



Impact Assessment
Agency of Canada

Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

Région de l'Ontario
600-55 rue York
Toronto ON M5J 1R7

May 19, 2023

Sent by email

Chief R. Donald Maracle
Mohawks of the Bay of Quinte First Nation
24 Meadow Drive
Tyendinaga Mohawk Territory, ON K0K 1X0
rdonm@mbq-tmt.org

Dear Chief R. Donald Maracle,

Subject: Marmora Clean Energy Hub Project - Invitation to Participate in the Review of the Initial Project Description - Request for Comments due June 19, 2023

I am writing to notify Mohawks of the Bay of Quinte First Nation that on May 12, 2023, the Impact Assessment Agency of Canada (the Agency) accepted an Initial Project Description for the proposed Marmora Clean Energy Hub Project (the Project), as proposed by Northland Power Inc. and Ontario Power Generation (together, the Proponent).

The Agency has determined that the Initial Project Description for the Project meets the requirements of the *Information and Management of Time Limits Regulations* under the *Impact Assessment Act* (IAA). The Agency has posted a Summary of the Initial Project Description to the Canadian Impact Assessment Registry internet site¹, starting the 180-day planning phase of the impact assessment.

The Proposed Project

Northland Power Inc., in partnership with Ontario Power Generation, is proposing the construction and operation of a new pumped storage and hydroelectric generating facility located in the municipality of Marmora and Lake, Ontario. As proposed, the Marmora Clean Energy Hub Project would produce up to 500 megawatts, and would operate for 100 years. The open pit lake from the abandoned Marmoraton iron ore mine would be transformed into the lower reservoir of the facility. The project would include an upper reservoir, tunnels and a powerhouse, a water delivery system, and an underground transmission line. The project would also include a 30-megawatt ground-mount solar facility, which would operate for at least 25 years.

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¹ Reference #84597 at <https://iaac-aeic.gc.ca/050/evaluations/proj/84597>



As part of the planning phase for the Project, the Agency is initiating consultation activities with Indigenous communities and engaging the public and other participants. A comment period on the Initial Project Description is taking place from **May 19, 2023 to June 19, 2023**.

The purpose of this letter is to:

- (1) invite your community to provide comments by June 19, 2023 on the potential effects of the Project;
- (2) offer an initial grant of \$5,000 to support your community's review of the Proponent's Summary of the Initial Project Description; and
- (3) provide information on the next steps of the impact assessment process and future grant funding opportunities.

Request for Comments by June 19, 2023

The Agency is seeking your views on the following matters:

- Any environmental effects and impacts of the Project that are of concern to your community, including any anticipated effects and impacts that are not listed in the Summary of the Initial Project Description.
- How the Project and associated effects could result in positive or negative changes to your community:
 - health conditions (e.g. country foods, drinking water, air quality);
 - social and economic conditions (e.g. economic development, access to jobs, access to resources);
 - physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes);
 - current use of lands and resources for traditional purposes (e.g. harvesting, hunting, fishing, and trapping); and
 - structures, sites, or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historical buildings or symbols).
- Any potential impacts on your community's exercise of Aboriginal and/or treaty rights as protected under section 35 of the *Constitution Act, 1982*
- Preferences and expectations of both Agency consultation activities and Proponent engagement activities in relation to the Project.

A map of the Project from the Initial Project Description (Enclosure 1) is attached to this letter to help you identify any potential impacts that are relative to the location of the Project.

We respectfully request this information be provided by June 19, 2023.

If we do not hear from Mohawks of the Bay of Quinte First Nation by this time, then the Agency will assume you are not interested in participating in the process. The Agency may not include your community for future steps should the Agency determine that an impact assessment is required for this Project. More information on the impact assessment process timelines and outputs can be found in Enclosure 3.

How to submit your comments

Comments, including letters and forms, on the Project can be provided to the Agency via the *Submit a Comment* feature available on the Project's Registry page². If you have any questions or difficulties, please notify the Agency contact for assistance.

Confidentiality

Information submitted to the Agency to inform this project assessment process may be posted online to the Canadian Impact Assessment Registry (Reference #84597), subject to certain exceptions related to privacy, security or confidentiality. The Agency's Submission Policy³ describes what submitted information can be shared publicly, and what should remain private. For more information on how we protect your privacy, please refer to the Privacy Notice.⁴

Indigenous knowledge shared in confidence is protected from disclosure under section 119 of the IAA, except if written consent is provided, or if the information is publicly available. In addition, Indigenous Knowledge shared in confidence could be shared with certain parties if disclosure is necessary for procedural fairness and natural justice or for use in legal proceedings. This ensures that interested persons have a fair opportunity to participate in processes that would likely affect their interests, and that they have access to all necessary information and evidence relied on by the decision-maker.

