

## Waterloo Airport Runway Project – Agency responses to comments received between March 19, 2021, and November 1, 2021

This document provides a synopsis of the comments received from Indigenous groups that were considered by the Impact Assessment Agency of Canada (the Agency) in making its decision on whether an impact assessment is required under section 16 of the *Impact Assessment Act* for the Waterloo Airport Runway Project (the Project), proposed by the Region of Waterloo International Airport (the proponent). The table identifies the Indigenous group or groups whose original comments informed the high-level summary of comments received (as captured in the **Summary of Issues**<sup>1</sup>), information considered by the Agency in developing its response, and the Agency’s response. It should be noted that the high-level summary of comments may have also been informed by federal authority advice, and input from the Province of Ontario, municipalities, public organizations or individuals. Original comments are available on the Canadian Impact Assessment Registry page for the Project<sup>2</sup> (Reference Number #81452). Categories are listed in alphabetical order.

#	Commenters	Comment Summary (Issue)	Considerations	Agency’s Response
<b>Acoustic Environment</b>				
01	Métis Nation of Ontario	Potential for disturbance, human health impacts, and disruption of recreational activity associated with aircraft noise over residential areas, particularly Breslau	Aircraft noise is regulated by Transport Canada (TC) under the <i>Canadian Aviation Regulations</i> . Upon request of the proponent, the Minister of Transport will specify the applicable noise abatement procedures and noise control requirements in the Canada Air Pilot or Canada Flight Supplement in accordance with the process listed in TC Advisory Circular (AC) 302-002. The proponent noted that it regularly works with TC to develop and implement noise abatement policies and measures in accordance with AC 302-002. The proponent also signalled its intent to request that TC provide technical review of its Noise Exposure Forecast contours. The proponent has signalled its intent to take an adaptive management approach to managing noise, including noise monitoring to guide the development of mitigation actions, should airport activity materially increase or otherwise change. Further, the proponent noted that it regularly monitors and addresses noise concerns raised via its feedback system, available at <a href="https://www.waterloairport.ca/en/about-ykf/submit-a-noise-concern.aspx">https://www.waterloairport.ca/en/about-ykf/submit-a-noise-concern.aspx</a> .	The Agency is of the view that the potential adverse direct or incidental effects of aircraft noise over residential areas during Project operations would be limited or sufficiently addressed through the proponent’s noise abatement commitments and the federal regulatory process.
<b>Atmospheric Environment</b>				
02	Métis Nation of Ontario	Potential contribution of the Project to light pollution	Adequate safety lighting is a requirement of federal aviation regulations. The proponent has noted that approach lighting for the Project is directional and generally shielded by surrounding trees. The angle for approach lighting is dictated by TC. The proponent commits to working with the Township of Woolwich and the Region of Waterloo to minimize lighting impacts, while complying with TC standards.	The Agency is of the view that the potential adverse direct or incidental effects of light pollution due to the Project would be sufficiently addressed by the proponent’s commitments while remaining compliant with federal regulatory requirements.

