Analysis Report

WHETHER TO DESIGNATE THE **ARCTIC OVER THE HORIZON RADAR PROJECT – CLEARVIEW RECEIVER SITE** IN ONTARIO PURSUANT TO THE *IMPACT ASSESSMENT ACT*

August 20, 2026

Impact Assessment Agency of Canada
Agence d'évaluation d'impact du Canada

Canada

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Purpose

The Impact Assessment Agency of Canada (IAAC) prepared this report for consideration by the President of IAAC[1] in his response to the request to designate the Arctic Over-the-Horizon Radar Project – Clearview Receiver Site (the project) proposed by the Department of National Defence (the proponent) pursuant to section 9 of the *Impact Assessment Act* (the IAA).

Context of request

On May 20, 2026, the Minister of the Environment, Climate Change and Nature (the Minister) received a request to designate the project from Resident Owners Against Radar (ROAR) (the requesters). The request expressed concerns about project-related effects to the local environment and areas of federal jurisdiction including to fish and fish habitat, wetlands, wildlife, migratory birds, impacts on Indigenous Peoples and established Aboriginal and Treaty rights and social and economic effects to the rural Ontario community.

On July 7, 2026, IAAC sent a letter to the proponent notifying them of the designation request and requesting information on the proposed project. In addition, IAAC requested advice and/or input from Fisheries and Oceans Canada (DFO), Environment, Climate Change and Nature Canada (ECCC), Health Canada (HC), Indigenous Services Canada (ISC), Natural Resources Canada (NRCan), Transport Canada (TC), the Ontario Ministry of Citizenship and Multiculturalism (MCM) and Ministry of Environment, Conservation and Parks (MECP), and seven potentially affected Indigenous groups: Alderville First Nation, Beausoleil First Nation, Chippewas of Georgina Island First Nation, Chippewas of Rama First Nation, Curve Lake First Nation, Hiawatha First Nation, and Mississaugas of Scugog Island First Nation (MSIFN).

The proponent responded to IAAC's information request on July 27, 2026, with information about the project, its potential adverse effects, proposed design and mitigation measures, and expressed its view that the project should not be designated.

Advice on applicable legislative mechanisms and potential project effects was received from DFO, ISC, HC, ECCC, NRCan, TC, MCM and MECP.

IAAC received input from MSIFN; no additional responses were received from other Indigenous groups.

IAAC did not receive any submissions from other stakeholders or the public.

[1] On July 24, 2026, the Minister of the Environment, Climate Change and Nature delegated the powers under section 9 of the *Impact Assessment Act* related to designation requests to the President of IAAC. Therefore, under subsection 9(1) of the *Impact Assessment Act*, the President may respond to a request to designate a physical activity that is not prescribed in the *Physical Activities Regulations* (the Project List).

