

TABLE 4
RESPONSE TO FIRST NATIONS COMMENTS
ON DRAFT ENVIRONMENTAL ASSESSMENT (EA) TERMS OF REFERENCE

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Richard Saunders, Director, Corporate and Aboriginal Policy and Management Branch</p> <p><i>Ontario Secretariat for Aboriginal Affairs (OSAA)</i></p>	<ul style="list-style-type: none"> OSAA recommends that the following be contacted in addition to those already on the Draft EA Terms of Reference Contact List: <p><u>Mississauga of the New Credit First Nation</u> <u>2789 Mississauga Road, RR #6</u> <u>Hagersville, ON N0A 1H0</u> <u>Tel: (905) 768-1133</u> <u>Fax: (905) 768-1225</u></p>	<ul style="list-style-type: none"> The Mississauga of the New Credit First Nation will be added to the Study Contact List and will be included in all future First Nations consultation. Upon receipt of OSAA's recommendation, the Mississauga of the New Credit First Nation were distributed a copy of the Draft EA Terms of Reference for review and comment. Comments provided by the Mississauga of the New Credit can be found below. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required. <i>The Mississauga of the New Credit First Nation have been added to the Study Contact List and will be included in all future First Nations consultation.</i>

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Ontario Secretariat for Aboriginal Affairs (OSAA) (Cont'd)</p>	<ul style="list-style-type: none"> OSAA recommends to contact the following organizations to determine whether or not there are other First Nations who may be interested in the project: <p><u>Anishinabek Nation / Union of Ontario Indians</u> <u>Nipissing First Nation</u> <u>PO Box 711</u> <u>North Bay, ON P1B 8J8</u> <u>Tel: (705) 497-7127</u> <u>Fax: (705) 497-9135</u> <u>ATTN: Williams Treaty First Nations</u></p> <p><u>Association of Iroquois and Allied Indians</u> <u>387 Princess Ave</u> <u>London, ON N6B 2A7</u> <u>Tel: (519) 434-2761</u> <u>Fax: (519) 679-1653</u></p>	<ul style="list-style-type: none"> The Anishinabek Nation / Union of Ontario Indians and the Association of Iroquois and Allied Indians will be added to the Study Contact List and will be included in all future First Nations consultation. Upon receipt of OSAA's recommendation, the Anishinabek Nation / Union of Ontario Indians and the Association of Iroquois and Allied Indians were distributed a copy of the Draft EA Terms of Reference for review and comment. Comments provided by the Anishinabek Nation / Union of Ontario Indians and the Association of Iroquois and Allied Indians can be found below. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required. <i>The Anishinabek Nation / Union of Ontario Indians and the Association of Iroquois and Allied Indians have been added to the Study Contact List and will be included in all future First Nations consultation.</i>
<p>Ontario Secretariat for Aboriginal Affairs (OSAA) (Cont'd)</p>	<ul style="list-style-type: none"> OSAA recommends to call or write the following federal contacts: <p><u>Research Manager (A)</u></p>	<ul style="list-style-type: none"> <u>The Research Manager (A) Specific Claims Branch Indian and Northern Affairs Canada and the Director Claims East of Manitoba Comprehensive Claims Branch</u> will be added 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required. <i>The Research Manager (A) Specific Claims Branch,</i>



TABLE 4 (cont'd)
 Consultation on the Draft Environmental Assessment (EA) Terms of Reference
 Response to First Nations Comments