Should you wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, please contact Brooke Ellison-Wareing by telephone at 416-528-2458 or email at Marmora@iaac-aeic.gc.ca before submitting the information. This will ensure that your submission is handled appropriately. Regarding the exceptions above, the Agency will consult with you prior to disclosing Indigenous knowledge shared in confidence.

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² Reference #84597 at <https://iaac-aeic.gc.ca/050/evaluations/proj/84597>

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

⁴ <https://iaac-aeic.gc.ca/050/evaluations/protection>

Participant Funding Grants

To support your community's participation in the planning phase, the Agency is able to offer limited grant funding.

An overview of eligible activities and expenses is enclosed (Enclosure 2). Upon confirmation of your community's interest, funding will be distributed at two points during the planning phase of the impact assessment process:

- An initial grant of **\$5,000.00** would be offered when the Agency has accepted an Initial Project Description from the proponent, upon which your community will be invited to provide comment.
- A second grant of **\$5,000.00** would be offered to support your community's involvement in the development of the Tailored Impact Statement Guidelines and the detailed planning documents, if the Agency determines that a federal impact assessment is required for the Project.

If a federal impact assessment is required, the Agency will offer additional funding to support the continued participation of Mohawks of the Bay of Quinte First Nation throughout subsequent phases of the process. More information on the impact assessment process timelines and outputs can be found in Enclosure 3, and more information on the Agency's funding programs and the federal impact assessment process can be accessed on the Agency's website⁵.

If you have any questions about this funding, please contact Victor Fossoh, Senior Funding Officer at *Victor.Fossoh@iaac-aeic.gc.ca*.

Next Steps

Comments received by **June 19, 2023**, will inform the development of a Summary of Issues prepared by the Agency, which will include the issues raised by Indigenous communities and other participants. The Agency will provide the Summary of Issues to the Proponent and post a copy to the Registry.

The Proponent will be required to submit a Detailed Project Description and Response to the Summary of Issues, to the Agency. The Proponent's documents and input from Indigenous communities and other participants during the comment period will be considered by the Agency in its decision on whether to require a federal impact assessment for the Project.

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⁵ <https://www.canada.ca/en/impact-assessment-agency/services/public-participation/funding-programs/participant-funding-program.html>

If a federal impact assessment is required, the Agency will lead consultation efforts on behalf of the Government of Canada, to foster a meaningful and responsive two-way dialogue with Mohawks of the Bay of Quinte First Nation in respect of the Project and any potential impacts it may have on the exercise of Aboriginal and/or treaty rights.

Contacting the Proponent

Proponents of designated projects are strongly encouraged to engage with Indigenous communities early in the design of a proposed project to benefit all concerned. By learning about the interests and concerns of potentially affected Indigenous communities, and identifying ways to avoid or mitigate potential impacts, proponents can build these considerations into their project design.

The Agency understands that the Proponent has reached out to your community. The Proponent is expected to include in its Initial Project Description a preliminary description of the potential adverse effects of the Project on Indigenous peoples. If your community would like to contact the Proponent directly, the principal contact persons for the purpose of developing the Initial Project Description are Patrick Godfrey, Project Development Manager at Northland Power Inc., and Andrea Brown, Director of Business Development & Strategic Initiatives at Ontario Power Generation. Patrick and Andrea can be contacted at *Patrick.Godfrey@northlandpower.com* and *Andrea.Brown@opg.com*, respectively.

Contacting the Agency

Brooke Ellison-Wareing will be the Crown Consultation Coordinator for the Project on behalf of the Agency. Brooke will be following up with you within the next two weeks to confirm your receipt of this letter, and to discuss your interest in a meeting on the Project during the ongoing comment period. In the meantime, if you have any questions you may contact Brooke by telephone at 416-528-2458 or email at *Marmora@jaac-aeic.gc.ca*.

The Agency requests your comments on the Initial Project Description by **June 19, 2023**.

Sincerely,

<original signed by>

Anjala Puvananathan
Director, Ontario Region

Enclosures:

- #1 – Project Location Map
- #2 – Overview of Eligible Expenses and Activities
- #3 – Impact Assessment Process Timelines and Outputs

c.c.: Victor Fossoh, Impact Assessment Agency of Canada
Patrick Godfrey, Northland Power Inc.
Andrea Brown, Ontario Power Generation
Cassie Thompson, Mohawks of the Bay of Quinte First Nation