

Federal Authority Advice Record (FAAR)

The FAAR must be submitted to the Registry by January 26, 2024.

New Nain Airport Project – Nunatsiavut Government

Registry reference no: 87156

Department/Agency	Transport Canada
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1. a) 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?

Transport Canada (TC) oversees and regulates civil aviation in Canada, including airports, and is responsible for administering the *Aeronautics Act* and its associated *Civil Aviation Regulations* (CARs), which will apply to the construction and operation of the proposed New Nain Airport.

Additionally, TC is responsible for the *Canadian Navigable Waters Act* (CNWA) and its associated *Regulations*, which may also apply to the access road, included as part of the New Nain Airport Project.

b) Please describe any Indigenous or public consultation that will be undertaken in relation to the exercise of that power, duty or function, including when it would take place.

Indigenous and / or public consultation may be undertaken in relation to the processes noted above. Transport Canada would seek to coordinate any Indigenous and public consultations, to the extent possible, through any impact/environmental assessment process.

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

As noted above, Transport Canada (TC) has expertise in the areas of civil aviation and navigation.

3. Has your department or agency 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, TC has not exercised a power or performed a duty or function under any *Act* of Parliament in relation to the Project, to allow it to proceed in whole or in part.

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

Yes, TC has taken part in a number of meetings with other Federal and Provincial Authorities, the Nunatsiavut Government, and the Proponent and their consultants.

5. Does your department or agency have additional information or knowledge about the project not specified above, including information about its geographic, environmental, economic or social context (for example, location of protected or sensitive areas, history between local communities and proponent or similar projects, local or regional social or economic concerns)?

No, TC does not have any additional information or knowledge about the project that hasn't already been specified above.

6. From the standpoint of your department's mandate and expertise, what are the main issues concerning the project?

For each key issue, please:

- describe the effect or the nature of the issue, including any relevant context;
- provide the rationale and/or evidence for why it is a key issue;
- briefly provide solutions to the issue, including information or studies that, if applicable, should be requested to the proponent in the Tailored Impact Statement Guidelines, potential mitigation measures, or regulatory requirements relevant to the issues;
- provide a concise, plain-language summary of the issue for inclusion in the Summary of Issues.

The information provided will be taken into consideration by the Agency to formulate an opinion on whether an impact assessment is required and, if applicable, will be taken into account in developing project-specific Tailored Impact Statement Guidelines in the next steps of the impact assessment process.

TC does not have issues concerning the project at this time.

7. If applicable, specify any additional information the proponent could provide in the Detailed Project Description or in its response to the Summary of Issues that:
- would make it possible to verify whether certain minor issues could be addressed and managed by clear measures, existing guidelines, other regulatory processes or other existing tools;
 - help the Agency to provide an opinion if an impact assessment is required, or
 - would support the tailoring of the Impact Statement Guidelines if the Agency is of the opinion that an impact assessment is required.

These clarifications and additional information will be included as specific questions/issues in the Summary of Issues provided to the proponent.

Please see Table 2 with information for the Proponent's consideration.

Transport Canada

Name of department or agency

Jason Flanagan, Senior Environmental Advisor

Speaker title

January 26, 2024

Date

Table 1: Key issues to inform the impact assessment process

The Agency asks that federal authorities guide expert advice on the Agency's approach to project specific tailoring, if the Agency is in the opinion that an impact assessment is required. This approach aims to focus the assessment on the Project's key issues, with an emphasis on the prevention of adverse environmental effects in areas of federal jurisdiction. In determining key issues, federal authorities should be mindful of the Project's context (size, scope, location), Indigenous knowledge and perspectives, and public concerns.

