

Enclosure 2: 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

Department Contact Information

Submission Date	July 4, 2025
Department/Agency	Department of Fisheries and Oceans Canada
Lead Contact, Title, Work Unit	Carsten Slama, Biologist, Regulatory Review Unit – Linear Developments
Email, Phone	carsten.slama@dfo-mpo.gc.ca , 306.201.9349
Alternate Contact, Title, Work Unit	Brianna Wyn, Team Lead, Regulatory Review Unit – Linear Developments
Email, Phone	brianna.wyn@dfo-mpo.gc.ca , 306.216.6595

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):
 - [All relevant guidance on permitting and issues related to permitting are provided below.](#)
3. Please indicate if a meeting with the Proponent to discuss your federal permits is needed.

Yes 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?	Describe why the permit is or is not required or how the proponent can confirm if the permit is required	Describe permitting information requirements:	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>Canadian Navigable Waters Act, 7(6) Work Approvals</i>	Transport Canada	Please choose from <ul style="list-style-type: none"> • Required • Likely • Unlikely • Potential • Not required 	Please indicate if the permit may be required later in the project’s lifecycle (i.e. operation phase). For example: <ul style="list-style-type: none"> • Is there information the proponent needs to collect to confirm if permit is required? • Are there particular conditions that make a permit more likely to be required (e.g. presence of species or habitat)? • Are there actions the proponent can take to avoid needing a permit? • Is there a process to follow to determine if a permit is needed? 	Please indicate if the information collected for the proponent’s draft Impact Statement would be sufficient to inform the permitting process. If not, briefly describe what information may be needed.	Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting. Examples: <ul style="list-style-type: none"> • 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
<i>Canadian Navigable Waters Act, 24(1) Order in Council exemption</i>	Transport Canada				
<i>Canadian Navigable Waters Act, 10(1) Works in Navigable Waters not Listed in Schedule Authorization</i>	Transport Canada				
<i>Explosives Act, 7(1) Explosives Act License</i>	Natural Resources Canada				
<i>Fisheries Act, 34.4(2)(b) Fisheries Act Authorization</i>	Fisheries and Oceans Canada	Likely. Although death of fish is not expected to be a residual effect of the project given the proposed mitigation measures and the	See below.	See below.	See below.

Permit	Federal authority	Is permit required to construct the project?	Describe why the permit is or is not required or how the proponent can confirm if the permit is required	Describe permitting information requirements:	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.
		Please choose from <ul style="list-style-type: none"> • Required • Likely • Unlikely • Potential • Not required 	Please indicate if the permit may be required later in the project's lifecycle (i.e. operation phase). For example: <ul style="list-style-type: none"> • Is there information the proponent needs to collect to confirm if permit is required? • Are there particular conditions that make a permit more likely to be required (e.g. presence of species or habitat)? • Are there actions the proponent can take to avoid needing a permit? • Is there a process to follow to determine if a permit is needed? 	Please indicate if the information collected for the proponent's draft Impact Statement would be sufficient to inform the permitting process. If not, briefly describe what information may be needed.	Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting. Examples: <ul style="list-style-type: none"> • 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
<i>Fisheries Act</i> , 35(2)(b) Fisheries Act Authorization	Fisheries and Oceans Canada	Likely	A <i>Fisheries Act</i> Authorization (FAA) is likely to be required given the potential for in-stream work that would require large, long-term isolations and result in permanent loss of fish habitat (i.e. harmful alteration, disruption, destruction of fish habitat). Site-specific details (e.g., habitat type, productivity, and sensitivity, species presence, vegetation growth and shading effects, design drawings, fish passage requirements) will be required by DFO to	The information in the proponent's draft Impact Statement is sufficient to predict the likely residual effects and conclude with relatively high certainty that a <i>Fisheries Act</i> Authorization (FAA) will be required for the project. It is not, however, sufficient to issue the FAA, as detailed site-specific information (e.g., fish habitat assessments, crossing method and construction sequence, design drawings, disturbance footprint) will be required for each watercourse crossing location to fully understand the potential residual effects and offsetting required. This will allow DFO to refine the list of watercourse crossings in the FAA, determine the required area of offsetting required, and complete consultation with potentially affected Indigenous communities.	A <i>Fisheries Act</i> Authorization (FAA) will need to be obtained by the proponent prior to commencing any instream works (i.e., below the high-water mark). Site-specific fish and fish habitat data required to inform potential residual effects and offsetting requirements should be collected under snow-free conditions. Given the remote nature of the watercourse crossing locations, quantity of crossings, and time required for DFO to review a FAA application and complete consultation, it is recommended that the proponent submit a FAA application to DFO as early as practical to begin discussions. Review of an application for a project with this scope, complexity, and contentiousness can take more than a year to complete.

