

**ANNEX 1: Advice to the Agency**

**Table 1: Advice for the Agency’s consideration in its recommendation to the Minister of Environment and Climate Change and preparation of draft potential conditions**

Questions	Responses/Comments
<ul style="list-style-type: none"> <li>Has the proponent described all project components and activities in sufficient detail to understand all relevant project-environment interactions? If not, identify what additional information is needed.</li> </ul>	No. See Transport Canada’s information request in Annex 2 and advice to the proponent in Annex 3.
<ul style="list-style-type: none"> <li>Were the study areas sufficient to predict potential effects from all relevant project-environment interactions, and to consider the effects within a local and regional context?</li> <li>Is the baseline information sufficient to characterize the existing environment, predict potential effects and obtain monitoring objectives? If not, identify what additional information is needed.</li> </ul>	Same as above.
<b>Alternatives Assessment</b>	
<ul style="list-style-type: none"> <li>Has the proponent adequately described the criteria it used to determine the technically and economically feasible alternative means?</li> <li>Has the proponent listed the potential effects to valued components (VCs) within your mandate that could be affected by the technically and economically feasible alternative means?</li> <li>Has the proponent adequately described why it chose each preferred alternative means?</li> <li>Are there other alternative means that could have been presented? If so, please describe.</li> </ul>	Based on the information available to date, TC does not have any comments/concerns with respect to the alternatives assessment.
<b>Environmental Effects Assessment</b>	
<ul style="list-style-type: none"> <li>Has the proponent clearly described all relevant pathways of effects to be taken into account under section 5 of CEAA 2012?</li> <li>Has the proponent identified all potential effects to VCs, including species at risk, within your mandate?</li> <li>Were all potential receptors considered?</li> </ul>	See TC’s Annex 2, Information Request
<ul style="list-style-type: none"> <li>Were the methodologies used by the proponent appropriate to collect baseline data and predict effects, why or why not?</li> <li>Has the proponent explicitly addressed the degree of scientific uncertainty related to the data and methods used within the assessment? If there are unaccounted for scientific uncertainties, describe them and indicate the options for increasing certainty in the predictions?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Are the predicted effects described in objective and reasonable terms (e.g., beneficial or adverse, temporary or permanent, reversible or irreversible)?</li> </ul>	N/A

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<ul style="list-style-type: none"> <li>Has the proponent adequately assessed the potential cumulative environmental effects, including using appropriate temporal and spatial boundaries, examining physical activities that have been and will be carried out, and proposing mitigation and follow-up program requirements? Provide rationale.</li> </ul>	Navigation was not considered in the cumulative effects assessment.
<ul style="list-style-type: none"> <li>Has the proponent adequately described the potential for environmental effects caused by accidents and malfunctions, including the types of accidents and malfunctions, their likelihood and severity and the associated potential environmental effects? If not, identify what additional information is needed.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Are you satisfied with the proponent’s assessment of effects of the environment on the Project?</li> <li>Has the proponent characterized the likelihood and severity appropriately? Provide rationale.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Has the proponent sufficiently described and characterized the project activities and components as they relate to federal decisions within your mandate? If not, identify what additional information is needed.</li> <li>Are changes to the environment, as they relate to federal decisions within your mandate, sufficiently described? If not, identify what additional information is needed.</li> </ul>	See TC’s Annex 2, Information Request and Annex 3, Advice to the Proponent
<b>Mitigation</b>	
<ul style="list-style-type: none"> <li>Has the degree of uncertainty regarding the effectiveness of the proposed mitigation measures been described? If not, identify what information is needed.</li> <li>Is it clear how each proposed mitigation measure links to each potential pathway of effect?</li> </ul>	TC requires more information before it can determine what mitigation measures/conditions will be required. See TC’s Annex 2, Information Request and Annex 3, Advice to the Proponent
<ul style="list-style-type: none"> <li>Would you propose different or additional mitigation measures? If so, provide a description of the mitigation measure(s), with rationale.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Which of the proposed mitigation measures and/or project design elements do you consider to be necessary to reduce the likelihood of significant adverse environmental effects? Provide rationale.</li> </ul>	N/A
<b>Residual Adverse Environmental Effects</b>	
<ul style="list-style-type: none"> <li>Are the identification and documentation of residual environmental effects described by the proponent adequate? If not, what are the aspects for which there is uncertainty and, where possible, indicate how these residual effects can be best described. If there is uncertainty, what are the options for increasing certainty?</li> </ul>	EIS does not describe residual environmental effects related to works subject to approval under the <i>Navigation Protection Act</i>

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<ul style="list-style-type: none"> <li>Did the proponent provide a sufficiently precise, ideally quantitative, description of the residual environmental effects related to your mandate? Identify any areas that are insufficient.</li> </ul>	N/A
<b>Determination of Significance</b>	
<ul style="list-style-type: none"> <li>Are the conclusions on significance in the EIS supported by the analysis that is provided?</li> <li>Are the proponent's proposed criteria for assessing significance appropriate? This includes how the criteria were characterized, ranked, and weighted. Provide rationale. Where the proponent has <i>not</i> used one of the Agency's recommended key criteria (magnitude, geographic extent, duration, frequency, reversibility, and social/ecological context), has a rationale been provided?</li> </ul>	EIS does not provide conclusions on significance related to works subject to approval under the <i>Navigation Protection Act</i>
<ul style="list-style-type: none"> <li>Were appropriate methodologies used in developing the conclusions on significance?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Do you agree with the proponent's analysis and conclusions on significance? Provide rationale.</li> </ul>	N/A
<b>Monitoring and Follow-up</b>	
<ul style="list-style-type: none"> <li>Does the proposed monitoring and follow-up program verify the predictions of the environmental assessment as they relate to section 5? Please explain additional monitoring or follow-up needed to address uncertainty in the effects assessment.</li> </ul>	TC conducts monitoring of works once approvals under the <i>Navigation Protection Act</i> are issued. If the proponent proposes to undertake monitoring of the operation of the diversion structures, TC will review that information within the <i>NPA</i> approval process.
<ul style="list-style-type: none"> <li>Does the proposed monitoring and follow-up program verify the effectiveness of proposed mitigations as they relate to section 5? Please explain additional monitoring or follow-up needed to address uncertainty in the proposed mitigation.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Is the objective of the follow-up program clear and measurable?</li> <li>Does the follow-up program include sufficient detail, and technical merit, for the Agency to achieve the stated objective through a condition (e.g., sufficient baseline dataset, monitoring plans, acceptable thresholds of change, contingency procedures)?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Are you aware of any federal or provincial authorizations or regulations that will achieve the same follow-up program objective(s)? If so, how do these achieve the objective(s)?</li> </ul>	No
<b>Additional comments, views, advice</b>	
<ul style="list-style-type: none"> <li>Provide any other comments.</li> </ul>	Please refer to TC's

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<b>Questions</b>	<b>Responses/Comments</b>
	completed Annexes 2 and 3.