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	<p><u>Specific Claims Branch</u> <u>Indian and Northern Affairs</u> <u>Canada</u> <u>10 Wellington St. Room 1610</u> <u>Gatineau, QC K1A 0H4</u> <u>Tel: (819) 953-2228</u> <u>Fax: (819) 953-4224</u></p> <p><u>Director</u> <u>Claims East of Manitoba</u> <u>Comprehensive Claims Branch</u> <u>Indian and Northern Affairs</u> <u>Canada</u> <u>10 Wellington St., 8th Floor</u> <u>Gatineau, QC K1A 0H4</u> <u>Tel: (819) 994-1121</u> <u>Fax: (819) 953-3109</u></p>	<p>to the Study Contact List as representatives of Indian and Northern Affairs Canada (INAC) (in addition to INAC representatives already on distribution list) and will be included in all future First Nations consultation.</p> <ul style="list-style-type: none"> • Upon receipt of OSAA's recommendation, <u>The Research Manager (A) Specific Claims Branch Indian and Northern Affairs Canada and the Director Claims East of Manitoba Comprehensive Claims Branch</u> were distributed a copy of the Draft EA Terms of Reference for review and comment. • Comments provided by <u>The Research Manager (A) Specific Claims Branch Indian and Northern Affairs Canada and the Director Claims East of Manitoba Comprehensive Claims Branch</u> can be found below. • OSAA will remain on the study contact list and will 	<p><i>Indian and Northern Affairs Canada and the Director Claims East of Manitoba Comprehensive Claims Branch have been added to the Study Contact List and will be included in all future First Nations consultation.</i></p>

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Urmas Madisso, Environment Officer , replying on behalf of John Higham Environment Officer Acting Manager</p> <p><i>Indian and Northern Affairs Canada (INAC)</i></p>	<ul style="list-style-type: none"> • No specific comments on the Draft EA Terms of Reference. • Recommended that consultation be maintained with the Chief and Council of the First Nations mentioned in Section 5.3, page 15 of the Draft EA Terms of Reference, namely the Mississaugas of Scugog Island, Chippewas of Georgina Island, and Chippewas of Mnjikaning • Addresses for these First Nations groups were provided. 	<p>receive a copy of the Proposed EA Terms of Reference for review and comment.</p> <ul style="list-style-type: none"> • The Mississaugas of Scugog Island, Chippewas of Georgina Island, and Chippewas of Mnjikaning have been identified as parties to consult in the development of the EA Terms of Reference and will remain important stakeholders throughout the EA study. • The Mississaugas of Scugog Island, Chippewas of Georgina Island, and Chippewas of Mnjikaning will remain on the study contact list and will receive a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required. • <i>Identified parties already included in Study Contact List.</i>



TABLE 4 (cont'd)
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Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Indian and Northern Affairs Canada (INAC) Specific Claims Branch</p> <p>(Via Telephone, October 27, 2005)</p>	<ul style="list-style-type: none"> No specific comments provided. Notice of Project Commencement was redirected to the Indian and Northern Affairs Canada Regional office in Toronto. Expressed no further interest in keeping their office informed of the project's progress. 	<ul style="list-style-type: none"> INAC Specific Claims Branch will be provided a copy of the "Proposed" EA Terms of Reference and comments, including being withdrawn from further consideration in the study, will be dealt with in writing at that time. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p>Indian and Northern Affairs Canada (INAC) Litigation Management and Resolution Branch</p> <p>(Via Telephone, November 10, 2005)</p>	<ul style="list-style-type: none"> No specific comments provided. Advised that there are no comprehensive land claims in the study area as identified in the Draft EA Terms of Reference document, and that this office has no further comments. Expressed no further interest in keeping their office informed of the project's progress. 	<ul style="list-style-type: none"> INAC Litigation Management and Resolution Branch will be provided a copy of the "Proposed" EA Terms of Reference and comments, including being withdrawn from further consideration in the study, will be dealt with in writing at that time. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p><i>Association of Iroquois and Allied Indians (AIAI)</i></p> <p>Batchewana, Caldwell, Delaware, Hiawatha, New Credit, Oneida, Tyendinaga, Wahta.</p> <p>(Via Telephone, November 3, 2005)</p>	<ul style="list-style-type: none"> • No specific comments provided. • Recommended to consult with the following First Nation communities: Batchewana, Caldwell, Delaware, Hiawatha, New Credit, Oneida, Tyendinaga, Wahta. 	<ul style="list-style-type: none"> • Batchewana, Caldwell, Delaware, Hiawatha, New Credit, Oneida, Tyendinaga, Wahta First Nations will be added to the Study Contact List and will be contacted to confirm interest in participating in the study. • Upon receipt of OSAA's recommendation, Batchewana, Caldwell, Delaware, Hiawatha, New Credit, Oneida, Tyendinaga, Wahta First Nations were contacted to solicit interest in participating in the study. Comments can be found below where provided. • AIAI will remain on the study contact list and will receive a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required. • <i>Batchewana, Caldwell, Delaware, Hiawatha, New Credit, Oneida, Tyendinaga, Wahta First Nations have been added to the Study Contact List and were contacted to confirm interest in participating in the study.</i>