Project context

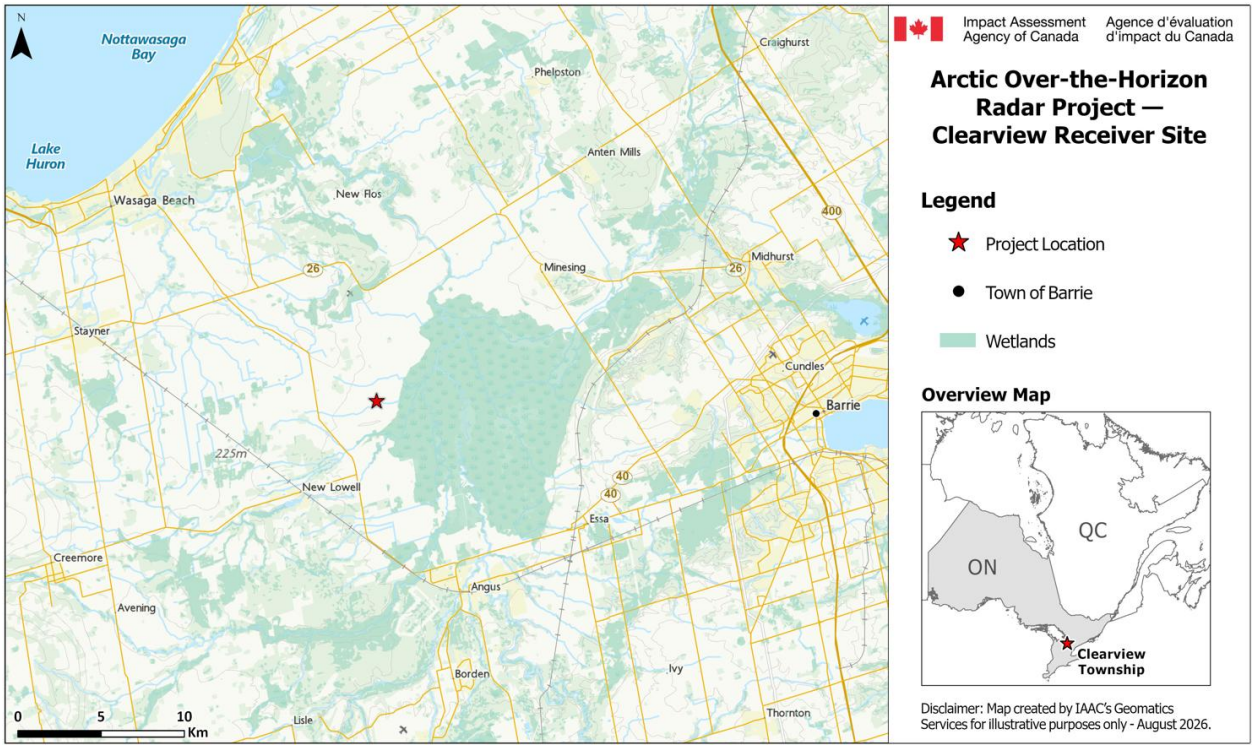
Project overview

As part of the new Northern Approaches Surveillance System, the proponent is proposing the Arctic Over-the-Horizon Radar (A-OTHR) initiative, which would support the modernization of the North American Aerospace Defense Command (NORAD). The radar system would expand NORAD and the Canadian Armed Forces' situational awareness of objects approaching and entering Canadian airspace from the North. The project site would be located in Clearview Township, Ontario (see Figure 1). In total, up to four permanent sites will be required for this initiative, including two transmit and two receiver locations, constructed in stages, which would support early warning radar coverage and threat tracking.

The proposed project is a component of the A-OTHR initiative. As proposed, the project would involve the installation of a network of receiver antennas, security infrastructure, storage facilities, an access road, and parking areas. The project would work in tandem with a transmitter site, located near Kawartha Lakes, Ontario, and is intended to be operational in 2029. In total, the project footprint would include 1,000 hectares of previously cultivated agricultural land.

The proponent determined that project activities are not described in the *Physical Activities Regulations* and, as a federal authority within the meaning of sections 2 or 81 of the IAA, is currently undertaking section 82 requirements for the project under the IAA to determine whether the project is likely to cause significant adverse environmental effects.

Figure 1: Project Location – Clearview Township, Ontario



Source: IAAC, August 2026

Project components and activities

The project consists of the development of a radar receiver site in Clearview Township, Ontario, and associated infrastructure required for construction, operation, maintenance, utilities, access, drainage, and environmental protection. The receive site forms part of the broader A-OTHR initiative, which requires both transmit and receive facilities separated by a prescribed distance to meet operational requirements.

Project infrastructure includes a network of receiver antennas; security infrastructure (e.g., fencing, patrol roads and gatehouse); operations, storage, and maintenance buildings; an access road; and parking areas.

Key project development activities include:

- site preparation and earthmoving activities and establishment of construction staging and laydown areas;
- construction and installation of the radar receiver array and associated infrastructure;
- construction of operations, storage, and maintenance buildings;
- installation of utility infrastructure and associated servicing corridors and connections;
- construction of an access road and transportation infrastructure;
- stormwater management and drainage works, including modifications to existing drainage features and rerouting of watercourses, where required;

- installation of erosion and sediment control measures and other environmental protection measures;
- establishment of temporary construction support facilities and equipment storage areas; and
- site restoration and landscaping activities following construction.

Analysis of the designation request

Authority to designate the project

The *Physical Activities Regulations*[2] (the Project List) of the IAA identify the physical activities that constitute designated projects. The project, as described in the information provided by the proponent, is a radar defence project, and as such is not included in the Project List. The most comparable items to the project are:

13 The construction and operation of a new military base or military station that is established for more than 12 consecutive months.

16 The construction, operation, decommissioning and abandonment, outside an existing military base, of a new military training area, range or test establishment for training or weapons testing that is established for more than 12 consecutive months.

IAAC understands that the project is not a military base nor a military station. Additionally, the project is not established as a training area, range or test establishment for training or weapons testing. As such, the project is not a physical activity as described by items 13 or 16 of the Project List.

Under subsection 9(1) of the IAA the Minister may, by order, designate a physical activity that is not prescribed in the Project List. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or direct or incidental adverse effects.

In accordance with subsection 9(2) of the IAA, in deciding whether to make an order, if the Minister is of the opinion that the carrying out of the physical activity may cause adverse effects within federal jurisdiction or direct or incidental adverse effects, the Minister may consider public concerns related to the adverse effects within federal jurisdiction or the direct or incidental adverse effects, adverse impacts that the physical activity may have on the rights of Indigenous Peoples, and whether a means other than an impact assessment exists that would permit a jurisdiction to address the adverse effects within federal jurisdiction and the direct or incidental adverse effects that may be caused by the carrying out of the physical activity.

Under subsection 9(7) of the IAA, the Minister cannot designate a physical activity if the carrying out of the physical activity has substantially begun, or a federal authority has exercised a power or performed a duty or function that could permit the physical activity to be carried out in whole or in part. Under subsection 154(1) of the IAA, the Minister may, subject to any terms and conditions that the Minister specifies,

[2] *Physical Activities Regulations*, SOR/2019-285.

delegate to IAAC any powers, duties, or functions that the Minister is authorized to exercise or perform under the IAA. On July 24, 2026, the Minister of Environment delegated the powers under section 9 of the IAA related to designation requests to the President of IAAC.

IAAC is of the view that the project is not described in the Project List, the carrying out of the project has not substantially begun, and no federal authority has exercised a power or performed a duty or function that would permit the project to be carried out, in whole or in part. Based on the above, IAAC is of the view that the President of IAAC may consider designating the project pursuant to subsection 9(1) of the IAA.