Permit	Federal authority	Is permit required to construct the project?	Describe why the permit is or is not required or how the proponent can confirm if the permit is required	Describe permitting information requirements:	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.
		<p>Please choose from</p> <ul style="list-style-type: none"> • Required • Likely • Unlikely • Potential • Not required 	<p>Please indicate if the permit may be required later in the project’s lifecycle (i.e. operation phase).</p> <p>For example:</p> <ul style="list-style-type: none"> • Is there information the proponent needs to collect to confirm if permit is required? • Are there particular conditions that make a permit more likely to be required (e.g. presence of species or habitat)? • Are there actions the proponent can take to avoid needing a permit? • Is there a process to follow to determine if a permit is needed? 	<p><i>Please indicate if the information collected for the proponent’s draft Impact Statement would be sufficient to inform the permitting process.</i></p> <p><i>If not, briefly describe what information may be needed.</i></p>	<p><i>Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting.</i></p> <p>Examples:</p> <ul style="list-style-type: none"> • 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
			<p>make a determination on a site-specific basis.</p> <p>The FAA will need to be issued prior to construction occurring below the high-water mark and would expire at the conclusion of the construction phase. A separate FAA may be required during the operation phase, should maintenance activities be required below the high-water mark (e.g., bridge repairs, culvert replacements).</p> <p>Given the details provided in the draft Impact Statement (e.g., nature of the work and size of some of the watercourse crossings), it is unlikely that the proponent can avoid the need for a FAA. Minimizing the amount of work below the high-water mark (e.g., installing clear span bridges) and maintaining fish passage (e.g., installing appropriately sized culverts), may reduce the footprint of the harmful alteration, disruption, and destruction listed on the FAA, thereby reducing the amount of offsetting that is required.</p>	<p>The following information is required to support an application for a <i>Fisheries Act</i> authorization, with more details included in the <i>Authorizations Concerning Fish and Fish Habitat Protection Regulations</i> (the Regulations):</p> <ul style="list-style-type: none"> • Applicant’s contact information • Description of proposed work, undertaking or activity (WUA) • Phases, schedule, and location • Consultations • Description of fish and fish habitat • Description of effects on fish and fish habitat • Measures and standards • Offsetting plan • Financial guarantee <p>DFO encourages applicants to also submit the following to support its review:</p> <ul style="list-style-type: none"> • Fisheries management objectives in place for the relevant water body; • Consideration of how the proposed work, undertaking or activity and offsetting plan align with fisheries management objectives; and • Any information relevant to other factors listed under Section 34.1 of the <i>Fisheries Act</i> (e.g., cumulative effects). <p>DFO’s determination of whether the proponent has provided the information required by the Regulations will occur during DFO’s regulatory review of an Application for <i>Fisheries Act</i> Authorization.</p>	<p>DFO recommends the Proponent consult the following resources to help develop the application:</p> <ul style="list-style-type: none"> • <i>Fish and fish habitat protection policy statement, August 2019:</i> https://www.dfo-mpo.gc.ca/pnw-ppe/policy-politique-eng.html • Project Planning: Applying for a Fisheries Act Authorization • <i>An Applicant’s Guide to Support the Authorizations Concerning Fish and Fish Habitat Protection Regulations:</i> https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/applicants-guide-candidats-eng.html • <i>Policy for applying measures to offset adverse effects on fish and fish habitat under the Fisheries Act:</i> https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/policies-politiques-eng.html <p>The Proponent should submit an application to DFO’s referrals inbox at DFO.OPHabitat.MPO@dfo-mpo.gc.ca, and cc DFO.CALinearDevelopment-DeveloppementlineaireCA.MPO@dfo-mpo.gc.ca.</p> <p>DFO will meet the 24 months timeline to complete permitting as outlined in the <i>Cabinet Directive on Regulatory and Permitting Efficiency for Clean Growth Projects</i>.</p> <p>As per Section 4 of the Regulations, the following are key steps and time limits for DFO to process applications:</p>

