

Enclosure 1: Federal Authority Advice Record – New Nuclear at Wesleyville Project

Registry No. 89802

Please submit the completed form by February 11, 2026, via email to wesleyville@iaac-aeic.gc.ca.¹ In order to be posted on the Registry, and to align with the *Official Languages Act*, IAAC is requiring that you submit the FAAR form, or a summary of it, in French and English.

Department/Agency Contact Information

Submission Date	2026-02-11
Department/Agency	Transport Canada
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Review the draft Initial Project Description and answer the following questions:

1. Will your department or agency exercise a **power, perform a duty or function**, or provide **financial assistance**, related to the project to enable it to be carried out in whole or in part?

As relevant,

- a) Specify the power, duty or function, or financial assistance, and the likelihood that it will be required to construct the project, as either Required, Potential, Likely, Unlikely or Not Required

The IPD has identified potential regulatory requirements under the *Canadian Navigable Waters Act*, the *Canada Shipping Act*, the *Railway Safety Act*, *Aeronautics Act*, *Transportation of Dangerous Goods Act*, and the *Canadian Transportation Act*.

Transport Canada does not have sufficient information to determine whether TC will exercise a power, perform a duty or function in relation to the project.

More information about the project components is needed to determine what regulations might be applicable to the project.

- b) Describe any associated Indigenous or public consultation, including timelines, and elaborate on any potential opportunities for consultation coordination with the impact assessment process, if an impact assessment is required

Should Transport Canada have a role in this project under the *Canadian Navigable Waters Act* or other regulatory process, the department will conduct a pre-consultation assessment to determine if there will be the potential for adverse impacts to Section 35 Aboriginal and/or Treaty rights and/or Title as a result of the project and TC's Crown Conduct. In TC's pre-consultation assessment, TC may use existing consultation and/or regulatory processes to assist in its duty to consult assessment. Should TC determine that consultation is required, the department prefers

¹ Please note that advice provided to IAAC may be posted on the Canadian Impact Assessment Registry Internet Site or otherwise made available to the public.

New Nuclear at Wesleyville Project

to coordinate with other departments/ministries where possible to streamline the consultation process. If coordination is not feasible, TC will consult independently with Indigenous communities to address questions or concerns related to TC's role in the project.

The CNWA approval process includes a public notice and public consultation process.

- c) Describe any associated information requirements (e.g., alternative means assessment, habitat offsetting), and specify those that may be coordinated with the impact assessment process, if an impact assessment is required

Lake Ontario is a scheduled waterway under the CNWA. The proponent should complete navigation assessments of any other potentially affected waterways prior to Indigenous consultation to enable consultation about CNWA to be completed concurrently, if applicable.

Confirmation of IA and Permitting process and timeline expectations from IAAC and the proponent would allow Transport Canada to provide more specific advice in future.

- d) Identify any associated project-specific guidance or issues of which the proponent should be aware, or information the proponent should provide

More information about the project is needed to determine what regulations might be applicable to the project.

- e) Indicate whether your department or agency has identified any power that it will be unable, or may be unable, to exercise to allow the project to proceed, in whole or in part as currently planned, with reasons; if unsure, explain what must be resolved to increase confidence

2. **Using Table 1**, identify project- and context-specific **key issues** based on the expertise within your mandate² and the information in your possession. Available information may include your access to databases and corporate knowledge, the draft Initial Project Description, any exchanges with the proponent or others related to the project and known means to address the effects.

For each key issue:

- a) Specify the key issue (e.g., specific species and location)
- b) Specify the project component or activity linked to the key issue
- c) Explain why it is a key issue based on:
 - i. biophysical effect pathway(s) from the specific project component or activity
 - ii. concerns unique to the project or a priority within your mandate
 - iii. the issue being material³ to decision-making under the *Impact Assessment Act*
- d) Potential pathways from key issues that could lead to an impact on Indigenous Peoples and their rights
- e) Identify how the issue could be resolved, including through other means than an impact assessment (e.g., other regulatory oversight)
- f) Identify additional information the proponent could provide to build confidence about how the issue could be addressed through other means

² Refer to the [Memoranda of Understanding with IAAC](#).

³ An issue is material to decision making if its analysis is anticipated to affect the conclusions on (1) whether adverse effects within federal jurisdiction or direct and incidental adverse effects (collectively adverse federal effects) are likely not significant, or of low, medium or high significance; (2) appropriate mitigation measures for significant adverse federal effects; or (3) justification in the public interest.

New Nuclear at Wesleyville Project

IAAC has prepared a preliminary list of potential effects that are likely to be key issues for the impact assessment.⁴ While completing **Table 1**, IAAC requests that, as appropriate based on your department or agency's mandate and expertise, you validate this list, add precision or rationale where appropriate, and recommend any additional key issues for consideration. For a federal work or undertaking, such as nuclear energy works, a broader range of effects are within federal jurisdiction, including socio-economic effects.

IAAC has identified the following topics as **potential key issues** for the impact assessment:

- Effects to Biological Environment: vegetation (terrestrial, riparian and wetland environments), wildlife, reptiles and amphibians, fish and fish habitat, birds, species at risk
- Effects to Physical Environment: geology and geochemistry, soils and sediment, ambient radioactivity, air quality/emissions, surface water quality/quantity, groundwater quality/quantity, effects to Lake Ontario
- Accidents and malfunctions and effects of the environment on the project
- Impacts to Indigenous rights, current use of lands and resources for traditional purposes, physical and cultural heritage of Indigenous peoples and sites of archaeological importance, with a focus on potential archaeological resources on land or water, and species of cultural importance
- Effects to the health, social and economic conditions and the positive and negative consequences of these changes that are likely to be caused by the carrying out of the designated project

Jeremy Craigs, Environmental Advisor

Name and title of Departmental /
Agency Responder

2026-02-11

Date

⁴ IAAC has prepared this list based on limited information prior to receipt of the draft Initial Project Description. It may change based on input received from federal and provincial authorities, Indigenous communities, and the public.