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p><i>Union of Ontario Indians (UOI)</i> <i>Nipissing First Nation</i></p> <p>(Via Telephone November 3, 2005)</p>	<ul style="list-style-type: none"> • No specific comments provided. • Advised that based on the discussions with the Director of External and Intergovernmental Affairs, the UOI does not respond on behalf of First Nation communities in the study area. • Advised any identified First Nation communities in the Study area must be contacted directly by the proponent. • Expressed no further interest in keeping their office informed of the project's progress. 	<ul style="list-style-type: none"> • All First Nations groups within the Study Area have already been contacted and distributed a copy of the Draft EA Terms of Reference for review. • UOI will be provided a copy of the “Proposed” EA Terms of Reference and comments, including being withdrawn from further consideration in the study, will be dealt with in writing at that time. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Mississaugas of Scugog First Nation (Durham Region)</p>	<ul style="list-style-type: none"> • (October 27 & 29, 2005) – contacted the chief. (November 8, 2005) - The Chief advised the Draft EA Terms of Reference document might have been misplaced. The Draft EA Terms of Reference document was re-issued via e-mail the Chief's attention, as discussed on November 8th, 2005. Mississaugas of Scugog will review and advise if comments are to be provided. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Mississaugas of Scugog will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p>Chippewas of Georgina First Nation (York Region) (Via Telephone November 8, 2005)</p>	<ul style="list-style-type: none"> • Advised that the Chippewas of Georgina First Nation has no comments on the Draft EA Terms of Reference for the Durham/ York Residual Waste Study. 	<ul style="list-style-type: none"> • The Chippewas of Georgina First Nation will remain on the study contact list and will receive a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
Batchewana First Nation	<ul style="list-style-type: none"> • (October 27th, November 3rd, 2005) contacted the Council Secretary. (November 8, 2005) - Contacted Council Secretary will have an appropriate contact return call. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Batchewana First Nation will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
Beausoleil First Nation	<ul style="list-style-type: none"> • (October, 27, 2005) - The Chief advised that the Draft EA Terms of Reference document was received and is currently under review. Will call back. (November 8, 2005) - left a second voicemail for the Chief. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Beausoleil First Nation will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
Caldwell First Nation (Via Telephone November 8, 2005)	<ul style="list-style-type: none"> • Advised that Caldwell First Nation have no comments on the Draft EA Terms of Reference for the Durham/ York Residual Waste Study. 	<ul style="list-style-type: none"> • Caldwell First Nation will remain on the study contact list and will receive a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p><i>Chippewas of Mnjikaning First Nation</i></p>	<ul style="list-style-type: none"> • (October, 27, 2005) – Contacted Director of Facilities. (October 31, 2005) – Contacted the appropriate party. Received the Draft EA Terms of reference document. Will review and call back. (November 8,2005) - Advised she will provide comments by November 11, 2005. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Chippewas of Mnjikaning will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p><i>Curve Lake First Nation</i></p>	<ul style="list-style-type: none"> • (October, 27, 2005) – Contacted the Chief. (November 8,2005) - Contacted Chief. The Chief advised the Draft EA Terms of Reference document was forwarded to the portfolio Councillor for review and comment. The Portfolio councillor is on a deer hunt and will not return until the week of November 14th, 2005. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Curve Lake First Nation will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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<p>Delaware First Nation <i>(Moravian of the Thames)</i></p>	<ul style="list-style-type: none"> • (November 2, 2005) Contacted the secretary. The Draft EA Terms of Reference document was received on October 11th, 2005- . The Chief will be away till Monday, Nov 7th.