Permit	Federal authority	Is permit required to construct the project?	Describe why the permit is or is not required or how the proponent can confirm if the permit is required	Describe permitting information requirements:	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.
		Please choose from <ul style="list-style-type: none"> • Required • Likely • Unlikely • Potential • Not required 	Please indicate if the permit may be required later in the project’s lifecycle (i.e. operation phase). For example: <ul style="list-style-type: none"> • Is there information the proponent needs to collect to confirm if permit is required? • Are there particular conditions that make a permit more likely to be required (e.g. presence of species or habitat)? • Are there actions the proponent can take to avoid needing a permit? • Is there a process to follow to determine if a permit is needed? 	Please indicate if the information collected for the proponent’s draft Impact Statement would be sufficient to inform the permitting process. If not, briefly describe what information may be needed.	Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting. Examples: <ul style="list-style-type: none"> • 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
				The following tips will help applicants submit a complete application, and reduce the likelihood of delays (more information here: https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/project-planning-planification-projet-eng.html#tips): <ul style="list-style-type: none"> • Engage Indigenous peoples early, before submitting an application to DFO. • Ensure sufficient detail by using <i>An Applicant’s Guide to Support the Authorizations Concerning Fish and Fish Habitat Protection Regulations</i> to build the application. • Include a comprehensive offsetting plan, which is as complete and detailed as the project plan itself and provides ample benefits to fish so as to counterbalance all impacts, taking into account any time lags between impacts and offsetting construction and compensating for uncertainty associated with the offset. 	<ul style="list-style-type: none"> • Following receipt of a Proponent’s application, DFO has 60 days to determine completeness and adequacy, and to provide comments on the application including any required information or documentation. If new information is required, this will restart the 60 day review period. This process will repeat as many times as needed for the application to be complete. • Once DFO determines that the application, along with any new information, is complete and adequate, DFO has 90 days to either issue the authorization or notify the Proponent that the authorization is refused. <p>The 60- or 90-day time limit can cease to apply if one of the circumstances set out in subsection 4(6) of the Regulations apply, such as a requirement for Indigenous consultation.</p>
<i>Species at Risk Act, 73(1) Species at Risk Act Permit</i>	Fisheries and Oceans Canada	Unlikely	Under SARA it is prohibited to kill, harm, harass, capture or take an individual of an aquatic species listed as endangered or threatened, damage or destroy the residence of the species, or destroy any part of its critical habitat. Currently the only aquatic Species at Risk listed in Schedule 1 of SARA that occurs in the vicinity of the project is Lake Sturgeon, Southern Hudson Bay – James Bay populations, which is listed	The following information is required to support an application for a SARA permit for protection of species listed in Schedule 1 of SARA, with more details included in the <i>Permits Authorizing an Activity Affecting Listed Wildlife Species Regulations</i> : <ul style="list-style-type: none"> • information demonstrating that: <ol style="list-style-type: none"> a. the activity is scientific research relating to the conservation of the species and conducted by qualified persons; b. the activity benefits the species or is required to enhance its chance of survival in the wild; or 	Should the Proponent choose to apply for a SARA permit, DFO recommends the Proponent consult the following resources: <ul style="list-style-type: none"> • <i>Permitting under the Species at Risk Act</i>: https://www.dfo-mpo.gc.ca/species-especies/sara-lep/permits-permis/index-eng.html • <i>Guidelines for permitting under Section 73 of Species at Risk Act</i>: https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/policies-guidelines/permitting-under-section-73.html

Permit	Federal authority	Is permit required to construct the project?	Describe why the permit is or is not required or how the proponent can confirm if the permit is required	Describe permitting information requirements:	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.
		Please choose from <ul style="list-style-type: none"> • Required • Likely • Unlikely • Potential • Not required 	Please indicate if the permit may be required later in the project's lifecycle (i.e. operation phase). For example: <ul style="list-style-type: none"> • Is there information the proponent needs to collect to confirm if permit is required? • Are there particular conditions that make a permit more likely to be required (e.g. presence of species or habitat)? • Are there actions the proponent can take to avoid needing a permit? • Is there a process to follow to determine if a permit is needed? 	Please indicate if the information collected for the proponent's draft Impact Statement would be sufficient to inform the permitting process. If not, briefly describe what information may be needed. <ul style="list-style-type: none"> c. affecting the species is incidental to the carrying out of the activity. • information demonstrating that all reasonable alternatives to the activity that would reduce the impact on the species have been considered and the best solution has been adopted; • information demonstrating that all feasible measures will be taken to minimize the impact of the activity on the species, its critical habitat or the residences of its individuals; and • information describing any changes that the activity may cause to the listed wildlife species, its critical habitat or the residences of its individuals, the possible effects of those changes and the significance of those effects. 	Indicate if there is any specific timing for data collection or any sequencing in permits or between permitting. Examples: <ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • <i>Applying for a Species at Risk Permit:</i> https://www.dfo-mpo.gc.ca/species-especes/sara-lep/permits-permis/form-eng.html The Proponent should submit its SARA permit application along with the Application for <i>Fisheries Act</i> Authorization to DFO.OPHabitat.MPO@dfo-mpo.gc.ca , and cc DFO.CALinearDevelopment-DeveloppementlineaireCA.MPO@dfo-mpo.gc.ca . If a <i>Fisheries Act</i> authorization is used to fulfill SARA requirements, DFO anticipates requiring 24 months to complete the permitting process and the timing is the same as for the <i>Fisheries Act</i> Authorization above.
<i>Indian Act</i> , 28(2) Use of reserve lands authorization	Indigenous Services Canada				
<i>Species at Risk Act</i> , 73(1) Species at Risk Act Permit	Environment and Climate Change Canada				