<sup>1</sup> <https://iaac-aeic.gc.ca/050/evaluations/document/138893>

<sup>2</sup> <https://iaac-aeic.gc.ca/050/evaluations/proj/81452>

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<b>Climate Change and Greenhouse Gas Emissions</b>				
03	Six Nations of the Grand River	Need for further information on potential project effects to carbon sinks, such as the Kossuth Wetland Complex	The proponent notes that it has engaged TC to modify the Runway 32 approach slope, which would eliminate the impacts to the Kossuth Wetland Complex. If this modification is not permitted by TC, then the proponent commits to extend the runway an additional 61 metres to the north, and reduce the usability of the Runway 32 approach. These new alternative means would eliminate tree impacts in the Kossuth Wetland Complex. The proponent has indicated that it would <i>not</i> pursue the originally-proposed alternative that required canopy modification in areas of the Kossuth Wetland Complex. The proponent's alternatives assessment indicates that the remaining areas of wetland to be removed have been limited so far as practicable.	The Agency is of the view the potential impacts to carbon sinks would be limited, and impacts to carbon sinks in the Kossuth Wetland area would be sufficiently reduced through the proponent's proposed modifications.
04	Six Nations of the Grand River	Consideration of potential greenhouse gas emissions associated with alternative means of carrying out the Project and a description of whether greenhouse gas emissions were considered as a criterion in the alternatives selection	The proponent noted that it identified that the Project would result in lower greenhouse gas emissions, when compared to the "do nothing" or "do not extend Runway 14-32" alternatives wherein personal and public transportation would be required between the Region of Waterloo (including surrounding communities) and Toronto Pearson International Airport. The proponent's proposed modifications to runway operations would reduce or eliminate the impact to the Kossuth Wetland Complex. The proponent asserts that the Region of Waterloo is committed to reducing greenhouse gas emissions.	The Agency is satisfied with the proponent's response.
05	Six Nations of the Grand River	Consideration of measures to reduce the Project's greenhouse gas emissions to ensure net-zero emissions by 2050	The Agency understands that the greenhouse gas emissions associated with the Project during construction and operations phases would be below the threshold for reporting to the Greenhouse Gas Reporting Program under section 46 of the <i>Canadian Environmental Protection Act</i> . The proponent asserts that the Region of Waterloo is committed to its objectives as a leader in environmental planning, but asserts that the measures to reduce airport operations to net-zero emissions by 2050 are beyond the scope of this Project. The proponent has signalled its intent to take an adaptive management approach to managing greenhouse gas emissions, including air quality monitoring to guide the development of mitigation actions, should airport activity materially increase or otherwise change.	The Agency is satisfied with the proponent's response.
<b>Cumulative Effects</b>				
06	Six Nations of the Grand River	Cumulative effects on Indigenous peoples, including the cumulative effects of impacts on their Aboriginal and/or treaty rights due to continuous development and urbanization in the traditional territories of potentially affected Indigenous groups	The proponent notes that it has not received any information to date regarding impacts (including cumulative effects) to Aboriginal and/or treaty rights associated with the Project. The proponent also signalled its intent to continue to engage Indigenous groups during the carrying out of the project development. In communicating its decision that no impact assessment is required for the Project, the Agency noted to the proponent that the Agency expects the proponent to uphold its commitments to on-going engagement of Indigenous peoples.	The Agency considered the potential for any adverse impact that the designated project may have on the rights of the Indigenous peoples of Canada and is of the view that the proponent's proposed on-going engagement activities would provide an opportunity for any such impacts to be identified, and addressed by the proponent, should they arise.

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<b>Fish and Fish Habitat</b>				
07	Métis Nation of Ontario; Six Nations of the Grand River	Potential effects on fish and fish habitat in Randall and Breslau Drains from construction dewatering and culvert installation	The proposed activities in the Breslau and Randall Drains are likely to require an authorization under Paragraphs 34.4(2)(b) and 35(2)(b) of the <i>Fisheries Act</i> . Fisheries and Oceans Canada (DFO) received the proponent's request for DFO review of the Project. The proponent has indicated that it would adhere to the no in-water works timing window between March 15 and June 30, conduct fish salvage before construction, and additional proposed mitigation measures outlined on pages 66–67 and 73–74 of the Detailed Project Description. The Agency understands that the mitigation measures proposed by the proponent are generally known to be effective.	The Agency is of the view that the potential adverse effects within federal jurisdiction, or direct and incidental effects of the Project on fish and fish habitat would be limited or sufficiently addressed through the proponent's proposed mitigation measures and federal regulatory requirements.
<b>Follow-up and Monitoring</b>				
08	Mississaugas of the Credit First Nation	Where mitigation measures are proposed—need for information on the proponent's plans for monitoring and active management to ensure effectiveness of mitigation measures	<p>The proponent noted the following regarding monitoring and active management of mitigation measures:</p> <ul style="list-style-type: none"> <li>• The proponent will use its existing comment and feedback system to receive comments on potential concerns related to mitigation measures. The proponent asserts that this system is regularly monitored by staff and that comments are addressed in a timely manner.</li> <li>• Sediment and erosion control measures will be checked daily; reports will be submitted to the Grand River Conservation Authority (GRCA) biweekly, and following large rain events.</li> <li>• The proponent is developing a Natural Heritage Management Plan for Breslau Wetland Complex habitat in the north Flight Pathway Areas, which includes a long-term (20 year) monitoring program.</li> <li>• The proponent suggest that a groundwater monitoring plan will be implemented during and after construction to monitor groundwater impacts on the groundwater table and surrounding wetlands. Groundwater monitoring would confirm dewatering effects and evaluate potential impacts to receptors in the area; this information would be used to assess the actual versus predicted effective zone of influence and the actual groundwater level drawdown at the project site. The proponent notes that groundwater monitoring may be conducted during operations, subject to provincial regulatory requirements.</li> </ul>	The Agency is satisfied with the proponent's response.

