

**ANNEX 1: Departmental input re conformity information requirements directed to the proponent
Joyce Lake Direct Shipping Iron Ore Project**

Please use the table below to provide your department's comments and suggestions for information that should be required from the proponent to ensure the EIS conforms to the EIS Guidelines. Please keep in mind the focused questions provided in the cover letter as to what is required during a **conformity** review; your input on whether the information is scientifically and technically accurate will be sought later during the **technical** review.


ID	Reference to EIS Guidelines	Reference to EIS	Context and Rationale	Specific Conformity Information Requirement	Revised EIS or Supplementary Info

**ANNEX 2: Departmental advice to the proponent
Joyce Lake Direct Shipping Iron Ore Project**

Please use the table below to provide any additional advice to the proponent not needed for conformity, such as guidance or standard advice related to your departmental mandate. This information will be passed along to the proponent, but no responses will be required from the proponent.

ID	Reference to EIS	Context and Rationale	Advice to the Proponent
TC-01	Table 1.5 (Page 1-21) 2.6.1.4 Rock Causeway	Table 1.5 mentions requirement for <i>Canadian Navigable Waters Act</i> (CNWA) for the causeway.	<p>Transport Canada (TC) notes that the Proponent has engaged our Navigation Protection Program (NPP) to discuss the aforementioned.</p> <p>We would simply like to reiterate the following:</p> <p>Approval from TC may be required in some instances.</p> <p>Under the <i>Canadian Navigable Waters Act</i> (CNWA), owners of works - other than a minor work or a major work - that are located on navigable waterways <u>not</u> listed in the schedule, which may interfere with navigation, have the option to:</p> <ol style="list-style-type: none"> 1) either apply to the Minister of Transport; (approval review process and advertising and 30 day registry public review); or, 2) seek authorization through the public resolution process, and deposit specific information regarding their work on the new Common Project Search (online registry) inviting any interested party to comment (advertising and 30 day registry public review). <p>**Note that causeways and bridges with piers placed below the high water mark of a watercourse always require an approval as outlined in the Major works Order (i.e. an application for approval is required).</p>

			<p>Both the application process and the public resolution process on the Registry can be accessed at the following link:</p> <p>External Submission Site for the Navigation Protection Program (create an account first if needed)</p> <p>Additional guidance information and links for the NPP regulatory process can be found here:</p> <p><i>Canadian Navigable Waters Act</i> https://www.tc.gc.ca/eng/programs-632.html https://www.tc.gc.ca/eng/canadian-navigable-waters-act.html</p> <p>Navigation Protection Program, Transport Canada http://www.tc.gc.ca/eng/programs-621.html</p> <p>NPP Contact coordinates: Navigation Protection Program, Programs Transport Canada - Atlantic Region / Heritage Court, P.O. Box 42, 95 Foundry Street, Moncton, N.B. E1C 8K6 Tel: 506-851-3113 NPPATL-PPNATL@tc.gc.ca</p>
TC-02	<p>Table 1.5 (Page 1-21)</p> <p>2.6.2.2 Dewatering Joyce Lake</p> <p>2.6.5 Closure and Decommissioning</p>	<p>Table 1.5 does not mention the possibility of requiring and Exemption by Order of the Governor in Council.</p> <p>Reclamation or refilling of Joyce Lake (i.e. return to natural state) upon decommissioning is not included in 2.6.5.</p>	<p>TC notes that the Proponent has engaged our Navigation Protection Program (NPP) to discuss the aforementioned.</p> <p>We would reiterate the following:</p> <p>The infilling or dewatering of any navigable waterway is prohibited under s.22 and s.23 of the <i>Canadian Navigable Waters Act</i> (CNWA) and would require an Exemption by Order of the Governor in Council pursuant to Section 24 of the CNWA. This requirement can only be ascertained once the proponent submits an Application for Approval detailing the work, its</p>

			<p>effects, and the nature of the water bodies that may be involved. Included is an Applicant Guide with further information on the Order in Council process.</p> <p> RDIMS-#15371933-v 8-APPLICANT_GUIDE</p> <p>With the coming into force of the CNWA, we have transitioned to the use of the external submission site (ESS) linked below. This is the central point to submit an application for an approval or to publish a notification for a work:</p> <p>External Submission Site for the Navigation Protection Program</p> <p><i>The proponent will need to create an account first.</i></p> <p>Do not hesitate to reach out with any further questions about, or difficulties with, the ESS site.</p> <p>Suggest including the activities and description of work and timing to return Joyce Lake to its natural state upon decommissioning.</p>
TC-03	2.6.1.5 Rail Loop	Table 1.5 refers to approvals from NLDTI and Canadian Transportation Agency for rail.	<p>Based on our understanding, there shouldn't be any approval required from TC to build the new 7km rail loop, as the proponent is not a federally regulated railway. As the rail loop will be linked with Tshiuetin Rail (TRTI) track, if the proponent plans to operate equipment onto the TRTI track then they would be deemed a local railway under the <i>Railway Safety Act</i> and they would be required to seek approvals from TC prior to operating (i.e. Railway Operating certificate...etc). This may not be required if TRTI operate onto the proposed track to pick up and drop off railcars. Please clarify if this is the intent.</p>