



wood.



Appendix B

Indigenous Consultation

To be the most livable town in Canada.

Haudenosaunee Confederacy Chiefs Council
c/o Haudenosaunee Development Institute
16 Sunrise Court, Suite 407, P.O. Box 714
Ohsweken, ON N0A 1M0

Attn: Hazel Hill, Director of Operations, HDI

February 27, 2017

**RE: Notice of Study Commencement
Municipal Class Environmental Assessment Study
Lakeshore Road West Improvements (Mississauga Road to Dorval Drive)**

Dear Ms. Hazel Hill,

The Town of Oakville has begun a Municipal Class Environmental Assessment (Class EA) study for improvements to Lakeshore Road West from Mississauga Road to Dorval Drive. The Town has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA Study.

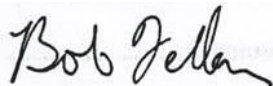
The Town has received direction from the Provincial Crown that the Haudenosaunee Confederacy Chiefs Council may have an interest in learning more about the project. The Town is committed to involving stakeholders and Indigenous groups in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Town. For information, the Town has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Haudenosaunee Confederacy Chiefs Council may have about this proposed project and if there is potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community. The Town would welcome the opportunity to meet with you and/or your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Syed Rizvi, M.Sc., P.Eng.

Transportation Engineer, Town of Oakville

Tel: (905) 845-6601 ext.3981

Email: syed.rizvi@oakville.ca

Cc: Neal Smith, Amec Foster Wheeler
Bob Felker, Amec Foster Wheeler
Mary Kelly, Amec Foster Wheeler

Encl: Project Information Sheet
Notice of Commencement

To be the most livable town in Canada.

Mississaugas of the New Credit First Nation
6 First Line Rd., R.R. #6
Hagersville, ON N0A 1H0

Attn: Fawn Sault, Consultation Manager

February 27, 2017

**RE: Notice of Study Commencement
Municipal Class Environmental Assessment Study
Lakeshore Road West Improvements (Mississauga Road to Dorval Drive)**

Dear Ms. Fawn Sault,

The Town of Oakville has begun a Municipal Class Environmental Assessment (Class EA) study for improvements to Lakeshore Road West from Mississauga Road to Dorval Drive. The Town has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA Study.

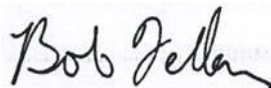
The Town has received direction from the Provincial Crown that the Mississaugas of the New Credit First Nation may have an interest in learning more about the project. The Town is committed to involving stakeholders and Indigenous groups in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Town. For information, the Town has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Mississaugas of the New Credit First Nation may have about this proposed project and if there is a potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community. The Town would welcome the opportunity to meet with you and/or your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Syed Rizvi, M.Sc., P.Eng.

Transportation Engineer, Town of Oakville

Tel: (905) 845-6601 ext.3981

Email: syed.rizvi@oakville.ca

Cc: Neal Smith, Amec Foster Wheeler
Bob Felker, Amec Foster Wheeler
Mary Kelly, Amec Foster Wheeler

Encl: Project Information Sheet
Notice of Commencement

To be the most livable town in Canada.

Six Nations of the Grand River
2498 Chiefswood Road, P.O. Box 5000
Ohsweken, ON N0A 1M0

Attn: Ava Hill, Chief

February 27, 2017

**RE: Notice of Study Commencement
Municipal Class Environmental Assessment Study
Lakeshore Road West Improvements (Mississauga Road to Dorval Drive)**

Dear Chief Ava Hill,

The Town of Oakville has begun a Municipal Class Environmental Assessment (Class EA) study for improvements to Lakeshore Road West from Mississauga Road to Dorval Drive. The Town has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA Study.

The Town has received direction from the Provincial Crown that the Six Nations of the Grand River may have an interest in learning more about the project. The Town is committed to involving stakeholders and Indigenous groups in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Town. For information, the Town has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Six Nations of the Grand River may have about this proposed project and if there is a potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community. The Town would welcome the opportunity to meet with you and/or your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Syed Rizvi, M.Sc., P.Eng.

Transportation Engineer, Town of Oakville

Tel: (905) 845-6601 ext.3981

Email: syed.rizvi@oakville.ca

Cc: Neal Smith, Amec Foster Wheeler
Bob Felker, Amec Foster Wheeler
Mary Kelly, Amec Foster Wheeler

Encl: Project Information Sheet
Notice of Commencement



OAKVILLE

Lakeshore Road West Improvements Schedule 'C' Class EA, Town of Oakville

Project Description

The Town of Oakville continues to grow and in order to address transportation capacity needs in the area as well as identified safety issues, the Town is considering different ways to address this need. Recognizing that planning needs to occur before road improvements can start, the Town is conducting a Class Environmental Assessment (Class EA) study. Amec Foster Wheeler Environment & Infrastructure is the consultant hired to complete the Class EA work.

The Study Area for this Class EA is along Lakeshore Road West between Mississaga Street and Dorval Drive.

Class Environmental Assessment

The Town's Official Plan, *Livable Oakville*, and the Active Transportation Master Plan both identified the need for improvements to meet the Town's vision and growth demands to 2031.

