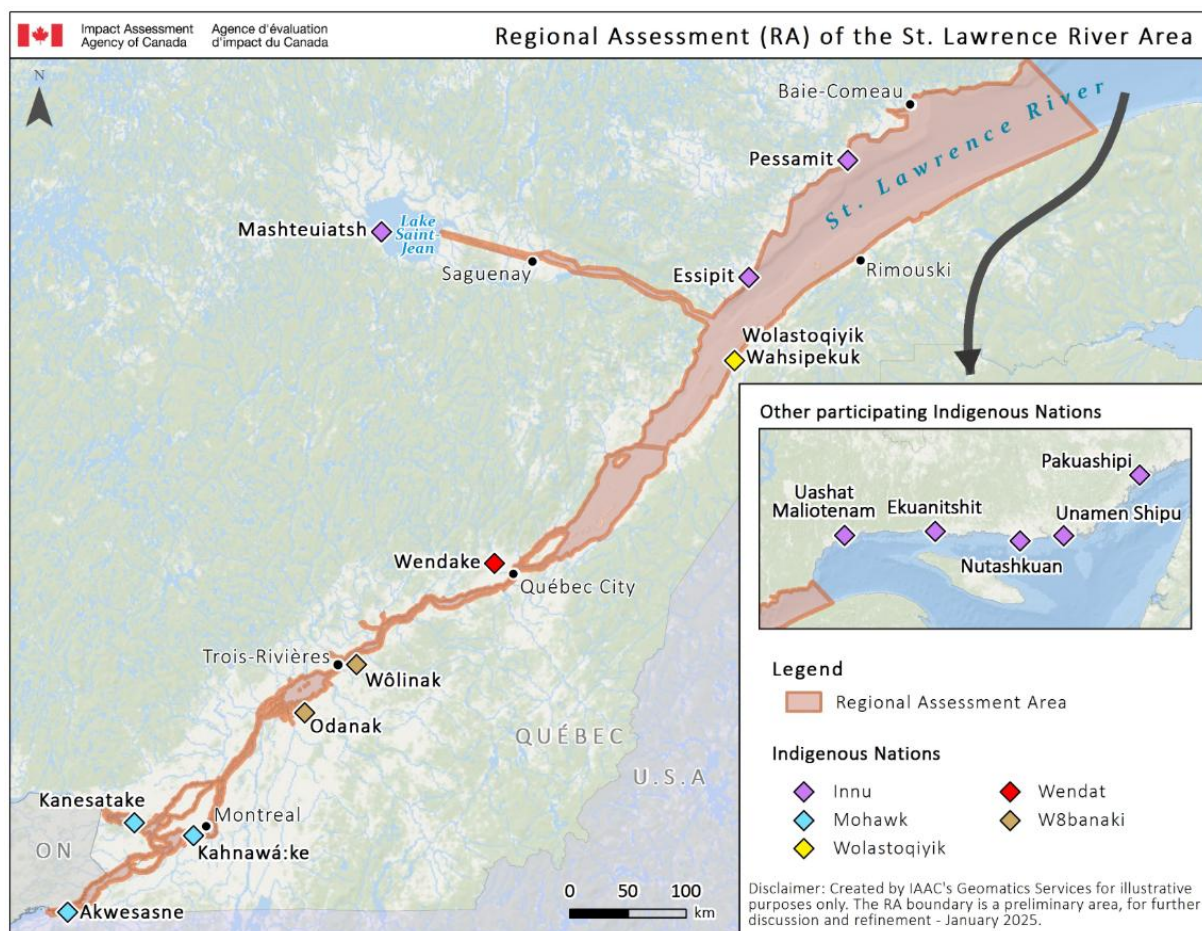


Figure 1. Assessment Area

## 5.0 Structure of the Regional Assessment

### Regional Assessment Working Group

5.1 A working group will be established to conduct the Regional Assessment in accordance with the IAA and these terms of reference and will be supported by various groups, organizations and experts. See visual representation of the structure in Appendix 1.5.2 The Regional Assessment Working Group (co-led by IAAC and MCK) will consist of members, delegated by each First Nation Partner and officials from IAAC, who have diverse expertise or experience which may be relevant to conducting regional assessments or knowledge of First Nations context. The First Nation Partners are:

- Mohawk Council of Akwesasne (MCA)
- Mohawk Council of Kahnawà:ke (MCK)
- Mohawk Council of Kanesatake
- Conseil tribal W8banaki (represents Odanak and Wôlinak)
- Conseil de la Nation Wendat
- Première Nation des Pekuakamiulnuatsh
- Première Nation des Innus Essipit
- Première Nation des Innus de Pessamit

- Première Nation Wolastoqiyik Wampanoag

5.3 To streamline the work of the Regional Assessment Working Group, sub-working groups may be identified.

5.4 The Regional Assessment Working Group may conduct additional studies if they deem necessary, considering suggestions received, applicable timelines, and available resources for the Regional Assessment.

5.5 IAAC will be responsible for providing the administrative and logistical support required for work carried out by the Regional Assessment Working Group for the conduct of the Regional Assessment.