Existing legislative mechanisms

Key federal and provincial legislative mechanisms that are or may be relevant to the project are summarized below.

Federal legislative mechanisms

Impact Assessment Act

Sections 81-91 of the IAA set out the obligations of a "federal authority" when carrying out projects on federal lands and outside Canada that are not designated on the "Project List". Section 82 of the IAA prohibits authorities from carrying out a project; exercising any duty or function conferred to it under any other Act of Parliament; or providing financial assistance to any person for the purpose of enabling the project to be carried out on federal lands unless the authority makes a determination that either (1) the carrying out of the project is not likely to cause significant adverse environmental effects; or (2) the authority determines that the carrying out of the project is likely to cause significant adverse environmental effects, and the Governor in Council decides that those effects are justified in the circumstances. Section 81 of the IAA defines environmental effects as "changes to the environment and the impact of those changes on Indigenous Peoples and on the health, social or economic conditions".

The proponent, DND, is an authority within the meaning of sections 2 and 81 of the IAA and is subject to the obligations set out in section 82 of the IAA with respect to projects carried out on federal lands under its administration. Further, the project is not a physical activity as described by the Project List. In accordance with section 82, the authority is required to determine whether the project is likely to cause significant adverse environmental effects before the project can proceed. The proponent, ECCC and DFO are undertaking the section 82 assessment for the project[3], which will describe the project components and activities, identify and evaluate potential environmental effects, including any impacts on Indigenous Peoples recognized under the IAA, summarize mitigation measures and explain the rationale supporting the significance determination.

Fisheries Act

[3] Construction of the Arctic Over-the-Horizon Radar (A-OTHR) Capability at 2225 15/16 Sideroad, Clearview Township, Ontario

The *Fisheries Act* provides protection for fish and their ecosystems. The Fish and Fish Habitat Protection Program of DFO reviews projects for their impacts to fish and fish habitat to ensure compliance with the *Fisheries Act* and *Species at Risk Act* (SARA). Through this program, DFO may provide a Letter of Advice to the proponent containing information to avoid and mitigate negative, project-related impacts to fish and fish habitat.

A *Fisheries Act* authorization would be required if a project is likely to cause the harmful alteration, disruption, or destruction of fish habitat and/or is likely to result in the death of fish. The Minister of Fisheries must consider any adverse effects that the decision (under paragraphs 34.4(2)(b) and 35(2)(b)) may have on the rights of Indigenous Peoples recognized and affirmed by section 35 of the *Constitution Act*, *1982.* If granted, a *Fisheries Act* authorization would include legally binding conditions for avoidance, mitigation, and offsetting requirements commensurate with project impacts. Monitoring to validate impacts and verify efficacy of mitigation measures and offsetting are also part of authorization conditions.

Based on the information currently available about the project, DFO does not have sufficient information to determine whether the project will result in adverse effects; however, a *Fisheries Act* paragraph 35(2)(b) authorization may be required if there is potential for the harmful alteration, disruption or destruction of 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.

ECCC administers and enforces subsection 36(3) to (6) of the *Fisheries Act*, which prohibits the deposit of deleterious substances into waters frequented by fish, or to any place, under any conditions, where they may enter waters frequented by fish, unless authorized by regulations or other federal legislation. Based on information currently available about the project, ECCC does not expect to exercise a power or perform a duty or function related to the project, as proposed, to enable it to proceed.

Species at Risk Act

The SARA aims to prevent the extinction or extirpation of wildlife species in Canada and to provide for the recovery of wildlife species that are extirpated, endangered or threatened.

For non-aquatic species listed in Schedule 1 of SARA as extirpated, endangered, or threatened, a permit may be required from ECCC (i.e. under section 73 of SARA) for activities that affect a listed terrestrial wildlife species, any part of its critical habitat, or the residences of its individuals, where those prohibitions are in place.

A SARA permit may be required from DFO if the project activities are likely to result in impacts to 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 SARA. Based on available information, DFO stated that it is unlikely that a permit will be required under sections 32, 33 and subsection 58(1) of SARA as there are currently no aquatic species at risk mapped for the project area.

Migratory Birds Convention Act, 1994

The *Migratory Birds Convention Act, 1994* (MBCA) protects migratory birds and their eggs and nests wherever they occur, regardless of land tenure. The MBCA and its *Migratory Birds Regulations, 2022* (MBR) prohibit the disturbance or destruction of migratory birds, and their nests and eggs, unless a permit specifically authorizing the activity has been granted. The deposit of harmful substances into waters or

areas frequented by migratory birds or in a place from which the substance may enter such waters or such an area is also prohibited.

The MBR also identifies 18 species of birds whose nests are protected year-round. Species that are both a migratory bird protected under the MBCA, and listed on Schedule 1 of SARA as endangered, threatened or extirpated, receive protections under both pieces of legislation. The proponent would be required to comply with the MBCA and its regulations to ensure the protection of migratory birds.

Permits under the MBR and SARA may be required; however, ECCC does not expect to exercise a power or perform a duty or function related to the project, as proposed, to enable it to proceed.

Radiocommunication Act

The *Radiocommunication Act* establishes the federal framework for regulating radiocommunication in Canada and supports the orderly and efficient operation of radio systems and use of the radiofrequency spectrum. The Act generally prohibits the installation, operation or possession of radio apparatus except under and in accordance with a radio authorization, unless a regulatory exemption applies. Radio authorizations include radio licences and spectrum licences and may be subject to specified terms and conditions. These authorizations are issued by the Minister of Industry and administered through Innovation, Science and Economic Development Canada (ISED).