Through the Class EA study a preferred improvement plan will be confirmed based on more detailed analysis. The purpose of this Class EA is to:

- confirm the need for road improvements
- identify alternative designs
- identify potential effects and evaluate the alternatives
- confirm and finalize a preferred solution
- evaluate alternatives and identify the preferred improvement plan

The first step in this process is to develop an understanding of the current (baseline) conditions in the Study Area and develop a forecast of future traffic growth. Once baseline conditions and future traffic levels are known, alternatives to meet the future growth demand will be developed.

The Class EA planning process helps identify potential effects of proposed projects. Each proposed alternative is assessed against baseline conditions

A Class EA is a decision-making and planning process that identifies potential effects of projects, such as road improvements, so that they can be managed prior to implementation





amec
foster
wheeler

to determine the potential effects, and where necessary, identify mitigation measures. From these alternatives, a preferred alternative will be identified.

A key component of this Class EA is to consult with regulatory agencies, Indigenous groups and stakeholders.

Baseline Studies

Baseline studies are prepared to describe the current biological, human and physical environment conditions. The following investigations will be completed as part of this Class EA.

Biological Environment	Human Environment	Physical Environment
<ul style="list-style-type: none">• Fisheries and Aquatic biology• Species At Risk• Vegetation• Wildlife	<ul style="list-style-type: none">• Archaeology• Build heritage• Land use• Socio-economics• Visual aesthetics / landscape design	<ul style="list-style-type: none">• Air quality and noise• Hydrology (lakes, rivers, etc.)• Hydrogeology (groundwater)• Soils

Contact Information

Town of Oakville
Syed Rizvi
Transportation Engineer
1225 Trafalgar Road
Oakville, ON L6H 0H3
905-845-6601, x. 3981
syed.rizvi@oakville.ca

Amec Foster Wheeler
Environment & Infrastructure
Bob Felker
Senior Environmental Planner
3215 North Service Road,
P.O. Box 220
Burlington, ON L7N 3G2
519-650-7139
bob.felker@amecfw.com

Potential Project-related Effects

Potential effects from the proposed project will depend on the results of the Transportation and Traffic Study. This may include effects on:

- Private property owners as a result of road widening or proposed road alignments (such as property purchase or changes to access)
- Heritage properties and cultural heritage landscapes
- Environmental features including land-based and water-based environments, Bronte Creek and Fourteen Mile Creek

Schedule and Next Steps

- Field Studies, tentatively planned for Spring and Summer 2017
- Public Information Sessions, tentatively planned for Spring and Fall 2017
- Environmental Study Report submission, tentatively planned for late 2017 / early 2018

Additional Information

For more information about the Town's environmental assessments or this project, visit:

<http://www.oakville.ca/residents/lakeshore-road-west-improvements-class-ea.html>

Dearlove, Heather

Subject: FW: Oakville - Lakeshore Road Class EA
Attachments: TOWN OF OAKVILLE OUR FILE NO. 030-200-012 RE-NOTICE OF STUDY COMMENCEMENT 041819.pdf; Oakville - Lakeshore Road Class EA

From: Tracey General [<mailto:traceyghdi@gmail.com>]
Sent: Wednesday, April 19, 2017 11:34 AM
To: syed.rizvi@oakville.ca; Felker, Bob <bob.felker@amecfw.com>
Cc: Kelly, Mary K <Mary.k.Kelly@amecfw.com>
Subject: Re: Oakville - Lakeshore Road Class EA

Good Morning:

Please see the attached.

Thank you!
Tracey General
Office Manager
Haudenosaunee Development Institute

On Mar 9, 2017, at 1:04 PM, HDI <hdi2@bellnet.ca> wrote:

Begin forwarded message:

From: "Kelly, Mary K" <Mary.k.Kelly@amecfw.com>
Date: March 9, 2017 11:39:55 AM GMT-05:00
To: "Hazel Hill (hdi2@bellnet.ca)" <hdi2@bellnet.ca>
Subject: Oakville - Lakeshore Road Class EA

Good afternoon Ms. Hill,

The Town of Oakville is undertaking a Class EA on a section of Lakeshore Road between Mississaga Street and Dorval Drive to address the current and future needs of the community.

Please find attached the letter from the Town as well as summary of the Project and a copy of the most recent notice.

I will follow-up with the Haudenosaunee Development Institute in the coming weeks to further discuss. Please do not hesitate to contact us should you have any questions or comments.

Cheers, Mary

Mary Kathryn Kelly B.Sc.

Senior Consultant - Human Environment, Amec Foster Wheeler Environment & Infrastructure

T/M +1 (705)-493-9393

mary.k.kelly@amecfw.com<<mailto:mary.k.kelly@amecfw.com>> amecfw.com

This message is the property of Amec Foster Wheeler plc and/or its subsidiaries and/or affiliates and is intended only for the named recipient(s). Its contents (including any attachments) may be confidential, legally privileged or otherwise protected from disclosure by law. Unauthorised use, copying, distribution or disclosure of any of it may be unlawful and is strictly prohibited. We assume no responsibility to persons other than the intended named recipient(s) and do not accept liability for any errors or omissions which are a result of email transmission. If you have received this message in error, please notify us immediately by reply email to the sender and confirm that the original message and any attachments and copies have been destroyed and deleted from your system. If you do not wish to receive future unsolicited commercial electronic messages from us, please forward this email to: unsubscribe@amecfw.com and include "Unsubscribe" in the subject line. If applicable, you will continue to receive invoices, project communications and similar factual, non-commercial electronic communications.

