

**Enclosure 1: Updating the Federal Permitting Plan for the Marten Falls Community Access Road Project** Please submit the completed form by **June 23, 2025**, via email sent to [martenfalls@iaac-aeic.gc.ca](mailto:martenfalls@iaac-aeic.gc.ca)

#### Department Contact Information

<b>Submission Date</b>	July 7, 2025 (extension)
<b>Department/Agency</b>	Transport Canada
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The information that Federal Authorities (Regulators) will provide in this table will be used by IAAC to update the federal Permitting Plan for the Marten Falls Community Access Road Project. This information will also provide guidance to the proponent on next steps for applicable permits, authorizations or licenses (“permits”). Once completed, the detailed permitting plan including key milestone and timelines, will be discussed and confirmed with the proponent.

The intention is to identify those permits that would be needed for the proponent to construct the project and therefore should be tracked as part of the two-year target. The information on timing will be confirmed with the proponent during the finalization of the detailed permitting plan.

Federal authorities are asked to:

1. Review the draft Impact Statement and any other documents presented by the proponent and complete Table 1:
  - Characterize the likelihood that a federal permit will be required for the Project’s construction, based on the project as currently described. If you are unsure about timing, please list the permit as potential.
  - Describe why the permit is or is not required or how the proponent can confirm if permit will be required.
  - Indicate whether information provided in the draft Impact Statement could be sufficient to inform the permitting process, or briefly describe what information is missing or issues that need to be resolved; and
  - Indicate if any federal permits are missing and update the table accordingly.

2. Please indicate any other relevant guidance on permitting or issues related to permitting, to highlight to the proponent (use point form and plain language):

TC understands that the linear nature of the project may influence the proponent’s approach to obtaining the required permits, including potentially phasing the regulatory phase of the project. The guidance and information provided below would support each permitting requirement throughout the regulatory phase.

TC is providing the information contained in the table below on the assumption that the proponent selects to proceed with the preferred route identified in the draft Environmental Impact Statement.

TC is able to offer Pre-Submission Services ahead of submitting an Application For Approval in order to provide application assistance and advice on potential CNWA requirements.

3. Please indicate if a meeting with the Proponent to discuss your federal permits is needed.  
Yes X No

**Table 1: Information needed to update Federal Detailed Permitting Plan for Marten Falls Community Access Road Project**