#### **Advisory groups and subject-matter experts**

5.6 The Regional Assessment Working Group will seek information and advice from federal authorities, industry, non-governmental organizations, academics, and individuals (both Indigenous and non-Indigenous) on matters relevant to the conduct of the Regional Assessment.

5.7 To achieve its purpose and objectives, the Regional Assessment Working Group can establish advisory groups, from which it will seek information and advice.

5.8 The Regional Assessment Working Group will request experts and knowledge holders, as appropriate, to collaborate and share relevant data, information, knowledge, experience and make recommendations to the Regional Assessment Working Group. The composition and role of these advisory groups and subject-matter experts may vary depending on the specific needs, work or expertise required and requested by the Regional Assessment Working Group. This may include:

- Assisting the Regional Assessment Working Group in identifying, accessing, and analyzing information and knowledge that is relevant to the Regional Assessment;
- Identifying and evaluating information and knowledge gaps, and recommending approaches to address them;
- Providing and supporting the consideration of Indigenous and Western scientific knowledges;
- Identifying and analyzing scientific, technical, cultural, social and economic information as part of the conduct of the Regional Assessment; and
- Supporting the Regional Assessment Working Group in developing its findings and recommendations.

5.9 An individual or organization may participate in one or more advisory group. Subject-matter experts will be identified by the Regional Assessment Working Group. This may be by way of a public call for interest through which interested individuals or organizations will provide information on their relevant expertise, qualifications and affiliations.

5.10 Involvement in advisory groups will not restrict any individual's or organization's participation in engagement activities as part of the Regional Assessment.

## 6.0 Indigenous and Public Participation

6.1 The Regional Assessment Working Group will ensure opportunities are provided to Indigenous Peoples and the public to participate meaningfully in the Regional Assessment by sharing information, Indigenous and local knowledge and perspectives which may be relevant to the Regional Assessment.

6.2 Funding will be made available by IAAC to facilitate the involvement of Indigenous communities and organizations, non-government organizations and individuals in the Regional Assessment through IAAC's Participant Funding Program.

6.3 The Regional Assessment Working Group will engage those who may have information, knowledge or interests relevant to the Regional Assessment including Indigenous Peoples, the public, industry associations and businesses, environmental and community organizations, research and academic institutions, and individuals or groups with information and interests relevant to the Regional Assessment who wish to participate.

6.4 The Regional Assessment Working Group will develop and implement engagement plans, by considering feedback received from Indigenous Peoples and the public. To include a GBA Plus approach, the engagement plan will ensure broad participation. By reviewing participant representation, existing power inequalities which can limit the meaningful participation of certain individuals or groups will be highlighted (ensuring an accurate assessment of important community-specific issues). Once completed, these engagement plans will be posted on the Registry and updated as needed by the Regional Assessment Working Group to ensure that participants are aware of planned and upcoming engagement activities.

6.5 The Regional Assessment Working Group will take into account Indigenous peoples' preferences to facilitate the inclusion of Indigenous Knowledge, such as meetings, community visits and sharing circles. Any Indigenous Knowledge that is shared in confidence will not knowingly be, or be permitted to be, disclosed without written consent in accordance with section 119 of the IAA.

6.6 The Regional Assessment Working Group will respect the Indigenous Knowledge's original formats and sharing processes, such as songs, stories, and ceremonies, and plan to incorporate Indigenous symbols and toponymy relevant to the assessment area and study zones.

6.7 Communication materials posted to the Registry will be provided in both French and English. If needed, all other communication and outreach materials, as well as plain-language and simultaneous translation services, will be provided in Indigenous languages upon request.

## 7.0 Process and Report

7.1 The Regional Assessment Working Group will communicate and provide the link to the draft and final versions of its report in French and in English. Hard copies will be provided upon request.

7.2 The Regional Assessment Working Group will provide summaries of its report in Indigenous languages upon request.

7.3 The Regional Assessment Working Group will hold a public comment period on the draft Regional Assessment report prior to finalization.

7.4 The Regional Assessment Working Group will complete the Regional Assessment, including the submission of its final report concurrently to Chief(s) and the Minister of the Environment, within 30 months of the establishment of these Terms of Reference.

7.5 IAAC will post a copy of the final report on the Registry and notify Indigenous Peoples and the public when it is made available.

7.6 The Regional Assessment Working Group may include a digital component as part of its report, such as a Geographic Information System application, to present the information in a way that is best accessible to the public. The Regional Assessment Working Group will clearly identify this information in the report, list its sources, and indicate how they may be obtained.

7.7 Subject to provisions of section 7.10, the Regional Assessment Working Group will ensure that the information used to conduct the Regional Assessment is made available to the public.

7.8 The Regional Assessment Working Group will take into account and include scientific information, Indigenous Knowledge and local knowledge.

7.9 Existing information and knowledge include, but is not limited to, those contained in any past or ongoing impact assessments, as well as any information or knowledge provided by government, Indigenous Peoples and organizations, non-government organizations, industry, academia and research entities, or the public.