The proponent is in the process to obtain an authorization from ISED for use and operation of the radiofrequency spectrum required for the project. The proponent stated they have been conducting consultation with Indigenous groups, municipalities and other interested parties following Radiocommunication and Broadcasting Antenna Systems procedure CPC-2-0-03.

Aeronautics Act

The *Aeronautics Act* is the primary legislation that governs and oversees civil aviation in Canada. If the project has the potential to affect aviation safety or constitute obstacles to air navigation, the proponent may be required to submit an Aeronautical Assessment Form to TC. Once further information is available, TC may recommend the completion of an aeronautical assessment in order to determine any applicable obstacle marking and lighting requirements in accordance with the *Aeronautics Act*, the *Canadian Aviation Regulations*, and associated standards.

Provincial legislative mechanisms

Species Conservation Act, 2025

The *Ontario Species Conservation Act, 2025* (SCA) replaced the Endangered Species Act, 2007 and came into force on March 30, 2026. The SCA establishes a framework for identifying species at risk through the Committee on the Status of Species at Risk in Ontario (COSSARO) and provides legal protection and conservation measures for species listed on the Protected Species in Ontario List (PSO; Regulation 60/26). The SCA excludes most aquatic species and migratory birds that are listed federally under SARA unless otherwise prescribed by regulation, thereby relying on the federal legislated framework for these species. Terrestrial species may be protected under Ontario's SCA without being listed under SARA. The applicability of the SCA should therefore be evaluated for terrestrial species that are listed provincially but

not under SARA, as provincial registration or permitting requirements may be relevant despite the absence of a corresponding federal listing.

The Ontario Ministry of Environment, Conservation and Parks (MECP) administers the SCA. MECP noted that provincial approvals and authorizations under the SCA may not apply because the project is on federal land. However, MECP's Species at Risk Branch shared information on known protected species that may occur near the project and provided guidance to the proponent on species, habitat, mitigation and regulatory considerations that may be relevant based on the proposed activities and site-specific conditions.

Ontario Water Resources Act

The *Ontario Water Resources Act* (OWRA), administered by MECP, provides for the conservation, protection and management of Ontario's water and its efficient and sustainable use to promote Ontario's long-term environmental, social, and economic well-being. The OWRA regulates the activities involving the discharge or deposit of industrial waste and other materials that may result in the impairment of Ontario's water resources. The applicability of the OWRA depends on the nature of the waste, the proposed disposal, or discharge method, and the potential effects on water resources.

MECP stated that while they administer the OWRA, because the project is on federal land, there is a possibility that provincial approvals and authorizations related to the OWRA may not apply to the project.

Ontario Heritage Act

The *Ontario Heritage Act* (OHA) is administered by the Ontario Ministry of Citizenship and Multiculturalism (MCM), whose mandate involves conserving, protecting and preserving Ontario's cultural heritage. The OHA provides the primary statutory framework for the conservation of cultural heritage resources in Ontario, including their identification, protection and wise management. The OHA does not itself trigger technical cultural heritage studies, nor does it include a permitting or approval regime for development activities. The OHA operates concurrently with other legislation, ensuring that cultural heritage resources are conserved when another statute authorizes ground disturbance, site alteration, or development.

The MCM noted that, although the OHA does not apply on federal lands, its framework could complement applicable federal requirements for considering cultural heritage resources, assessing potential project effects and identifying appropriate mitigation measures. MCM stated that they have not received public or Indigenous group comments or concerns in relation to this project.

Potential adverse effects within federal jurisdiction

IAAC's analysis identified that the carrying out of the project may cause potential adverse effects within federal jurisdiction and direct or incidental adverse effects, as defined in section 2(1) of the IAA, taking into account input received from the requesters, proponent, federal authorities, provincial ministries and Indigenous groups. As outlined below, IAAC is of the view that existing legislative and regulatory mechanisms provide a framework to address those potential adverse effects within federal jurisdiction and direct or incidental adverse effects. Federal and provincial legislative and regulatory mechanisms relevant to the project described above were considered in IAAC's analysis.

Fish and fish habitat

The requesters and the MSIFN expressed concerns about effects on fish and fish habitat resulting from land disturbance, altered drainage patterns and runoff into the Minesing Wetlands (Figure 1) and riparian areas.

The proponent expects the potential impacts to fish and fish habitat may include:

- direct alteration or loss of fish habitat associated with watercourse modifications and infrastructure installation;
- potential temporary increases in sedimentation and turbidity during construction;
- potential changes to aquatic habitat quality and connectivity;
- potential changes to flow characteristics and drainage patterns; and
- temporary disturbance to fish during in-water or near-water works.

The proponent stated that development is planned within previously disturbed agricultural land, and the project has been designed to minimize interactions with aquatic habitats by maintaining a 30 metre riparian buffer from the Minesing Wetlands and avoid sensitive aquatic features as feasible. The proponent reported that studies and analysis completed to date have identified avoidance and mitigation measures, including erosion and sediment control, environmental protection planning, construction timing considerations, maintenance of vegetated buffers where feasible, removal of fish from in-channel or in-water construction sites, watercourse realignment and reconnection to the wetland, restoration measures, monitoring programs, and compliance with applicable *Fisheries Act* requirements, including offsetting requirements where applicable. Based on the assessment completed to date and the implementation of these measures, the proponent anticipates no residual adverse effects on fish and fish habitat.