Please click <http://amecfw.com/email-disclaimer> for notices and company information in relation to emails originating in the UK, Italy or France.

<winmail.dat>



Haudenosaunee Development Institute

April 19, 2017

Via Email

Syed Rizvi, M. Sc., P. Eng.
Transportation Engineer
Town of Oakville
Email: syed.rizvi@oakville.ca

Bob Felker, B.E.S., M.C.I.P, R.P.P.
Senior Environmental Planner
Amec Foster Wheeler
Email: bob.felker@amecfw.com

Dear Mr. Rizvi & Mr. Felker:

**RE: Notice of Study Commencement
Municipal Class Environmental Assessment Study
Lakeshore Road West Improvements
(Mississauga Road to Dorval Drive)
Our File No. 030-200-012**

Thank you for your email dated March 9, 2017.

We are concerned with the approach being undertaken on this matter.

We have advised (and are advising again) that the Municipal Class Environmental Assessment process is not capable of meaningfully addressing the concerns raised by the Haudenosaunee.

In this regard, the Municipal Class Environmental Assessment process lacks any of the remedial powers necessary to accommodate the issues that we wish to raise - namely the underlying title to the land in question where the Nanfan Treaty of 1701, Treaty of Fort Stanwix of 1768, and the Board of Trade and Plantations understanding of Haudenosaunee territory in 1755 are considered.

To set out and clarify, we are dealing with established treaty rights and we would suggest that the process for impairing those rights is clear in the context of

OUR LAND, OUR LAW, OUR PEOPLE, OUR FUTURE

Six Nations of the Grand River Territory • Suite 600 - 16 Sunrise Court • P.O. Box 714 • Ohsweken, Ontario
N0A 1M0

Telephone • 519.445.4222 Facsimile • 519.445.2389 • hdi2@bellnet.ca

Canadian law. The Crown must obtain consent or justify the impairment. At present the Municipal Class Environmental Assessment process is not reflective of these obligations especially where impairments upon treaty rights requires the Crown to discharge fiduciary duties. It would be of assistance if you could clarify which entity will be dealing with the fiduciary obligation aspects of this matter.

Again, thank you and we look forward to meeting with you at your earliest convenience.

Yours truly,



R. Aaron Detlor

cc: Mary Kelly, Amec Foster Wheeler, Mary.k.Kelly@amecfw.com

Meeting Notes

Date: June 12, 2017
File #: TPB166147
Meeting Date & Time: June 8, 2017, 10:00 a.m. – 12:00 p.m.
Meeting at: Mississaugas of the New Credit First Nation (MNCFN),
Band Office,
Hagersville, Ontario
Subject: Lakeshore Road Class Environmental Assessment

Attendees:

Fawn Sault (FS), MNCFN	Syed Rizvi (SR), Town of Oakville
Darin Wybenga (DW), MNCFN	Sarah Douglas-Murray (SDM), Town of Oakville
Karissa Johnson (KJ), MNCFN	Neal Smith (NS), Amec Foster Wheeler
	Mary Kelly (MK), Amec Foster Wheeler

MATTERS DISCUSSED

ACTION BY:

1. Introduction

The Town of Oakville thanked the Mississauga of the New Credit First Nation (MNCFN) for the opportunity to meet and discuss the Lakeshore Road Class EA.

Introductions were made and then Fawn Sault (FS) asked Darin Wybenga (DW) to provide an overview of the MNCFN.

2. Historical Overview

DW began by identify that the Town is within MNCFN traditional territory.

DW provided a background on the Anishinaabe people as well as the MNCFN. In the area, prior to arrival of the French, the area included the Huron, Petum (Tobacco) and Neutral. MNCFN were seasonal migrants; moving with season for food and resources. In the spring, they would harvest fish and maple syrup; in the summer planting gardens near rivers and harvesting plantings, berries, nuts and bark; in the fall harvesting wild rice and fish (preserving for the winter); and in the winter trapping and hunting (and telling stories).

PLEASE NOTE: If there is any comment or amendment to be made to these meeting notes, they should be brought to the notice of Amec Foster Wheeler within 24 hours of issue and confirmed in writing

Continued...

Meeting Date: June 8, 2017

MATTERS DISCUSSED

ACTION BY:

The French were encountered around 1619. As the economic stimulus of the fur trade brought the French, it also brought disease that devastated that Anishinaabe people.

The Anishinaabe were pushed north and east Iroquois took advantage of the disease plagued Anishinaabe. The Anishinaabe people waited to see if the Iroquois would continue their push north and they did. As a result, the Beaver Wars began through a military alliance of the three fires: Ojibwe, Odawa, and Potawatomi. The three fires is represented on the MNCFN logo.

In 1700, a peace treaty was signed between the Iroquois and the Anishinaabe to put an end to the bloodshed. At this point, the Mississaugas took over a significant portion of S. Ontario. MNCFN's traditional territory covers 3.9 million acres.