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<b>Indigenous Engagement</b>				
09	Métis Nation of Ontario	Need for further information on opportunities for on-going Indigenous engagement in the development and implementation of mitigation measures for the Project, including during the construction and operation phases of the Project	The proponent notes that it has established a process for engagement with Indigenous groups and will work with these groups throughout the carrying out of the Project, including a discussion of mitigation measures. In communicating its decision that no impact assessment is required for the Project, the Agency noted to the proponent that the Agency expects the proponent to uphold its commitments to on-going engagement of Indigenous peoples.	The Agency is satisfied that the proponent intends to create opportunities for on-going Indigenous engagement as the Project is carried out.
<b>Indigenous Peoples' Current Use of Lands and Resources for Traditional Purposes</b>				
10	Métis Nation of Ontario; Six Nations of the Grand River	Need for further information on traditional food/harvesting activities and whether there are potential effects to wildlife used as food sources	To date, the proponent has not been made aware of any concerns related to potential project effects to traditional food/harvesting activities. The Agency is similarly not aware of any potential effects to traditional food/harvesting activities due to the Project.	The Agency is satisfied that the proponent's commitment to on-going Indigenous engagement would allow for concerns around traditional food/harvesting activities to be identified and addressed by the proponent, should they arise as a result of the Project.
<b>Indigenous Peoples' Health and Well-being</b>				
11	Six Nations of the Grand River	Potential effects to drinking water sources such as the Grand River, and associated effects on Indigenous peoples' health	The proponent is subject to Ontario's <i>Environmental Protection Act</i> and <i>Clean Water Act, 2006</i> . The proponent noted that it does not expect that the Project would result in any impact to drinking water resources. The proponent also noted that it would perform quality testing before, during, and after construction, subject to regulatory requirements prior to the discharge of any dewatered groundwater during construction. The proponent's stormwater management proposes the use of grassed swales to provide infiltration and filtration to mitigate potential impacts to surface water quality in the Grand River during operations.	The Agency is of the view that the potential direct and incidental effects to drinking water sources such as the Grand River, and associated effects on Indigenous peoples' health would be limited or sufficiently addressed through the proponent's proposed mitigation measures.
<b>Indigenous Peoples' Spiritual, Physical, and Cultural Heritage</b>				
12	Mississaugas of the Credit First Nation; Métis Nation of Ontario; Six Nations of the Grand River	Potential presence of archaeological values near the Project and need for a Stage 2 Archeological Assessment; clarity on approach to on-site monitoring during construction and plans if historical sites or objects of importance to Indigenous peoples are discovered	Archaeological resources in Ontario are protected under Ontario's <i>Heritage Act, 1990</i> , which gives municipalities and the provincial government the powers to preserve heritage of Ontario. The Ministry of Heritage, Sport, Tourism and Culture Industries noted that the <i>Heritage Act, 1990</i> makes it illegal for anyone but a licensed archaeologist to knowingly disturb an archaeological site. The proponent noted that it has completed a stage 2 archaeological assessment, which included the participation of on-site monitors from three Indigenous groups. The proponent has indicated that it will be undertaking a stage 3 archeological assessment for two sites.	The Agency is of the view that potential effects within federal jurisdiction to any structure, site or thing that is of archaeological significance that is identified as part of the archeological assessments would be sufficiently managed through the provincial regulatory process.

