

ANNEX 2: Advice to the proponent

Additional advice to the proponent, 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 of the proponent.

ID	Reference to EIS	Context and Rationale	Advice to the Proponent
TC-01	Section 4.2 Regulatory Requirements, 4.2.3 Other Regulatory Requirements – references the former federal <i>Navigation Protection Act</i> (NPA). The NPA is referenced in various sections throughout the EIS report.	<p>The <i>Canadian Navigable Waters Act</i> (CNWA), came into force on August 28, 2019 and replaces the former <i>Navigation Protection Act</i> (NPA).</p> <p>The CNWA restores and better protects the right to travel on all navigable waters in Canada, advances reconciliation and establishes new opportunities for Indigenous peoples to partner with Canada. The CNWA also creates more accessible and transparent processes and improves the efficiency and effectiveness of the navigation protection system.</p> <p>The key changes, relevant to the Project, pertain to the protection of all navigable waters, including those that are not listed in the Schedule of the Act. The CNWA designates six categories of</p>	<p>Transport Canada advises the Proponent to please refer to Transport Canada's website at https://www.tc.gc.ca/eng/programs-623.html#item_5</p> <p>By answering some questions in regards to the project, the Project Review Tool will allow you to determine if you require an application to the Navigation Protection Program under the <i>Canadian Navigable Waters Act</i> (CNWA).</p>

		<p>works as “major works” that are likely to substantially interfere with navigation: water control structures (such as dams, for example), bridges, temporary works related to bridges, ferry cables, causeways, and aquaculture facilities. Under the CNWA, owners of works (except minor works) that may interfere with navigation on navigable waters must apply for a CNWA approval, while those navigable waters not listed in the Schedule of the Act must either: a) apply to TC for approval; or b) go through a public resolution process involving notice to the public, depositing information in the public registry for a minimum time period, and working to resolve any navigation related concerns raised with the comment period.</p>	
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