Around 1783, after the Beaver Wars came the American Revolution. The British were losing the fight and with the support of Loyalists and Iroquois. However, the British needed to provide these supporters a place to live. Approximately, 2,000 Iroquois came as refugees. Joseph Brant choose the Grand River Valley and purchased the land through the Between the Lakes Purchase for the Haldimand Tract.

At this time, the Mississaugas were living along what is now known as the Credit River. They were known as good business people and took care of each other so that they always stood in good credit (hence the name). However, the influx of settlers imposed on their way of life and they were forced to relocate. They could no longer hunt, fish or gather wood as access restrictions increased, resources dwindling and conflicting social manners arose.

Peter Jones, son of a Mississauga woman and Augusta Jones, grew up in the Indigenous culture for the first 14 years of his life. Then he moved to Burlington with his father. He became a Methodist missionary who tried to bring together Christian and Indigenous ways of life. He helped to establish the village at the Credit River, including a school, schooner, saw mills, harbor, and agriculture.

Having gained significant agricultural practices and materials, the Mississaugas sought a new home. In searching for a new home they identified a potential location but before confirming they gave up their current home. When the potential location proved to be unsuitable the Mississaugas were left homeless. In 1847, Six Nations offered 6,000 acres (of MNCFN traditional territory) back to MNCFN.

MNCFN tried to replicate their agricultural practices and other infrastructure (such as hospital, mills). But a technology improved MNCFN could not access it. While settlers held land ownership and could mortgage their land to get loans to take advantage of investments in new technology.

Continued...

Meeting Date: June 8, 2017

MATTERS DISCUSSED

ACTION BY:

Without owning land Indigenous people cannot take advantage of related financial opportunities. Instead MNCFN community members had to leave the community to work in industries.

Today there are approximately 2,300 members with about one third living on reserve.

3. MNCFN DOCA

In January 2015, the MNCFN formed the Department of Consultation and Accommodation (DOCA) to handle duty to consult requests. Prior to this, there was no structure and handling requests was challenging.

MNCFN continues to identify and work towards the settlement of claims. MNCFN never signed the Williams Treaty. In 2010, the Toronto Purchase (<http://mncfn.ca/about-mncfn/land-and-water-claims/toronto-purchase/>) was signed off after over 25 years. MNCFN have two new claims:

1. March 2016, land claim for the Rouge Valley Tract Claim (<http://mncfn.ca/about-mncfn/land-and-water-claims/rouge-claim/>)
2. May 2016, claim for the water, lands under the water and floodplains within MNCFN traditional territory. [The original treaties, with the exception of Treat 23, were for land and excluded water. The submitted claim covers water, floodplains and land under the water within MNCFN traditional territory.] (<http://mncfn.ca/about-mncfn/land-and-water-claims/title-claim-to-water-within-traditional-lands-of-mncfn/>)

Today, MNCFN members continue to harvest (fish and animals) within their traditional territory.

FS handles the triage of over 200 requests a month. As part of this triage process, the MNCFN assesses the information into:

- Low level concern, such as small infrastructure and residential development projects; and
- High level concern, such as pipelines, renewable energy, large infrastructures project, or projects that are likely to impact Aboriginal and treaty rights. These triggers may include work in or near waterways/floodplains/wetlands, Species At Risk, archaeology.
 - Consultation expectations at this level include meetings, capacity funding to review reports, and Impact Benefit Agreements (IBAs) for large or long-term project.

The type of information that MNCFN seeks upfront is any existing environmental (aquatic, terrestrial, plant, ecological, land classification) or archaeological studies. Drafts of the archaeological and other reports

Continued...

Meeting Date: June 8, 2017

MATTERS DISCUSSED

ACTION BY:

would be appreciated before they are submitted to government so that they can identify any comments prior to submission.

There are expectations of participation by Field Liaison Representatives (FLRs). Two FLRs are always sent out for safety and security. The main purpose for the presence of field liaison monitors is to have eyes on the ground; the view is that if boots are on the ground then the FLRs should be there. FLRs participate alongside consultant. The proponent is expected to cover the costs of the field monitors (rate, per diem, mileage) but that MNCFN has the necessary insurance and WSIB coverage. The terms and contract provide the details; MNCFN can develop a budget in collaboration with consultants. For archaeological work, this includes all Stage 2, 3 and 4 work. For environmental work, this includes all types of field work.

MNCFN goal is to sit down with municipalities to build relationships and be part of the process for planning and development projects (such as Official Plans and amendments, Class EAs). Notices are not consultation.

MNCFN looks at potential impacts during the environmental assessment phase as well as construction and restoration. For large, long-term projects, cumulative effects are also considered. Construction and post monitoring FLR participation is also expected for large projects and/or where concerns are identified.

The traditional territory map is available on the website:
<http://mncfn.ca/wp-content/uploads/2017/01/Treaty-Map-Description.jpg>.

The consultation protocol is available on the website: ?

4. Project Details

Neal Smith (NS) provided an overview of project specifics through review of drawing of the Class EA study area and a copy of poster boards from the public information centre.