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13	Métis Nation of Ontario	Potential impacts to cultural heritage of Indigenous peoples due to lost opportunities to share knowledge of natural heritage features in areas of the Kossuth Wetland Complex and Cambridge Butterfly Conservatory that will be modified due to the Project.	The proponent proposed modifications to runway operations that would reduce or eliminate the impact to the Kossuth Wetland Complex and the Cambridge Butterfly Conservatory.	The Agency is of the view the potential loss of opportunities to share knowledge of natural heritage features at the Cambridge Butterfly Conservatory and in the Kossuth Wetland Complex, and associated impacts to physical and cultural heritage of Indigenous peoples, would be limited, and sufficiently reduced through the proponent's proposed modifications.
<b>Social and Economic Conditions</b>				
14	Mississaugas of the Credit First Nation; Métis Nation of Ontario	Need for further information on the direct and indirect economic benefits to the broader regional economy, including the current economic context; need for further information on direct project benefits on the facilitation of trade, increased tourism, and improved business investment and innovation	The proponent listed potential benefits of the Project, including increases to income and social status through project-related employment, increased business activity, increased employment and labour force and associated benefits to local and regional economic development. Increased trade, business investment and innovation through greater connectivity to intra-regional and international markets.	The Agency is of the view that the proponent considered direct and indirect economic benefit to the regional economy, including information on the broader regional economy and impact on trade, tourism and business investments in the Economic Case for Airport Investment and Health and Social Analysis. The Agency has not been made aware of potential adverse direct and incidental economic effects to the broader regional economy due to the Project.
<b>Species at Risk, Terrestrial Wildlife, and their Habitat</b>				
15	Métis Nation of Ontario; Six Nations of the Grand River	Potential effects on species at risk including effects to individuals, residences and critical habitat	The proponent notes that, through engagement with the Canadian Wildlife Services and DFO, it has not identified any critical habitat of federal species at risk identified in the project area; no approvals are required under the federal <i>Species at Risk Act</i> . However, the proponent may require approvals under Ontario's <i>Endangered Species Act</i> , administered by the Ontario Ministry of Environment, Conservation and Parks (MECP). The proponent notes that it has submitted an Information Gathering Form and an Avoidance Alternatives Form to MECP, and that these address impacts to species at risk and their habitats. The proponent proposes mitigation measures such as timing windows for construction to minimize disturbance to species at risk, incorporation of Best Management Practices for handling and relocating Blanding's Turtle and Snapping Turtle into the airport's Wildlife Management Plans (2017, 2019), an "Overall Benefit" plan for Blanding's Turtle in accordance with Ontario's <i>Endangered Species Act</i> , species at risk habitat offsetting and management or compensation plans, in addition to measures for species at risk birds noted in row 17 <b>Error! Reference source not found..</b>	The Agency is of the view that the potential effects within federal jurisdiction and potential direct and incidental effects to species at risk due to the Project would be limited or sufficiently managed through the proponent's proposed mitigation measures, and provincial regulatory requirements.



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16	Six Nations of the Grand River	Need for further information on species at risk habitat offsetting and management or compensation plans	See row 15	See row 15
17	Métis Nation of Ontario; Six Nations of the Grand River	Potential destruction of wildlife habitat and displacement of wildlife	<p>The proponent has addressed potential impacts to <b>fish and fish habitat</b>, <b>migratory birds</b>, and <b>species at risk</b>.</p> <p><b><u>Fish and Fish Habitat:</u></b> Please see row 07.</p> <p><b><u>Migratory Birds:</u></b> The proponent has completed migratory bird surveys and has provided a list of migratory birds documented near the project area (see Appendix VII of the Scoped Environmental Impact Study; Appendix IV to the Detailed Project Description). The proponent notes that it has consulted the GRCA and MECP regarding birds. The proponent has indicated that any vegetation clearing and grubbing would be completed outside of the active breeding bird period from April 1 to August 30. If an individual tree of habitat area must be removed during the active breeding period, the proponent will engage a qualified biologist within 48 hours of the disruptive activity to ensure that no migratory birds, nests, or eggs are present. Further, the proponent notes that Best Management Practices for managing Eastern Meadowlark, Bobolink, and Grasshopper Sparrow habitat, will be incorporated into the airport's wildlife management plans to reduce impacts to these species from ongoing operations. The Agency notes that the proponent does have an active Airport Permit under the <i>Migratory Birds Regulations</i>, which authorizes the killing of migratory birds that are a danger to aircraft operating at the airport. The proponent noted that seasonal and daytime work timing windows would limit disturbances related to construction noise. Operational lighting associated with the Project is directional, and will not illuminate natural areas adjacent to the Project.</p> <p><b><u>Species at Risk:</u></b> Please see row 15</p>	<p><b><u>Fish and Fish Habitat:</u></b> Please see row 07.</p> <p><b><u>Migratory Birds:</u></b> The Agency is of the view that the potential effects within federal jurisdiction and potential direct and incidental effects to migratory and other birds due to the Project would be limited or sufficiently managed through the proponent's proposed mitigation measures, with input from the GRCA and MECP.</p> <p><b><u>Species at Risk:</u></b> Please see row 15</p>
18	Métis Nation of Ontario	Potential effects of de-icing activities on local terrestrial and aquatic environment components	TC requires the proponent to have an aircraft de-icing fluid and aircraft anti-icing fluid mitigation plan—also known as a glycol management plan. This plan details the de-icing operation and the methods used to prevent environmental damage from the de-icing operation. Further, the proponent has indicated that de-icing only occurs in designated areas on the apron, within a glycol containment system.	The Agency is of the view that the potential adverse direct or incidental effects of de-icing activities caused by the Project would be limited or sufficiently addressed by the proponent's proposed mitigation strategies and federal regulatory requirements.