DFO noted that more information is required before a determination is made about whether the project will result in adverse effects. Should works be proposed that may impact fish and fish habitat (including, for example, channel realignment of an existing watercourse), DFO recommends, that as project design and construction plans become confirmed, the proponent submit a Request for Review to DFO which outlines the specific impacts of the project on fish and fish habitat for review under the *Fisheries Act*.

ECCC indicated that the project may present the potential to cause adverse effects to fish and fish habitat through various water quantity mechanisms, such as discharge of surface water runoff, stormwater runoff, release of wastewater into the receiving environment, among others, if not appropriately managed. As the

project is in the preliminary stages, sufficient information on surface water management and characterization of the receiving environment is not yet available to assess whether changes to water quantity may adversely affect aquatic species at risk and their habitats, or to determine the extent to which any potential effects could be mitigated through applicable legislative or regulatory mechanisms.

MECP noted that it does not administer approvals related to fish and fish habitat. Relevant provincial environmental requirements and guidance may complement federal processes and requirements, depending on the project's final design, proposed activities and site-specific conditions.

IAAC considered the input received and is of the view that existing mechanisms such as the federal *Fisheries Act,* SARA*,* and the fish and fish habitat studies and mitigation measures associated with the IAA section 82 environmental effects determination provide a framework for addressing the potential adverse effects of the project on fish and fish habitat.

Aquatic species at risk

The requesters expressed concern about effects to aquatic species at risk, as defined in subsection 2(1) of SARA. The project is not expected to affect the marine environment or marine plants.

The proponent noted that no aquatic species at risk have been identified in waterbodies in or near the project area, and no critical habitat is present in or near the project area. The proponent does not anticipate adverse effects to aquatic species at risk. The proponent stated that additional mitigation measures, such as site-specific erosion and sediment control measures, habitat protection measures, and environmental monitoring will be outlined in the IAA section 82 environmental effects determination. The proponent shared that these measures are intended to protect downstream aquatic habitat quality and function, minimize construction-related disturbance, and maintain habitat connectivity.

DFO noted that the project is unlikely to require a permit under SARA as there are no aquatic species at risk mapped for the project area.

No aquatic species at risk were identified through the proponent's studies undertaken for the IAA section 82 assessment. Additionally, DFO stated that no aquatic species at risk have been mapped for the project area. Therefore, no effects from the project to aquatic species at risk are anticipated. IAAC considered the input received and is of the view that existing federal mechanisms such as the *Fisheries Act,* SARA*,* and the IAA section 82 environmental effects determination provide a framework to address effects to aquatic species at risk, if identified.

Migratory birds

The requesters and MSIFN raised general concerns that the project could result in adverse effects to flora and fauna and the ecological integrity of their habitat, within the Minesing Wetlands.

The proponent noted potential effects to migratory birds may result from vegetation clearing, habitat disturbance, construction noise, increased human activity, and operation of project infrastructure. Effects to migratory birds may include:

- alteration of nesting, foraging, and movement habitat;

- disturbance to migratory birds during construction activities;
- potential impacts to active nests if vegetation clearing occurs during the breeding bird season; and
- temporary displacement from habitats located within the project footprint.

The proponent has identified mitigation measures including pre-construction nesting bird surveys, protection of active nests, seasonal timing considerations for vegetation clearing, minimization of habitat disturbance, regularly tilling the soil prior to construction outside of nesting periods, and restoration of disturbed areas to minimize effects. The proponent has received input from ECCC outlining suitable mitigation measures for migratory birds and feedback received from stakeholders has also been factored into development plans. The proponent anticipates no residual adverse effects on migratory birds or their habitat with implementation of mitigation measures identified.

ECCC noted that migratory birds could be affected by sensory disturbances, such as noise from various project activities, lights, vibrations from excavation and blasting work and the operation of machinery during the construction, operation, and decommissioning of the project. Sensory disturbance may make adjacent habitats unsuitable for use by wildlife and cause avoidance effects. ECCC also noted that individual mortality and the destruction of nests and eggs or any other structure necessary for the reproduction and survival of species at risk could occur during all project phases, particularly during site preparation. Mortality in migratory birds and species at risk could also occur because of collisions with vehicles or infrastructure related to the project. ECCC stated that there is a higher risk that these effects would be more severe for migratory birds that are also species at risk and species where habitat is sensitive to disturbance (e.g., wetlands) or where there is already a high degree of cumulative effects to habitat or individuals.

IAAC considered the input provided and is of the view that existing federal mechanisms such as the MBCA, SARA, and the IAA section 82 environmental effects determination provide a framework to address these potential effects.

Indigenous Peoples

The project is located within the Southern Ontario Treaties (1764 -1862) territory and at the western boundary of the Williams Treaties (1923) which includes the First Nations of Alderville, Beausoleil, Chippewas of Georgina Island, Rama, Curve Lake, Hiawatha, and Mississaugas of Scugog Island. The Chippewas of Georgina Island First Nation (No. 06198) and the Chippewas of Rama First Nation (No. 06195) are within approximately 50 km from the project. Collectively, these seven groups are considered the Williams Treaty First Nations (WTFN).