Permit	Federal authority	Is permit required to construct the project?  Please choose from • Required • Likely • Unlikely • Potential • Not required	Describe why the permit is or is not required or how the proponent can confirm if the permit is required  Please indicate if the permit may be required later in the project’s lifecycle (i.e. operation phase).	Describe permitting information requirements:  <i>Please indicate if the information collected for the proponent’s draft Impact Statement would be sufficient to inform the permitting process.</i>  <i>If not, briefly describe what information may be needed.</i>	Identify project-specific milestones and timelines for the proponent to complete the permitting process, including those steps needed to collect information required in an application.  <i>Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting.</i>  Examples: • SARA permit needed for work on federal land that is required before construction. • Data needed for application that must be collected in Spring and Fall
Canadian Navigable Waters Act, 7(6)   Work Approvals	Transport Canada	Likely	<p>No waterways listed on the Schedule to the CNWA have been identified as part of this project.</p> <p>TC anticipates that the project is likely to included major works in navigable waterways, where an application for approval is required.</p> <p>TC anticipates that the project is also likely to involve proposed works other than major works or minor works in navigable waterways not found on the Schedule to the Act, where an application for approval is optional. The proponent may also opt to follow the public resolution process as an alternative.</p> <p>The proponent will be required to gather additional information to determine their proposed work and the navigability at each relevant crossing.</p> <p>With regards to the preferred route, TC currently understands that the proponent has identified the Albany River and the Ogoki River as navigable, as well as additional smaller navigable waters used for tourism and recreation (as well as use to access camps, and traditional use etc.). This information should be used to determine navigability.</p> <p>Site specific information will be required including water-crossing structure</p>	<p>Additional information is required.</p> <p>CNWA applications for approval must be completed as required and submitted via TC’s <a href="#">External Submission Site (ESS)</a>.</p> <p>An application must include:</p> <ul style="list-style-type: none"> <li>• completed and signed “application” form (with all mandatory fields filled in)</li> <li>• map showing the location of the project and the works</li> <li>• plan view drawings (top down) with dimensions</li> <li>• profile view drawings (side view) with dimensions,</li> <li>• general arrangement drawing(s), and</li> <li>• Additional supporting documents including Indigenous engagement records. Ideally the information will document Indigenous uses of the waterway, such as past use, present use and future uses to practice their rights.</li> </ul>	<p>No specific sequencing or timing is required in relation to the approvals under the CNWA for this linear project.</p> <p>Each CNWA Application for Approval Process includes:</p> <ul style="list-style-type: none"> <li>• Proponent submits an application through <a href="#">TC’s External Submission Site (ESS)</a></li> <li>• First assessment and invoicing (TC)</li> <li>• Invoice payment (proponent)</li> <li>• Analysis of the application (TC)</li> <li>• Indigenous Consultation for Application Initiates (TC)</li> <li>• Public Notice for a comment period (proponent)</li> <li>• Additional Stakeholder Engagement (as required) (TC)</li> <li>• Final analysis (TC)</li> <li>• Decision (TC)</li> </ul> <p>The proponent must publish a notice about a proposed work for review. Interested parties are invited to provide comments within 30 days after the publication of the notice or within any other period specified by the Minister of Transport.</p> <p>The proponent will be directed by Transport Canada as to when and where the notice shall be published. Coordination is possible to utilize open houses and joint publication requirements.</p> <p>Note: Transport Canada has introduced new fees for services, under the <i>Canadian Navigable Waters Act</i>.</p>

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			<p>design and navigation use to support further consideration of which crossings will require an approval.</p> <p>Identifying which crossings over navigable waters will require the construction of piers within the waterway will inform the proponent which crossings will likely be considered major works under the CNWA . Fixed-span bridges with one or more piers below the ordinary high water mark are considered Major Works under the CNWA.</p> <p>To confirm specific approval requirements in relation to the additional watercourse crossings noted above, the proponent will require the following information:</p> <ul style="list-style-type: none"> <li>• Design and engineering details of the crossings including whether the work is considered a Major Work or non-Major work (work other than a minor work).</li> <li>• Type of work proposed</li> <li>• Physical characteristics of waterbody or water course</li> <li>• Known or suspected past, current or future use of the waterway by Indigenous communities.</li> </ul> <p>Some specific questions include 1. Do your members have knowledge of any past use of the waterway by vessels as a means of transport or travel for exercising your rights? 2. Do your</p>		

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			<p>members currently use the waterway by vessels as a means of transport or travel for exercising your rights?</p> <ul style="list-style-type: none"> <li>• Physical impacts from proposed work upstream and downstream</li> <li>• Following receipt of the above information, TC's Navigation Protection Program (NPP) will likely undertake an Assessment of Navigability.</li> </ul> <p>To support organizing the approach, TC recommends the proponent prepare a table with key navigation information and their proposed approach for each crossing.</p> <p>The proponent can work toward avoiding a requirement for an approval under the CNWA by designing watercourse crossings that avoid impacts to navigation, including impacts to Indigenous navigation activities (i.e., no bridge piers / culvert edges below the ordinary high-water mark) or if the proposed watercourse crossings meet the prescribed criteria and requirements found under the specific class of the <a href="#">Minor Works Order</a>.</p> <p>In addition, the proponent has the option to rely on the self-directed Public Resolution Process under the CNWA for any non-major/non-minor works rather than submitting an application for approval.</p>		

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			TC encourages the Proponent to reach out to the regional NPP office, which offers pre-submission services that provide support and guidance on requirements, processes and procedures under the <i>Canadian Navigable Waters Act</i> .		