

Tailored Impact Statement Guidelines Disposition Table – Federal Review Team

Marten Falls Community Access Road Project

Response requested by: **January 17, 2020**

All comments should be submitted via the Submit a Comment feature available on the Project's Canadian Impact Assessment Registry page (Reference #80184 at <https://iaac-aeic.gc.ca/050/evaluations/proj/80184>). Documents can be uploaded using this feature. If you have any difficulties submitting this way, please contact the registry directly at IAAC.CEAR-RCEE.AEIC@canada.ca. All comments submitted using this table would be posted on the Project's Canadian Impact Assessment Registry Internet site.

Please note that this will be your final opportunity to make changes to the Tailored Impact Statement Guidelines.

Department/Agency:	Transport Canada		
IA Contact:	Linda Beaulieu	Telephone:	416-952-0470
		Email:	Linda.Beaulieu@tc.gc.ca

Section 1:

1. Confirm that all applicable legislative and regulatory oversight that may apply to the Project, under the authority of your department, is accurately listed in the Permitting Plan.

Insert response here:

Yes, all information is accurately represented, apart from **2 minor edits required** that have been included in the chart below.

2. Indicate whether your department has identified any power that it will be unable to exercise to allow the Project to proceed, in whole or in part. For more information, refer to subsection 17(1) of IAA.

Insert response here:

None.

Section 2:

1. Please review the draft Tailored Impact Statement Guideline (TISG) sections that are applicable to your department's mandate.
2. Using the table below, please describe any issues and include your recommendation for how the final Tailored Impact Statement Guidelines should be adapted to address each issue. Please indicate any recommended **additions or deletions** to the text.

Department – Comment ID	TISG Section	Issue (provide an explanation of your comments)	Recommendation: provide text to be inserted or deleted. Be specific on the location within the TISG that the text would be added/deleted.
TC	PERMITTING PLAN	Two deletions required in the permitting plan (see highlights)	<p>4.2 Approvals under the <i>Canadian Navigable Waters Act</i></p> <p>Approval is not required for minor works (section 4(1)). Approval is required for major works on any navigable waterway, whether it is listed on the Schedule to the Act or not (section 5(1)(a)). Approval is required for works, other than a minor work, on a navigable waterway listed on the Schedule (section 5(1)(b)). Works, other than a minor work or a major work, on a navigable waterway not listed in the Schedule to the Act require either approval (section 10(1)(a)) or notice and deposit (section 10(2)(1)(b)). A Governor in Council exemption (section 24) is required for depositing of stone in navigable waterways or any waterway that flows into a navigable waterway (section 22) and for dewatering or lowering of water levels on any navigable waterway (section 23).</p> <p>4.2.1.1. Major Works and in any Navigable Water</p>
TC	TISG Section 3.2.3- Suspension, abandonment or decommissioning	TC needs to be made aware of any decommissioning of access roads <u>that cross over navigable waterways</u> , as their removal in this case may need CNWA approval. TC is recommending that the text in red be added	suspension, abandonment or decommissioning for temporary or permanent facilities, including aggregate pits and access roads, including any roads that have water crossings
TC	TISG Section 10- Baseline Conditions- Social - Navigation	During the draft TISG comment review, TC requested that the baseline information on the <i>past, present and anticipated future</i> use of waterways be provided. However, only current use was	describe past , current, and anticipated future use of all waterways and waterbodies, including recreational uses by Indigenous groups and the public (including special events, fishing, cottagers, etc.);

		<p>included in the revised TISG. TC requests that this wording be reconsidered, as we require information on past, current and potential future use of waterways in order to complete navigability assessments, determine whether the <i>Canadian Navigable Waters Act</i> will apply, and determine impacts to navigation.</p> <p>Without the incorporation of this specific wording, TC will likely be required to engage separately with the Project Proponent and Indigenous communities in order to obtain the required information.</p> <p>TC would be happy to have a call with the Agency to discuss this request further.</p>	
TC	<p>TISG Section 17.3- Effects to valued components- Social - Navigation</p>	<p>TC is concerned that in the first point, “physical characteristics” may be too vague and would like to clarify this by adding the text in red.</p>	<ul style="list-style-type: none"> describe navigable waterways that could be impacted by the project, including details such as physical characteristics (width, depth, etc.), bank/bottom features, biological components, flow/tides, etc.;