The requesters expressed concern that the project may interfere with traditional Indigenous land use and potentially pose risk to archaeologically and historically significant sites and cultural resources.

The MSIFN expressed concerns regarding potential adverse effects to areas of physical and cultural heritage, current use and archaeological resources. The MSIFN stated that there may be potential adverse effects to fish habitat and consequently fish species that are traditionally and currently associated with MSIFN fishing rights. Additional concerns were raised by MSIFN regarding culturally important plant species, including Black Ash. The MSIFN expressed interest in being informed on participating in ecological and archaeological studies for the project to better understand potential adverse effects and to

be able to contribute Indigenous Knowledge about potential receptors and sensitive cultural heritage features.

The MSIFN also expressed concerns regarding potential adverse effects of the project to health, social and economic conditions. There are concerns regarding potential adverse effects from the project to traditional food resources and food security, cultural continuity, and community well-being. The MSIFN also raised concerns that details on opportunities for Indigenous participation in employment, environmental monitoring, restoration and stewardship aspects have not been established or shared by the proponent.

The proponent stated they have undertaken engagement with Indigenous communities since early 2024, beginning with outreach to 52 potentially affected Indigenous Nations from the initial project siting announcement and continuing through project planning and IAA section 82 environmental assessment activities. Following selection of the Clearview site, the proponent stated they have conducted ongoing engagement with WTFN participants, including regular meetings and monthly working group discussions, correspondence, technical review sessions, information-sharing, and opportunities for Indigenous communities to review and provide feedback on environmental studies, archaeological investigations, technical reports, and the IAA section 82 environmental effects determination. The proponent noted that archaeological monitoring reports, environmental baseline information, and project updates will be shared throughout the engagement process.

The proponent noted that WTFN participants have requested additional technical information, environmental studies, project design details, monitoring results, and opportunities to participate in the development and review of environmental management, mitigation, monitoring, and restoration plans. The proponent has indicated they will continue to address feedback received from the WTFNs through continued engagement and information-sharing; ongoing archaeological and environmental studies; incorporation of mitigation, monitoring, and adaptive management measures into project planning and implementation; consideration of Indigenous feedback in the development of environmental management plans and regulatory submissions; and continued dialogue with Indigenous communities to identify, understand, and address concerns as project planning advances. The proponent anticipates engaging throughout all phases of the project lifecycle, including planning, design, construction, operation, maintenance, and eventual decommissioning.

The proponent indicated that engagement activities are expected to include ongoing monthly working group meetings, project updates, review of environmental and archaeological studies, discussion of mitigation and monitoring measures, sharing of information related to regulatory approvals and environmental management plans, the development of a partnership protocol, and issue-specific engagement where concerns or new information arise. The proponent recognizes that Indigenous Nations are best positioned to identify and characterize potential impacts to their rights, interests, cultural heritage, and traditional practices, and remain committed to maintaining respectful and collaborative engagement throughout the life of the project.

IAAC considered the input provided and is of the view that existing federal mechanisms (i.e. IAA, *Fisheries Act,* MBCA*,* and SARA*)* outlined in the sections above to address effects to fish and fish habitat and migratory birds, including species at risk, provide a framework to address effects that the project may cause on the current use of lands and resources for traditional purposes, identified by the requesters and MSIFN. Requirements associated with the IAA section 82 environmental effects determination, including related Indigenous consultation, provide a framework to address potential impacts to physical and cultural

heritage, or structures, sites or items of historical, archaeological, paleontological or architectural significance, and on the health, social, and economic conditions of Indigenous Peoples. In addition, should an authorization be required under the *Fisheries Act* or a permit under SARA and/or MBCA, additional consultation opportunities would be afforded.

Federal lands

The project is located on federal lands, owned by the proponent, the Department of National Defence. Potential changes to the environment on federal lands the proponent has identified through studies completed to date include:

- disturbance and removal of vegetation associated with site preparation and construction activities;
- alteration of landforms through grading, excavation, and earthmoving activities;
- modifications to drainage features, and watercourses;
- temporary increases in dust, noise, vibration, and construction-related traffic;
- disturbance, or habitat alteration for wildlife and species at risk;
- changes associated with the installation and operation of radar infrastructure, facilities, utilities, and access roads; and
- changes to surface water movement and drainage patterns.

The proponent, ECCC and DFO will complete a section 82 environmental effects assessment under the IAA. Following the 30-day public comment period, as co-authorities for the section 82 process, ECCC, DFO and the proponent will make a determination on whether the activities on federal lands will cause significant adverse environmental effects as defined under the IAA.

In consideration of non-negligible adverse changes to the environment that would occur on federal lands, concerns were raised by the requesters and MSIFN regarding effects to wetlands, human health and socioeconomic setting resulting from the project.

Wetlands

The Minesing Wetlands are a 6,000 hectare wetland complex located approximately 16 kilometres west of Barrie, Ontario spanning parts of Clearview, Springwater and Essa townships (Figure 1). The wetland complex contains a mix of swamp, marsh, and fen wetlands crossed by the Nottawasaga River, Mad River, Willow Creek and Coates Creek. The area was designated as a Ramsar Wetland of International Importance in 1996.