Town to provide completed study reports

The Class EA Study area will involve consideration of increasing the number of traffic lanes considering projected growth, stormwater needs and safety concerns. Some field work has been initiated and other natural environment work is planned in the near future. No permission-to-enterers are required as the work is within the Town's right-of-way.

MNCFN and Town to schedule community session

The first public meeting was held on April 20. There was a good turnout from residents and feedback has been incorporated into ongoing planning. FS identified that MNCFN holds an open house for proponents to share information on their project with MNCFN members. This is likely to occur in September. SR identified the Town would be interested in participating.

Continued...

Meeting Date: June 8, 2017

MATTERS DISCUSSED

ACTION BY:

The completed Stage 1 archaeological, built heritage and fluvial geomorphology reports will be shared with MNCFN. FS requested that any future archaeological and environmental studies be shared. The Town will provide copies of all reports (e.g., natural environment, cultural heritage, and similar) when they are complete.

Note: after the meeting Amec Foster Wheeler was informed by field crews that all environmental field work had been completed. Recognizing that MNCFN is interested in these reports they will be shared once the writing is complete.

Detailed design, anticipated for 2018-2019, will include the Stage 2 archaeological assessment and may include additional environmental work. The Town will make a commitment in the environmental assessment to engage and involve the MNCFN in these activities at that time. The Town will also review the agreement for FLRs in advance.

If you notice any errors or omissions in this document,
please advise mary.k.kelly@amecfw.com within two (2) days of the issuance of these meeting notes

Meeting Notes prepared by:

Amec Foster Wheeler Environment & Infrastructure
A division of Amec Foster Wheeler Americas Limited

Per: Mary Kathryn Kelly, B.Sc.



DEPARTMENT OF
CONSULTATION AND ACCOMMODATION

May 2,2021

VIA EMAIL

Syed Rizvi, M.Sc. P.Eng.
Transportation Engineer
Town of Oakville
syed.rizvi@oakville.ca

Dear Syed,

RE: MCFN Response to Lakeshore Road West Improvements

Confirmation of Receipt

I am writing on behalf of the Mississaugas of the Credit First Nation (“MCFN”) to acknowledge that we have received your above named communication, dated March 31,2021 .

Outline of MCFN Rights and Territory

In 1806 , the Crown and MCFN entered into Head of the Lake Treaty, No. 14 (1806) regarding the lands in which your project is situated.

The Mississaugas of the Credit First Nation are the descendants of the “River Credit” Mississaugas. The undisputed Territory of the MCFN is defined as a Territory commencing at Long Point on Lake Erie thence eastward along the shore of the Lake to the Niagara River. Then down the River to Lake Ontario, northward along the shore of the Lake to the River Rouge east of Toronto then up that river to the dividing ridges to the head waters of the River Thames then southward to Long Point, the place of the beginning. Our Territory encompasses the lands and waters that were used and occupied by our Ancestors. Territories are usually large tracts of land that reflect the breadth required for seasonal activities and habitation and changes in those movement patterns through time. Through Treaties with the Crown, MCFN agreed to share our Territory with newcomers. However, not all of MCFN’s Territory has been dealt with through a Treaty.



DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario N0A 1H0



Phone: (905) 768-4260



With the exception of a small part of the Credit River, our Treaties with the Crown did not deal with the water parts of our Territory. We have not agreed to share any part of our waters with settlers. We formally gave notice to the Crown of this claim in 2016. We note that any lands that have been artificially created on our waters have also not been dealt with by any Treaty.

Like our ancestors before us, we continue to use the lands, waters, and watershed ecosystems within our Territory for a variety of livelihood, harvesting, ceremonial and spiritual purposes. We have always exercised governance functions and stewardship in order to protect our Territory, conserve the fish and wildlife that depend upon it, and ensure its ongoing ability to sustain our people. We assert that our Aboriginal and treaty rights fundamentally entitle us to continue to act as stewards of our Territory, to be involved in decisions that affect it, and to participate in the ongoing, responsible management of the resources it provides.

Duty to Consult and Accommodate

As you will know, the Crown has a constitutional duty to consult and accommodate MCFN in respect of any decisions that might affect its asserted or proven Aboriginal and/or Treaty Rights. We expect that, consistent with the Crown's constitutional duty, no approval should be issued to this project until MCFN has been sufficiently consulted and accommodated. Nothing in this letter shall be construed as to affect our Aboriginal and/or Treaty Rights and hence shall not limit any consultation and accommodation owed to MCFN by the Crown or any proponent, as recognized by section 35 of the Constitution Act, 1982.

MCFN has the right to free and informed consent prior to the approval of any project or any planning decision adversely impacting its Territory and to benefit economically from resource development within its Territory.

MCFN has formed the Department of Consultation and Accommodation ("DOCA") to represent its interests in consultation and accommodation matters. It is DOCA's mandate to ensure that we are directly involved in all planning and development that impacts the integrity of our Territory. In this regard, DOCA will assess and help alleviate impacts on our rights, land claims, and ways of life by building relationships with governments and private sector proponents. We share a mutual interest in ensuring that projects in the Territory are planned, reviewed, and developed in a manner which ensures healthy communities, ecological protection, and sustainable development for present and future generations in the Territory.