7.10 Any Indigenous Knowledge that is shared in confidence is considered confidential and will not knowingly be, or be permitted to be, disclosed without written consent in accordance with section 119 of the IAA. Analyses, recommendations and findings based on confidential Indigenous Knowledge should be justified and explained in general terms in the final report, so that the public should be able to understand the Regional Assessment Working Group's reasoning.

7.11 All Indigenous Knowledge materials, and any related documentation utilized in determining outcomes of this assessment, are and shall remain the property of the knowledge holder.

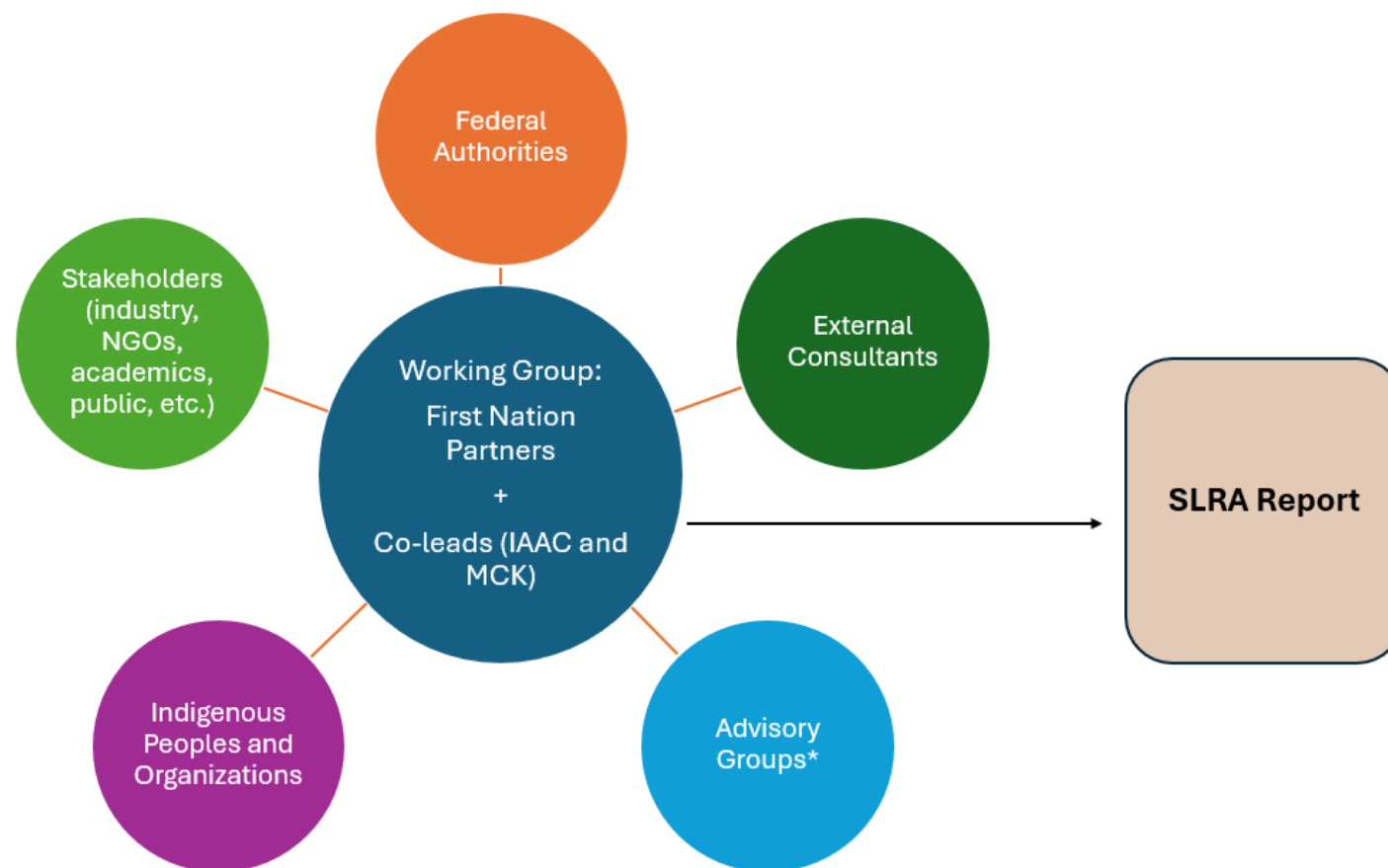
7.12 In its final report, the Regional Assessment Working Group will:

- describe the process by which the goals and objectives of the Regional Assessment were achieved and identify any outstanding items or shortcomings and recommended follow-up actions;
- set out how shared Indigenous Knowledge was taken into account with respect to the Regional Assessment;
- include a summary of engagement activities, their outcomes, and how feedback was integrated in the report; and
- present recommendations, results and findings as required to meet the goal and objectives of the Regional Assessment.

## 8.0 Amendments

8.1 Other than the changes to the list of assessment priorities and activities provided for at sections 4.1 and 4.2, these terms of reference may be amended by way of agreement between the Minister of the Environment and the Chief(s), set out in a signed written memorandum.

## Appendix 1



*\* Advisory Groups are composed of representatives from multiples backgrounds. The specific number of Advisory Groups to be determined.*

The image shows the various actors who might be involved in conducting the regional assessment.