The requesters raised concerns about project effects on the flora and fauna and the ecological integrity of the habitats provided by the Minesing Wetlands. They also raised concerns about the potential alteration and disruption of hydrological functioning of the wetlands, due to changes associated with natural and constructed drainage systems, groundwater interactions, and floodwater management systems.

MSIFN expressed concern that the project site is part of an interconnected wetland, watercourse and floodplain landscape adjacent to the Minesing Wetlands. The MSIFN has concerns that the project may result in adverse effects to the wetland itself, its hydrological function and as suitable habitat for flora and fauna.

The proponent indicated that the project has been designed to minimize interactions with aquatic habitats by maintaining a 30-metre riparian buffer from the Minesing Wetlands and avoiding sensitive aquatic features wherever feasible. The proponent also stated that the project is being planned and assessed in consideration of the Federal Policy on Wetland Conservation[4] with the goal of no net loss of wetland functions on federal lands and waters. The proponent indicated alignment with the application of the mitigation hierarchy, prioritizing avoidance, minimization, restoration, and, where necessary, compensation or offsetting for any wetland impacts. The proponent also anticipates implementation of industry-standard erosion and sediment control measures, spill prevention and response measures, and construction environmental management practices.

IAAC is of the view that changes to the environment resulting from the project on wetlands would be limited by the implementation of standard mitigation measures by the proponent and existing legislative mechanisms, including requirements under section 82 of the IAA, the *Fisheries Act*, potential SARA and/or MBCA permits, and the Federal Policy on Wetland Conservation.

Human Health

HC stated that potential health impacts may occur due to changes in air quality, noise and groundwater during construction. HC stated that while these effects would not be managed through legislative or regulatory mechanism administered by HC, there are standard mitigations to address them, such as IAAC's standard mitigation measures list. Additionally, HC recommended that the planned on-site soil reuse to level out the site terrain be guided by the federal soil reuse guidance to prevent impacts to groundwater sources used as a local drinking water source.

HC stated that potential health impacts may also occur from exposure to radiofrequency electromagnetic fields (RF-EMF) during operations. HC recommended the implementation of Safety Code 6[5] to evaluate potential impacts to human health from RF-EMF emissions, as well as to verify RF-EMF emissions. To address public concerns, HC further recommended the proponent engage and communicate with the public regarding the reliability of Safety Code 6 as a Canadian health-based technical guide built on the latest scientific evidence and provide the results from site monitoring of RF-EMF exposures to the public in a meaningful format (e.g., levels at receptor locations compared to applicable Safety Code 6 levels).

The proponent stated that the project will be operated in accordance with all applicable federal safety, security, and regulatory requirements, including radiation hazard (RADHAZ) standards, spectrum authorization conditions, occupational health and safety requirements, and defence safety protocols. The project has been designed to ensure that operational activities remain within established safety thresholds and applicable regulatory limits, including Health Canada's Safety Code 6. Safety Code 6 sets guidance for radiofrequency devices operating between 3 kHz and 300 GHz and applies to federal departments, agencies and workplaces governed by the Canada Labour Code. Additionally, the proponent noted that access to the transmitter and receiver sites will be restricted through perimeter fencing, access controls, and other physical security measures designed to prevent unauthorized entry into operational areas. Consequently, the public will not be exposed to operational hazards associated with the radar system.

[4] https://www.canada.ca/en/environment-climate-change/services/wildlife-habitat/federal-policy-on-wetland-conservation.html
[5] https://publications.gc.ca/collections/Collection/H46-2-99-237E.pdf

IAAC is of the view that changes to the environment resulting from the project on human health would be limited by the implementation of standard mitigation measures by the proponent and existing legislative mechanisms, including requirements under section 82 of the IAA, the Canada Labour Code and HC Safety Code 6.

Socioeconomic Setting

Clearview Township is a rural Ontario community located in close proximity to larger population centres with an economy primarily driven by agriculture, manufacturing and the construction sectors. Manufacturing and agriculture together generate approximately $660 million of the Township's $1.15 billion in annual export sales[6].

The requesters raised concerns that the removal or loss of economic drivers within Clearview Township may result in impacts on the local rural economy and community fabric. The requesters also raised concerns regarding the potential conversion of agricultural land to a new purpose and the loss of municipal tax revenue. The requesters shared concerns that alteration or loss of agricultural land, disruption of farm operations or supply chains, or constraints on business expansion may result in effects extending beyond individual landowners to employment, municipal revenues and the broader regional economy.

The MSIFN also raised concerns that details on opportunities for Indigenous participation in employment, environmental monitoring, restoration and stewardship aspects have not been established or shared by the proponent.

The proponent stated that public engagement conducted to date has informed and will continue to inform project planning, as applicable. The proponent noted that concerns raised regarding project effects to agricultural land use and associated feedback will continue to inform ongoing project planning and mitigation development.

The proponent stated that ongoing Indigenous engagement activities will continue and are expected to include working group meetings, project updates, review of environmental and archaeological studies, discussion of mitigation and monitoring measures, sharing of information related to regulatory approvals and environmental management plans, the development of a partnership protocol, and issue-specific engagement where concerns or new information arise. The proponent shared that they are committed to maintaining respectful and collaborative engagement with Indigenous groups throughout the life of the project.

