

2.3 Direct or incidental adverse effects

“IAAC considered the direct or incidental adverse effects that are directly linked or necessarily incidental to the following federal permitting decisions:

- Authorization under the Fisheries Act; Schedule 2 amendment under the Metal and Diamond Mining Effluent Regulations;*
- Approvals and/or exemptions under the Canadian Navigable Waters Act; and”*

The text in section 2.3 does not make it clear how IAAC considered direct or incidental effects related to navigation. TC recommends that IAAC expand the description of how it was considered for additional clarity.

Annex 4 – IAAC’s responses to summarized comments

“Potential impacts to the use of navigable waterways would also be considered for any approvals that may be required under the Canadian Navigable Waters Act, which requires consultation with Indigenous communities, administered by Transport Canada.”

Transport Canada recommends the following change to the text:

“Potential impacts to navigation would also be considered during the review of any applications for approval or exemption under the Canadian Navigable Waters Act, which requires consultation with Indigenous communities. Transport Canada is continuing to work with the proponent to obtain additional information in order to determine the extent of the regulatory requirements under the CNWA.”