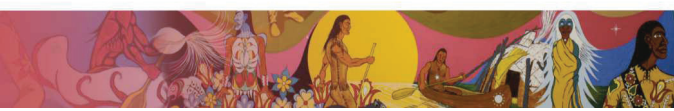


DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario NOA 1H0



Phone: (905) 768-4260



MCFN is not opposed to development, but MCFN must to be involved in development decision making. MCFN has a deep connection to its Territory and we have a stewardship responsibility for our land. By engaging with us, a project proponent can learn our perspective on how to care for this land and we can work together to shape the project to mitigate damaging effects to our land and perhaps even work to improve our environment. MCFN is the only party who shall determine whether there are impacts to our Aboriginal and treaty rights.

One of the ways we require proponents to engage with us is in providing transparency during the environmental survey and archaeological assessment process. The best way to accomplish this is by having Field Liaison Representatives (“FLRs”) on location while fieldwork is occurring, who can ensure that the Nation’s special interests and concerns are respected and considered during fieldwork. The cultural and natural resources in question are part of MCFN’s territory and heritage and it is our responsibility to ensure their protection, on behalf of the Nation. MCFN’s stewardship of its territory extends through the life of any development project and beyond.

DOCA Project Registration

DOCA has completed an initial intake review of the project communication you have provided. This file has been assigned DOCA Project 2021-0349 ; please use this number in all future communications.

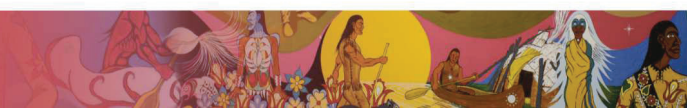
We respectfully ask you to immediately notify us if there are any changes to the project.

Referral to DOCA Units

Following DOCA’s initial intake review of the project communication, the file has been referred to the following DOCA Units for additional follow-up.

	Unit Identification	Primary Contact	Email Address
✓	Archaeology	Megan DeVries	megan.devries@mncfn.ca
✓	Cultural/Historical	Darin Wybenga	darin.wybenga@mncfn.ca
✓	Environment	Fawn Sault (Temp)	fawn.sault@mncfn.ca
✓	FLR Participation	Megan DeVries	megan.devries@mncfn.ca
	Governance	Mark LaForme	mark.laforme@mncfn.ca
	Economic Development	Director	SED.Director@mncfn.ca

If you have not been contacted by the indicated DOCA Units within fourteen days following receipt of this letter, please let me know.



Request for Missing Information

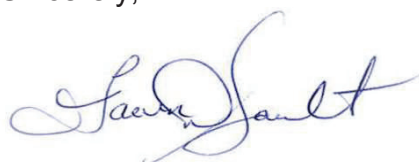
In order to proceed with our follow-up review, we ask you to ensure that all available information relating to the project has been transmitted to us. We have identified the following general information as missing from your initial project communication:

Outstanding Project Information	
✓	Name of person or body undertaking the action or decision.
✓	Contact information for the person or body undertaking the action or decision.
✓	List of documents pertaining to the proposed action/decision that are available for MCFN to review.
✓	Description of what other information is expected to become available before the proposed action/decision is undertaken.
✓	Deadlines or filing dates pertaining to the action/decision.
✓	The Crown or Municipal review/ approval that is required for the project.
✓	How the proposed action or decision may affect and/or benefit MCFN, its rights and territory.

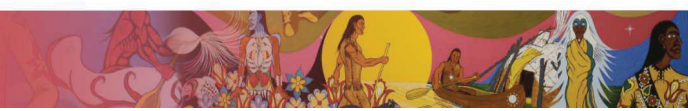
Closing

We ask that you respond with the above requested information within fourteen days following receipt of this letter. We thank you in advance for your attention to our requirements and we look forward to working with you further to shape the planning for development in our Territory.

Sincerely,



Fawn Sault
Consultation Coordinator
fawn.sault@mncfn.ca



May 4,2021

VIA EMAIL

Syed Rizvi, M.Sc. P.Eng.
Transportation Engineer
Town of Oakville

Dear Syed Rizvi,

RE: MCFN Archaeological Review for

Lakeshore Road West Improvements

Confirmation of Receipt

I am writing in follow up to the letter of response dated May 2,2021 by Fawn Sault, Consultation Coordinator, from the Department of Consultation and Accommodation (“DOCA”) on behalf of the Mississaugas of the Credit First Nation (“MCFN”) to acknowledge that we have received your above named communication, dated March 31,2021.

Outline of MCFN Rights and Territory

In 1806, the Crown and MCFN entered into Head of the Lake Treaty, No. 14 (1806) regarding the lands in which your project is situated.

MCFN has formed the Department of Consultation and Accommodation (“DOCA”) to represent its interests in consultation and accommodation matters. In this regard, it is DOCA’s mandate to ensure that we are directly involved in all planning and development that impacts the integrity of our Territory. DOCA will assess and help alleviate impacts on our rights, land claims, and ways of life by building relationships with governments and private sector proponents. We share a mutual interest in ensuring that projects in the Territory are planned, reviewed, and developed in a manner which ensures healthy communities, ecological protection, and sustainable development for present and future generations in the Territory.

