

ATTACHMENT:

Federal Authority Advice Record

Response due by October 15, 2020

Great Sandhills Railway Switching Operation at North West Terminal Project

Agency File: 005770

Registry Number: 80998

Department/Agency	Fisheries and Oceans Canada (DFO)
Lead IA Contact	Bill Glass A/Team Leader, Triage and Planning Fish and Fish Habitat Protection Program
Full Address	867 Lakeshore Rd. Burlington, ON L7S 1A1
Email	William.glass@dfo-mpo.gc.ca
Telephone	<personal information removed>
Alternate Departmental Contact	Lisa Wren Lisa.wren@dfo-mpo.gc.ca

-
1. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

A *Fisheries Act* paragraph 35(2)(b) Authorization will be required if the project is likely to cause the harmful alteration, disruption, or destruction to fish habitat and/or a *Fisheries Act* paragraph 34.4(2)(b) Authorization if the project is likely to result in the death of fish. The proponent should submit a Request for Review for DFO which outlines the specific impacts of the project on fish and fish habitat for review under the *Fisheries Act*.

Fisheries and Oceans Canada also review projects for effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*,

Guidance on requesting a review from Fisheries and Oceans can be found at: <https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-001-eng.html>

-
2. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to the conduct of an impact assessment of the Project?

DFO can provide specialist or expert information or knowledge on assessment of impacts on fish and fish habitat, and aquatic species at risk. Our department may provide information to the proponent in order to avoid and mitigate the negative impacts of the proposed works, undertakings or activities. DFO will be able to evaluate the potential implications to our mandate as more details on the proposed project activities become available, and are submitted to DFO as part of the review process.

3. Has your department or agency considered the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action that would allow the Project to proceed in whole or in part?

No

4. Has your department or agency had previous contact or involvement with the proponent or other party in relation to the Project? (for example, enquiry about methodology, guidance, or data; introduction to the project)

No

5. Does your department or agency have additional information or knowledge not specified, above?

No

6. From the perspective of the mandate and area(s) of expertise of your department or agency, what are the issues that should be addressed in the impact assessment of the Project, should the Agency determine that an impact assessment is required?

The impacts to fish and fish habitat are not well described in the initial project description. More detail about the proposed watercourse crossings and the affected habitat will be required in order to determine the impact of the proposed project.

Bill Glass

Name of Departmental / Agency Responder

A/ Team Leader, Triage and Planning
Fish and Fish Habitat Protection Program

Title of Responder

October 13, 2020

Date