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<b>Wetlands</b>				
19	Six Nations of the Grand River	Potential effects on wetland communities and ecological function due to erosion and sedimentation during construction	The proponent is subject to Ontario's <i>Environmental Protection Act</i> . The proponent noted that its stormwater management plan and its erosion control plans would be subject to the approval of the GRCA, and that the approved control would be regularly reviewed and monitored to ensure that they are effective. The proponent has noted that it will provide reports on erosion control measures to the GRCA biweekly, and following large rain events.	The Agency is of the view that potential direct and incidental effects to wetland communities and ecological functions due to sedimentation and erosion would be limited or sufficiently managed through the proponent's active monitoring of mitigation plans and provincial regulatory requirements.
20	Métis Nation of Ontario	Need for further information on the potential effects of invasive species introduced through project activities on wetland habitat	The proponent does not anticipate that project activities would result in the introduction of invasive species to wetland habitat. The proponent noted that it will develop an invasive species management plan that would prohibit entry of any construction equipment or persons within retained wetland areas, and require heavy equipment to be hosed down prior to entry to the airport. The proponent also plans to actively remove known invasive species in the Breslau provincially significant wetland, including European Buckthorn and Garlic Mustard; and undertake inter-planting and seeding of native species.	The Agency is of the view that the potential direct and incidental effects to wetland habitat due to the introduction of invasive species due to the Project would be limited or sufficiently managed through the proponent's proposed mitigation and management measures.
21	Mississaugas of the Credit First Nation; Métis Nation of Ontario	Concern around the effectiveness of wetland offsetting, including whether wetland offsetting would result in 1:1 replacement of ecosystem services and wetland functions of old growth wetland such as the Kossuth Wetland Complex, a Provincially Significant Wetland	See row 03. Additionally, in areas where wetland impacts are unavoidable, the GRCA requires a compensation/remediation plan as per O. Reg. 150/06 (and its amendment O. Reg. 57/13). The proponent notes that offsetting would be undertaken at a ratio of 1:1 or greater, and new wetland would be established or restored within the catchment area to expand and/or connect existing areas of the provincially significant wetland. The proponent notes that its offsetting plan would be developed with the input and approval of the GRCA and the Ontario MECP.	The Agency is of the view the proponent's proposed modifications to runway operations would reduce or eliminate the impact to the Kossuth Wetland Complex: in areas of wetland where intervention is unavoidable, the potential direct and incidental effects to wetlands due to the Project would be limited or sufficiently managed through the proponent's proposed mitigation, including restoration and offsetting.
22	Métis Nation of Ontario; Six Nations of the Grand River	Need for wetland replacement at a ratio higher than 1:1, that includes consideration of replacement and maintenance of wetland functions in the design of wetland offsets and enhancement or restoration	See row 21	See row 21