MCFN has a stewardship responsibility over its Territory and asserts that our Aboriginal and treaty rights fundamentally entitle us to preserve our culture and heritage, including

DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario N0A 1H0

Phone: (905) 768-4260



archaeological materials and human burials. Our Territory is the source of our identity as a First Nation and the basis for many cultural activities and spiritual ceremonies. It is home to sacred sites, burial grounds, traditional teachings and meeting places, and sites of profound archaeological and historical significance. We assert that our Aboriginal and treaty rights fundamentally entitle us to preserve our cultural and heritage.

Too much of our cultural objects and the remains of our ancestors have been lost already through development of the most intensely urbanized lands in Canada and we have a strong interest in ensuring that no more of it becomes bulldozed and desecrated.

MCFN Standards and Guidelines for Archaeology

In April 2018, MCFN Chief and Council adopted the *MCFN Standards and Guidelines for Archaeology*, a document aimed to provide guidance to consultant archaeologists, proponents, governments, etc. who are conducting archaeological assessment activities within MCFN's Territory. It sets out, in MCFN's own words, what engagement with our Nation should entail for archaeology as well as technical expectations for fieldwork, in relation to the provincial regulations which were created without our input and feedback. It is important to note that MCFN holds all archaeological resources present within its Territory as of interest to the Nation as part of their cultural patrimony. Resources, regardless of size, frequency, condition, etc., should not be interpreted by non-MCFN representatives in such a way as to remove the requirement for engagement with our Nation.

We are attaching a copy for your reference. We expect compliance with these *Standards and Guidelines* as any fieldwork you will be conducting will have the potential of disturbing MCFN's cultural artifacts or its ancestors' remains.

MCFN Expectations Regarding Ancestors' Remains

MCFN has obligations under Anishinaabe law to protect burials within its Territory and MCFN maintains its right to do so. Our ancestors buried their loved ones in our Territory with the understanding that they would not be disturbed.

We would also like to draw your attention to our expectation that at any time that ancestral remains are encountered during fieldwork, we expect all activities on site to stop and that MCFN be contacted immediately to determine a proper course of action.

Technical Review

In the exercise of its stewardship responsibility, DOCA seeks to work together with project proponents and their archaeological consultants to ensure that archaeological work is done properly and respectfully. DOCA has retained technical advisers with expertise in the field of archaeology. These experts will review the technical aspects and cultural appropriateness of the archaeological assessments and strategies associated with your project. Upon completion of these reviews, MCFN will identify, if



necessary, mitigation measures to address any project impacts upon MCFN rights. For cultural materials and human remains, DOCA may advise that this includes ceremonies required by Anishinaabe law, as well as request adjustments to the proposed fieldwork strategy.

The proponent is expected to pay the costs for MCFN to engage in a technical review of the project. DOCA anticipates at this time that all archaeological review will be undertaken by in-house technical experts, but will advise the proponent if an outside peer-review is required. Please find attached the agreement that covers MCFN's in-house technical review of the archaeological assessments and strategies associated with your project. Please fill in the additional required information, highlighted in yellow, and return to us a signed copy.

Please note that capacity at DOCA is limited. We maintain the right to review all material that comes to our office as part of our consultation process. If you have specific filing deadlines, please advise us as soon as possible. However, it is MCFN's assertion that part of the process of meaningful engagement is allowing our Nation a reasonable amount of time to review, reflect upon, and respond to reports and recommendations. On average, this process can be accomplished in 4-6 weeks. It is our position that no archaeological assessment – but especially Stage 4 mitigation – should begin until DOCA has completed our review and is in agreement that with the proposed strategy for fieldwork.

Request for Missing Information

In order to complete our project record, we ask that you provide the following information:

1. Is an archaeological assessment required for this project? If no, why not?
2. Have any archaeological assessments already been completed for this project and/or its study area? If yes, please provide all documentation including reports, supplementary documentation, etc.
3. Has the MHSTCI issued a letter of entry into register for some or all of the study area? If yes, please provide all documentation, including letter, communications to and from MHSTCI, etc.
4. Is there any archaeological activity (e.g. assessment, excavation, monitoring) that has not yet been completed for the project?
5. If the answer to #4 is yes, please provide the following:
 - a. A description of the outstanding archaeological activity/activities.
 - b. Anticipated date of the activity/activities.
 - c. The appropriate contact person overseeing the archaeological activity/activities.



Closing

The review of project-related archaeological assessments is only one part of the consultation process that may be required for your development. Please contact DOCA's Consultation Coordinator, Fawn Sault, if you have any questions about the process.

We ask that you respond with the above requested information and executed agreement within fourteen days following receipt of this letter. We thank you in advance for your attention to our requirements and we look forward to working with you further to shape the planning for development in our Territory.

Sincerely,



Megan DeVries
Archaeological Operations Supervisor
megan.devries@mncfn.ca

Attachment(s)	MCFN <i>Standards and Guidelines for Archaeology</i> [2018] DOCA Archaeological Review Agreement [2020]
---------------	--



May 4,2021

VIA EMAIL

Syed Rizvi, M.Sc. P.Eng.
Transportation Engineer
Town of Oakville

Dear Syed Rizvi,

RE: MCFN FLR Participation for

Lakeshore Road West Improvements

Confirmation of Receipt

I am writing in follow up to the letter of response dated May 2,2021 sent by Fawn Sault, Consultation Coordinator, from the Department of Consultation and Accommodation (“DOCA”) on behalf of the Mississaugas of the Credit First Nation (“MCFN”) to acknowledge that we have received your above named communication, dated March 31,2021 .