IAAC is of the view that changes to the environment resulting from the project on the socioeconomic setting would be limited by the implementation of standard mitigation measures by the proponent and existing legislative mechanisms, including requirements under section 82 of the IAA, and the *Fisheries Act.*

Pollution of boundary, interprovincial or international waters

Based on studies completed by the proponent to date and the location of the project, no pathways have been identified that would be expected to result in effects to international boundary waters caused by

[6] Community and Situational Economic Analysis for Clearview Township, March 2026. Prepared by McSweeney & Associates. Provided as part of the requesters' submission.

pollution. Therefore, IAAC is of the view that the project is unlikely to cause adverse changes from pollution to transboundary waters as defined in section 2 of the IAA.

Adverse direct or incidental effects

Direct or incidental effects refer to effects that are directly linked or necessarily incidental to a federal authority's exercise of a power or performance of a duty or function that would permit the carrying out, in whole or in part, of a project, or to a federal authority's provision of financial assistance to a person for the purpose of enabling that project to be carried out, in whole or in part.

The project as described may potentially require the exercise of the following federal powers, duties, or functions:

- funding by the Government of Canada, through the Department of National Defence;
- authorization pursuant to paragraphs 34.2(2)(b) and 35(2)(b) of the *Fisheries Act* (DFO); and
- a permit under the MBR (ECCC).

No adverse effect or incidental effect, other than those described in the preceding sections, are anticipated in connection with the exercise of these powers or the provision of financial assistance.

IAAC is of the view that standard mitigation measures and existing legislative mechanisms provide a framework to address direct or incidental adverse effects of the project.

Public concerns

Outside of the concerns raised by the requesters, outlined above, IAAC did not receive any public concerns related to adverse effects within federal jurisdiction or direct or incidental adverse effects.

Potential adverse impacts on the Section 35 Rights of Indigenous Peoples

MSIFN raised concerns about potential effects on its Aboriginal and Treaty rights, including the rights to fish, hunt, gather, practice its culture and fulfill responsibilities to lands, waters and culturally significant species. MSIFN stated that the proponent has not adequately addressed the information MSIFN provided about how project operations, vegetation clearing and maintenance, security infrastructure, and accidents or malfunctions could affect these rights. Without substantive responses, MSIFN stated they cannot determine whether the potential effects have been fully characterized or appropriately avoided, mitigated or accommodated.

The proponent has engaged Indigenous groups since early project planning began in 2024 and has consulted the seven WTFN on potential impacts arising from environmental changes since the project location was selected. The WTFN have raised concerns, questions and recommendations related to

wetlands, watercourses, fisheries, wildlife habitat, culturally important species and archaeological resources, including potential pathways to section 35 rights. At this stage, the proponent stated that the process is not at a sufficiently progressed stage nor is information received to date sufficient to fully characterize any specific adverse effects on the exercise of those rights.

The proponent has committed to continuing consultation and sharing project information, studies, monitoring commitments and mitigation measures to support a better understanding of potential effects and respond to requests where possible. Indigenous consultation has informed the section 82 environmental effects determination process, including project planning, mitigation and supporting regulatory submissions, and is expected to continue through the assessment and any subsequent regulatory review or permitting processes, as appropriate.

IAAC considered the input received and is of the view that the project may cause adverse impacts on rights that are recognized and affirmed by section 35 of the *Constitution Act, 1982*. However, existing federal mechanisms such as the IAA section 82 determination, *Fisheries Act,* SARA and MBCA provide a framework to address the effects that could result in the potential adverse impacts on rights. Notably, the IAA section 82 environmental effects assessment and *Fisheries Act* include requirements for consultation with potentially impacted Indigenous groups to address potential impacts to their rights.

Other considerations

Cumulative Effects

As part of the project's IAA section 82 determination, the proponent will consider the potential environmental effects, including whether those effects could combine with the effects of other past, existing or reasonably foreseeable activities to result in cumulative adverse environmental effects.

Regional and strategic assessments

There are no regional or strategic assessments pursuant to sections 92, 93 or 95 of the IAA that are relevant to the project.

Conclusion

IAAC considered the information it received as part of the designation request process for the project to inform its analysis. Input was sought and received from the proponent, federal authorities (DFO, ISC, HC, ECCC, NRCan, and TC), the Ontario Ministries of Citizenship and Multiculturalism and Environment, Conservation and Parks and the MSIFN.

The project has the potential to cause adverse effects in federal jurisdiction and direct or incidental adverse effects.

IAAC considered the factors in subsection 9(2) of the IAA and is of the view that:

a) the requirements under the following legislative mechanisms, some of which include consultations with Indigenous communities and public engagement, provide a framework for addressing concerns related to the potential adverse effects within federal jurisdiction or the direct or incidental adverse effects that may be caused by the carrying out of the project and adverse impacts that the project may have on the rights of Indigenous Peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*; and
b) there are means other than an impact assessment including the application of standard mitigation measures and existing legislative mechanisms, such as the environmental effects determination pursuant to section 82 of the IAA, *Fisheries Act,* SARA and MBCA that provide a framework to address the potential adverse effects within federal jurisdiction and direct or incidental adverse effects, as described in subsection 9(1) of the IAA. The framework also includes public engagement and Indigenous consultation.