New Nuclear at Wesleyville Project

Table 1: Key Issues to inform the impact assessment process

This table should outline key issues to inform the impact assessment process, including whether an impact assessment is required and, if so, the scope of the assessment and tailoring of the Tailored Impact Statement Guidelines.

Key issues are the major concerns directly related to a project component or activity, the analysis of which is anticipated to be material to decision-making under the *Impact Assessment Act*.

Federal authorities' advice should be guided by the identification and resolution of key issues. If an impact assessment is required, it will be focused on key issues.

Comment ID	a) Key issue	b) Project component or activity	c)(i) Biophysical effect pathway(s)	c)(ii) Concern unique to the project or a priority within your mandate	c)(iii) Material to federal decision-making	d) Impacts on Indigenous Peoples and their rights	e) Means for issue resolution	f) Additional information from the proponent
<p>Identify each comment by your organization's acronym and a sequential comment number.</p> <p>e.g.: IAAC-01</p>	<p>Specify each key issue (e.g., specific species and location).</p>	<p>Identify the project component or activity linked to the key issue.</p> <p>Be specific about the nature, scale, novelty and complexity of the component or activity.</p>	<p>Identify the specific effect pathway between the project component or activity and the affected environmental or human receptor (including Indigenous Peoples).</p>	<p>Describe why it's a key issue within the mandate of your department or agency, including in terms of priorities of the federal government and in terms of anticipated likelihood, severity or uncertainty of effects.</p> <p>Identify if the key issue is common for project activities of this nature or in this sector, or whether it is unique to this project due to the project's complexity, size or novelty; a sensitive or rare receiving environment; and/or proximity of sensitive environmental or human receptors (including Indigenous Peoples).</p>	<p>Describe why the key issue is material to decision-making as either:</p> <ul style="list-style-type: none"> an adverse effect within federal jurisdiction, or a direct or incidental adverse effect, that may be significant based on available evidence including: <ul style="list-style-type: none"> federal experts' knowledge and experience with past project assessments; presence of sensitive species, habitats or human receptors (including Indigenous Peoples); novel or complex project activities, components or technologies; high uncertainties in effects or in the effectiveness of mitigation measures; unknown or unproven mitigation; or a factor for the justification in the public interest anticipated to be material to decision-making such as a likely positive effect contributing to sustainability, to Canada's environmental obligations or climate change commitments or in supporting governmental priorities, such as reconciliation with Indigenous Peoples. 	<p>Describe how key issues you have identified within your mandate and expertise may lead to impacts on Indigenous Peoples and their rights.</p> <p>This advice must be informed by knowledge and input from Indigenous Nations and communities during the comment period, or within the Initial Project Description to support a more accurate, respectful and collaborative assessment.</p>	<p>Describe how the key issue could be resolved or addressed by:</p> <ul style="list-style-type: none"> Any means, including powers, duties, functions, frameworks, policies or guidance for which your department or agency is responsible; Any means, including powers, duties, functions, frameworks, policies or guidance from another jurisdiction, including the province; Common, proven, well-understood or standard mitigation measures to mitigate the effect or effect pathway(s); or Commitments made by the proponent (e.g., in the Initial Project Description). 	<p>Describe information the proponent could provide, or commitments the proponent could make, that would provide confidence that the issue can be resolved by existing means (to be considered for the final Initial Project Description, future Summary of Issues and response, or (potential) Tailored Impact Statement Guidelines.</p> <p>Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.</p>
TC-01	<p>Impacts to Indigenous rights, current use of lands and resources for traditional purposes</p> <p>Navigation</p>	<p>Intake / outfall pipes</p> <p>Other components to be determined.</p>	<p>Potential effects on navigation.</p>	<p>IAAC identified Impacts to Indigenous rights, current use of lands and resources for traditional purposes a key issue in the FAAR.</p> <p>Potential effects on Indigenous Peoples "navigation routes" is noted in MS-WTFN comments on page 230 of the IPD.</p>	<p>Effects on navigation are a direct or incidental effect under federal jurisdiction.</p> <p>Potential effects on Indigenous Peoples navigation routes is noted in MS-WTFN comments on page 230 of the IPD.</p>	<p>Additional information about project components and use of navigable waterways is required to assess the potential effects.</p>	<p>IPD indicates potential requirement for approvals under the <i>Canadian Navigable Waters Act</i>.</p> <p>Transport Canada anticipates that any issues related to navigation can be addressed as a routine part of Transport Canada's regulatory processes.</p>	<p>The IPD indicates Marine navigation analysis as a potential future study.</p> <p>Transport Canada encourages the proponent to reach out to TC to discuss potential regulatory requirements in more detail.</p> <p>Transport Canada requests that the proponent and IAAC to clarify expectations regarding the level of detail that will be included in the IA process, vs the permitting process so that</p>

New Nuclear at Wesleyville Project

								TC can provide advice accordingly.

Please insert additional rows as necessary.