Outline of MCFN Rights and Territory


In 1806 , the Crown and MCFN entered into Head of the Lake Treaty, No. 14 (1806) regarding the lands in which your project is situated.

MCFN has formed the Department of Consultation and Accommodation (“DOCA”) to represent its interests in consultation and accommodation matters. In this regard, it is DOCA’s mandate to ensure that we are directly involved in all planning and development that impacts the integrity of our Territory. DOCA will assess and help alleviate impacts on our rights, land claims, and ways of life by building relationships with governments and private sector proponents. We share a mutual interest in ensuring that projects in the Territory are planned, reviewed, and developed in a manner which ensures healthy communities, ecological protection, and sustainable development for present and future generations in the Territory.

One of the ways we require proponents to engage with us is in providing transparency during the environmental survey and archaeological assessment process. The best way

DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario NOA 1H0

 Phone: (905) 768-4260



to accomplish this is by having Field Liaison Representatives (“FLRs”) on location while fieldwork is occurring, who can ensure that the Nation’s special interests and concerns are respected and considered during fieldwork. The cultural and natural resources in question are part of MCFN’s territory and heritage and it is our responsibility to ensure their protection, on behalf of the Nation. MCFN’s stewardship of its territory extends through the life of any development project and beyond.

It is our expectation that no project-related fieldwork will take place without the participation of our FLRs. MCFN considers it disrespectful of our rights as Indigenous peoples if our natural and cultural heritage is interfered with without our involvement.

FLR Participation

DOCA deploys FLRs to be boots on the ground so that fieldwork by a proponent and their consultants/contractors is carried out with appropriate care, thoroughness, and respect. In the context of MCFN’s Territory, where so much natural and cultural heritage has already been lost or destroyed, MCFN’s monitoring of fieldwork is of utmost importance to ensure that the trail of desecration stops. FLRs are deployed to observe fieldwork, provide cultural advice, act as a direct link back to DOCA and MCFN, and assist with compliance.

FLRs are MCFN band members who have received training in environmental and archaeological assessments, traditional medicine identification and use, Anishinaabe burial practices, and more throughout their employment with DOCA.

DOCA requires, at minimum, FLR participation during the following project-related studies and/or activities:

- ecological and natural heritage technical studies
- archaeological assessments (Stages 2 through 4) and site visits
- monitoring of activities within 50m of areas of special concern (e.g. waterways and wetlands, archaeological sites, species at risk)
- post-construction remediation activities and follow-up impact monitoring

Agreement for FLR Participation

The cost for the participation of our FLRs is covered by the proponent, not the consultant, whom we view as having the ultimate responsibility to consult with, and accommodate, the Nation. Therefore, please find attached the agreement that covers MCFN’s participation in the upcoming fieldwork. The costs associated with this involvement reflect a number of expenses not visible at first glance: payment for the FLRs themselves, operational costs for DOCA, and efforts to engage the community to garner feedback on development projects. If you could please fill in the additional required information, highlighted in yellow, and return to us a signed copy so that we may arrange for FLR participation on your project, that would be greatly appreciated.



Once a signed agreement is in place, DOCA generally arranges scheduling and other related matters directly with the consultant conducting the fieldwork, unless you prefer otherwise.

Please note that MCFN requires two of its FLRs to be on location whenever fieldwork is taking place within its territory. The reason for this is so that FLRs can provide support and security for each other in the field. This has become a requirement in light of uncommon, but unfortunate, occurrences when FLRs have felt pressured or intimidated from external persons while at work locations. We ask that you would respect this request.

Request for Missing Information

In order to complete our project record, we ask that you provide the following information:

1. Please provide a list of all completed technical studies for the project, their date of completion, and the contact information of the consultant who completed each study.
2. Please provide a list of all incomplete and/or upcoming technical studies for the project, the anticipated date of fieldwork for each, and the contact information for the consultant who will complete them.
3. Are there any short-term and/or long-term avoidance and protection strategies currently in place for the natural and/or cultural resources in the study area for this project? If yes, what are they?

Closing

The participation of FLRs in project fieldwork is only one part of the consultation process that may be required for your development. Please contact DOCA's Consultation Coordinator, Fawn Sault, if you have any questions about the process.

We ask that you respond with the above requested information and executed agreement within fourteen days following receipt of this letter. We thank you in advance for your attention to our requirements and we look forward to working with you further to shape the planning for development in our Territory.

Sincerely,



Megan DeVries
Archaeological Operations Supervisor
megan.devries@mncfn.ca



DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario N0A 1H0



Phone: (905) 768-4260



Attachment(s)

MCFN Standards and Guidelines for Archaeology [2018]
FLR Participation Agreement [2020]



DEPARTMENT OF CONSULTATION AND ACCOMMODATION

Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario NOA 1H0



Phone: (905) 768-4260