(November 8,2005) Left another voice mail for the Chief. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Delaware First Nation will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p>Mississaugas of Ardelville First Nation <i>(Via Telephone November 8, 2005)</i></p>	<ul style="list-style-type: none"> • (October 29, November 8, 2005) Contacted the Chief. (November 8, 2005) The Chief advised that the Draft EA Terms of Reference document was forwarded to a Portfolio Councillor and that the Mississaugas of Ardelville First Nation have no comments on the Draft EA Terms of Reference for the Durham/ York Residual Waste Study. 	<ul style="list-style-type: none"> • The Mississaugas of Ardelville First Nation will remain on the study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p><i>Mississaugas of the New Credit First Nation</i></p>	<ul style="list-style-type: none"> • (October 27,2005) Contacted the Lands Membership Department. (November 8,2005) - Contacted the Lands Membership Department - will review and provide comments at earliest convenience. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Mississaugas of the New Credit will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p><i>Mohawks of the Bay of Quinte</i></p> <p>(Via Telephone November 2, 2005)</p>	<ul style="list-style-type: none"> • (October 27, 2005) – contacted the Chief. (November 12, 2005) Advised that the Mohawks of the Bay of Quinte have no comments on the Draft EA Terms of Reference for the Durham/ York Residual Waste Study. 	<ul style="list-style-type: none"> • The Mohawks of the Bay of Quinte will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p><i>Ojibways of Hiawatha First Nation</i></p> <p>(Via Telephone October 27, 2005)</p>	<ul style="list-style-type: none"> • Chief advised that comments will be provided only if there are concerns on behalf of the Ojibways of Hiawatha First Nation. 	<ul style="list-style-type: none"> • The Ojibways of Hiawatha First Nation will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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<p><i>Oneida Nation of the Thames</i></p>	<ul style="list-style-type: none"> • (October 28, 2005) - The appropriate contact advised that the Draft EA Terms of Reference document was received and is currently under review. • (November 9, 2005) Secretary, advised that the appropriate contact is away on personal leave, should return on Monday, November 14th, 2005. • As of November 15, 2005, no comments had been received. 	<ul style="list-style-type: none"> • The Oneida Nation of the Thames will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p><i>Six Nations of the Grand River</i></p>	<ul style="list-style-type: none"> • November 8, 2005) - contacted the manager of Eco-Cent, and appropriate contact. The Draft EA Terms of Reference document was re-issued via e-mail, as suggested to the manager of Eco-Cent on November 8th, 2005. • (November 17, 2005) Received Email indicating a copy of the Draft EA Terms of Reference document was received via e-mail and is currently under review. Comments to the Draft EA Terms of Reference document will be provided at earliest convenience or otherwise to the Proposed EA Terms of Reference document. 	<ul style="list-style-type: none"> • The Six Nations of the Grand River will remain on the Study contact list and will be distributed a copy of the Proposed EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the EA Terms of Reference
<p>Wahta Mohawks</p> <p>(Via Telephone October 28, 2005)</p>	<ul style="list-style-type: none"> • No specific comments provided. • Advised that Wahta Mohawks are outside of York Region. • Suggested that during the study process, close attention should be paid to the potential burial sites. 	<ul style="list-style-type: none"> • As part of the detailed comparative evaluation of short list sites, consideration will be given to Archeological and Cultural Resources. Criteria regarding the potential impact on Archaeological and Cultural resources will be applied. The need for site-specific archaeological assessments will be determined, based on the frequency, in the area surrounding the sites, of archaeological discoveries including burial sites and in consultation with the Ministry of Culture. • The Wahta Mohawks will be provided a copy of the “Proposed” EA Terms of Reference and comments, including being withdrawn from further consideration in the study, will be dealt with in writing at that time. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.