Potential effects that are considered minor, or that can be mitigated through clear measures, existing guidance or other regulatory processes, may be subject to simplified information requests or be disregarded. Advice from federal authorities on key issues and solutions - and on the scope and detail of the studies and information requested - will enable the Agency to focus the analysis on those issues that are important for the impact assessment process.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
<p><i>Please present comments by organization and comment number</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>If the comment relates to a specific section of the initial project description, please provide the reference.</i></p>	<p><i>Identify valued component(s) or factors to consider—within the mandate of your department or agency—to which the potential effect or issue applies.</i></p>	<p><i>Please provide a brief description of the issue and rationale for being a key issue.</i></p> <p><i>Include, where relevant:</i></p> <ul style="list-style-type: none"> • <i>the sequence of potential effects;</i> • <i>the relevant context that specifies why this is a key issue;</i> • <i>key uncertainties that should be addressed in the impact assessment;</i> • <i>Indigenous or public concerns or perspectives;</i> • <i>scientific data or traditional knowledge, including from previous projects, that justifies the inclusion of the key issue in the project assessment.</i> 	<p><i>If applicable, please provide brief solutions/advice to address the issue or potential effect, including:</i></p> <ul style="list-style-type: none"> • <i>studies or information relevant to describing and characterizing the potential effect, including any guidance for data collection or analysis or existing data sources to inform the assessment;</i> • <i>any powers your department or agency has that may mitigate, manage or set conditions related to the issue;</i> • <i>advice or policies to frame and mitigate the potential effect;</i> • <i>standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;</i> • <i>commitments the proponent could make to respond to the issue.</i> 	<p><i>For issues to be included in the Summary of Issues, provide a concise, plain language synopsis of the key issue and any questions or directions for the proponent, if applicable.</i></p>

Please insert additional lines if necessary

Table 2. Details or additional information the proponent could include in the Detailed Project Description or in the response to Summary of Issues

Comment ID	Relevant section of the Initial Project Description	Description of the Issue, Concern or Uncertainty	Clarifications or additional information	Plain-language summary for inclusion in Summary of Issues
<p><i>Please identify comments by organization and comment number.</i></p> <p><i>e.g. AEIC-01</i></p>	<p><i>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</i></p> <p><i>You may also choose to copy the relevant text here.</i></p>	<p><i>Provide a description of the issue, concern or uncertainty that the proponent could include in its Detailed Project Description, which could be framed and managed by clear measures, existing guidelines, regulatory processes or other existing tools, and thus be the subject of a simplified information request in the guidelines, or simply be disregarded.</i></p>	<p><i>Specify what additional information the proponent could provide in the Detailed Project Description to address the issue, concern or uncertainty, for example:</i></p> <ul style="list-style-type: none"> <i>• clarifications to elements of Project Description (e.g. components, activities, locations or alternatives);</i> <i>• proposals on Project design changes that could avoid effects;</i> <i>• evidence that could demonstrate that the effects will be negligible;</i> <i>• evidence that standard mitigation measures will reduce or eliminate potential effects;</i> <i>• commitments the proponent could make to respond to the question/issue, including the implementation of federal operational policies or guidance documents.</i> 	<p><i>For issues to be included in the Summary of Issues, provide a concise, plain-language synopsis of the issue and any questions or instructions for the proponent, if applicable.</i></p>
TC-01	N/A	For IAAC and Proponent's information.	<p>TC Aerodrome Safety notes that the Proponent should ensure that the terrain surrounding the proposed new airport has been assessed, and that this site is suitable, in that the applicable Aerodromes Standards and Recommended Practices TP 312 5th Edition for the obstacle limitation surfaces (OLS) can be met.</p> <p>It would be expected at the time of certification that the proponent can demonstrate that these surfaces are obstacle free, which includes terrain, through survey documentation.</p>	N/A

TC-02	N/A	For IAAC and Proponent's information.	<p>As details become known about the particular stream crossings along the access road, TC encourages the Proponent and their consultant(s) to review them against the requirements of the <i>Canadian Navigable Waters Act</i> (CNWA).</p> <p>The application process can be accessed at the following link: External Submission Site for the Navigation Protection Program (create an account first if needed)</p> <p>Additional guidance information and links for the NPP regulatory process can be found here: <i>Canadian Navigable Waters Act:</i> https://www.tc.gc.ca/eng/programs-632.htm https://www.tc.gc.ca/eng/canadian-navigable-waters-act.html</p> <p>Navigation Protection Program, Transport Canada http://www.tc.gc.ca/eng/programs-621.html</p> <p>(NOTE: information in this cell previously provided to IAAC on November 22, 2023)</p>	N/A
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Please insert additional lines if necessary