

Enclosure 1: Federal Authority Advice Record: Authority and Summary of Issues

Project: Waterloo Airport Runway Project
Proponent: Region of Waterloo International Airport
CIAR No.: 81452

Part A - Summary of Issues, Permitting Plan and Tailored Impact Statement Guidelines **Response due by: April 9, 2021**

All comments should be submitted via the **Submit a Comment** feature available on the Project's Canadian Impact Assessment Registry page (Reference 81452 at <https://iaac-aeic.gc.ca/050/evaluations/proj/81452>). Letters and forms can be uploaded using this feature. If you have any difficulties submitting this way, please contact the Agency at IAAC.Waterloo.AEIC@canada.ca for assistance.

Department/Agency: Transport Canada	
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1. Identify and describe the specialist or expert information or knowledge within your department or agency that would be relevant to the conduct of the impact assessment of the Project, should a federal impact assessment be required.

<ol style="list-style-type: none">1. Civil Aviation - The regulation of the the operations of aircraft under the Aeronautics Act and the Canadian Aviation Regulations.2. Airports and Aerodromes - The regulation of aerodromes under the Aeronautics Act and the Canadian Aviation Regulations3. Environmental Protection and Standards - Noise exposure forecasts and noise abatement procedures.
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2. The proponent has indicated in the Initial Project Description that approvals under the following federal legislation may be required for the Project to proceed:
 - *Fisheries Act*
 - *Species at Risk Act*
 - *Migratory Birds Convention Act, 1994*
 - *Canadian Environmental Protection Act, 1999*
 - *Canadian Aviation Regulations pursuant to the Aeronautics Act*
 - A modification of the *Region of Waterloo International Airport Zoning Regulations*, pursuant to the *Aeronautics Act*

(a) List the potential powers, duties, or functions, including federal funding, that your department or agency may issue to enable the Project to proceed. For each, please explain why your department or agency may issue the potential power, duty, or function, and, if applicable, the level of oversight, if any, that the regulatory instrument provides with respect to valued components identified for your department or agency in **Enclosure 4** and which project components and activities are related to the power, duty, or function.

1. Canadian Aviation Regulation (CAR) 307 – Transport Canada (TC) will ensure that the airport has complied with the requirements under the CARs through the acceptance of a summary report that establishes compliance with the regulations.

Resources:

<https://lois-laws.justice.gc.ca/eng/regulations/SOR-96-433/FullText.html#s-307.01>

https://www2.tc.gc.ca/media/documents/ca-oossvs/ac_307-001.pdf

(b) Validate whether the information relating to your department or agency's powers, duties, or functions contained in the Initial Project Description is accurate.

Section 18.0 of the Initial Project Description (IPD) identifies the Airport Zoning Regulations (AZR) as one of the approvals required for this project. We wish to clarify this point. The amendment of airport zoning regulations is not required by Transport Canada as part of the process when modifying a runway. However, the airport operator may request that the airport zoning regulations be amended as part of its process, subject to approval by the Minister in accordance with the Transport Canada airport zoning process.

(c) Has your department or agency already exercised the above-noted power or performed a duty or function to enable the proposed Project to proceed in whole or in part? Yes No

If yes, please describe.

(d) Please include a description of consultation activities that would occur with Indigenous groups if your department or agency has to exercise a power or perform a duty or function related to the Project, and how potential impacts to Indigenous groups are addressed by your department or agency. Indicate the potential timeline for Indigenous participation in support of Agency's development of the Permitting Plan and the Indigenous Engagement and Partnership Plan

Transport Canada will conduct a pre-consultation assessment to determine if there will be the potential for adverse impacts to Section 35 Aboriginal and/or Treaty rights and/or Title as a result of the project and TC's Crown Conduct. In TC's pre-consultation assessment, TC may use existing consultation and/or regulatory processes to assist in its duty to consult assessment. Should TC determine that consultation is required, the department prefers to coordinate with other departments/ministries where possible to streamline the consultation process. If coordination is not

(e) Please include a description of opportunities for public participation if your department or agency has to exercise a power, or perform a duty or function related to the Project. Indicate the potential timeline for that participation in support of the Agency's development of the Permitting Plan and the Public Participation Plan.

1. The CAR 307 process will require public participation. Details of this consultation process can be found in, Advisory Circular (AC) No. 307-001, Appendix A (Graphic Overview for Public Consultation Process)

<https://tc.canada.ca/en/aviation/reference-centre/advisory-circulars/advisory-circular-ac-no-307-001#s4-0>

3. (a) **Using Table 1 of Enclosure 2**, indicate whether the description of potential effects presented in the Initial Project Description sufficiently characterizes potential project effects— including direct and incidental effects, and effects within federal jurisdiction—as relate to your mandate . Provide advice on whether these effects may be adverse and whether your regulatory instruments could be used to address these effects. *Note: Information on effects and direct and incidental effects as well as effects within federal jurisdiction are defined in section 2 of IAA.*¹ **To facilitate your completion of the table, the Agency has prepared Enclosure 4 with specific values components and/or effects identified for each federal authority. For each potential effect, please consider whether proposed mitigation measures may manage the effect and provide a risk rating, as described in Enclosure 3.**

(b) **Using Table 1 of Enclosure 2**, identify any additional potential adverse effects of the Project that are not described in the Initial Project Description and their linkage to effects, effects within federal jurisdiction, and direct and incidental effects.

4. (a) The Agency understands that the proponent proposes to expand or relocate the airport terminal building as part of the Region of Waterloo International Airport Masterplan. Are you satisfied with the proponent’s characterization of the activities related to the airport terminal building, as described in the Initial Project Description?

Transport Canada is satisfied with the characterization of the activities related to the air terminal building (ATB). We concur with the proponent's position that the future expansion or relocation of the ATB is not directly related to the extension of Runway 14-32 and is therefore beyond the scope of the current review.

(b) Do you have any concerns regarding the proposed expansion and or relocation of the airport terminal building?

Transport Canada does not have any concerns in principle with the proposed expansion or relocation of the ATB. However, these plans remain conceptual and will need to be considered in more detail when the airport is prepared to move forward with design and development. At that time, the works will be reviewed and will need to comply with Transport Canada's regulations.

(c) Can you confirm, whether in identifying potential effects in Table 1 of Enclosure 2, that you did not include any potential effects due to the airport terminal building that were not sufficiently characterized by the proponent? **Yes** No

<Original signed by>

David Zeit

Name of Responder

Signature

Regional Senior Environmental Supervisc

Title of Responder

2021-04-19

Date

¹ A link to *Impact Assessment Act* text can be found here:
<https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>