

Federal Authority Advice Record (FAAR)**FAAR Response must be submitted by December 10, 2025**

Matane Port Facilities Expansion Project – Société portuaire du Bas-Saint-Laurent et de la Gaspésie

Registry File: 90008

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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, based on the Initial Project Description, as either Required, Potential, Likely, Unlikely or Not Required

An authorization under paragraphs 34.4(2)(b) and 35(2)(b) of the *Fisheries Act* (FA) may be required for the proposed works, undertakings or activities that are likely to result in the death of fish – except that caused by fishing – and/or the harmful alteration, disruption or destruction fish habitat. Based on the information provided in the Initial Project Description (IPD), obtaining such authorization will likely be necessary.

Furthermore, one or more aspects of the project may be subject to the *Marine Mammal Regulations* or the *Aquatic Invasive Species Regulations*, established under the *Fisheries Act*, for which Fisheries and Oceans Canada (DFO) plays a regulatory role.

DFO also assesses the effects of projects on aquatic species at risk and/or their critical habitat under sections 32, 33 and subsection 58(1) of the *Species at Risk Act* (SARA). According to the IPD, several species listed in Schedule 1 of this Act will be present in the work area during certain phases of implementation. A SARA permit may need to be issued. The IPD does not include sufficient information on the timeline for carrying out the proposed works, undertakings or activities to determine whether such a permit will be required.

- b) Describe any associated Indigenous or public consultation, including timelines

Since an authorization under the FA will very likely be required, DFO will have an obligation to consult and, where appropriate, accommodate Indigenous communities whose ancestral or treaty rights may be affected by regulatory decisions made under the FA and the SARA, pursuant to section 2.4 of the FA. This may involve consultation and/or accommodation regarding potential impacts on Indigenous peoples of Canada and/or traditional use of lands and resources related to fish and fish habitat.

Regarding public consultations, DFO does not consult the public before issuing an authorization or a SARA permit, but information on the issued authorization will subsequently be made available to the public via the *Fisheries Act* registry, and the Minister's reasons for issuing a permit or entering into an agreement will be published on the public registry as provided for in section 120 of SARA.

DFO will also support the Impact Assessment Agency of Canada, if required, during its Indigenous and public consultations on matters within its mandate.

- 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

Information requirements associated with obtaining an authorization under paragraphs 34.4(2)(b) and 35(2)(b) of the Fisheries Act are provided in the link below. Additional information may be requested for obtaining a permit under SARA.

- [Canada Gazette, Part 2, Volume 153, Number 17: Regulations on Authorizations Related to the Protection of Fish and Fish Habitat](#)

DFO recommends that the proponent review the following relevant guidance documents to meet the above requirements:

- [Policy for applying measures to offset harmful impacts to fish and fish habitat - December 2019](#)
- [Interim Policy for Establishing Fish Habitat Banks to Support the Administration of the Fisheries Act and the Species at Risk Act - February 2021](#)
- [Timing windows to conduct projects in or around water](#)
- [Guidelines for Watercourse Crossings in Quebec. 2016 Edition](#)
- [Fish and Fish Habitat Protection Measures \(dfo-mpo.gc.ca\)](#)
- [Map of Aquatic Species at Risk](#)
- [Species at risk public registry](#)
- [Aquatic Invasive Species Regulations](#)

Other relevant documents are available at the following link:

- [ENG: Request a review of a project near water: Guidance documents
 <https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/request-review-demande-d-examen-006-eng.html>](#)

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

See Table 1.

- e) Indicate whether your department or agency has identified any power that it will not be exercising or may not be able to exercise to allow the project to be carried out, in whole or in part.

Non-applicable.

2. **Using Table 1**, identify project- and context- specific **key issues**, based on the expertise within your mandate¹ and the information in your possession, including the Initial Project Description, any exchanges with the proponent or others related to the project and known means to address the effects of the project. For each key issue:

- Specify the key issue (e.g., specific species and location)
- Specify the project component or activity linked to the key issue
- Explain why it's a key issue based on:
 - biophysical effect pathway(s) from the specific project component or activity
 - concern unique to the project or a priority within your mandate
 - the issue being material² to decision making under the *Impact Assessment Act*
- Identify how the issue could be resolved, including through means other than an impact assessment
- Identify additional information the proponent could provide including to give confidence on how the issue can be addressed through other means.

¹ Refer to the [Memoranda of Understanding with IAAC](#).

² 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.

Stéphanie Rioux, Acting Team Leader
Fish and fish habitat protection
program, Quebec region, DFO

Date

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) Means for issue resolution	e) Additional information from the proponent
<p><i>Identify comments by organization and comment number.</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>Specify the key issue (e.g., specific species and location).</i></p>	<p><i>Identify the project component or activity linked to the key issue.</i></p> <p><i>Be specific about the nature, scale, novelty and complexity or the component or activity.</i></p>	<p><i>Identify the specific biophysical effect pathway between the project component or activity and the affected environmental or human receptor (including Indigenous Peoples).</i></p>	<p><i>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.</i></p> <p><i>Identify if the key issue is common for projects of this nature or in this sector, or whether it's unique to this project due to its complexity, size or novelty; a sensitive or rare receiving environment; and/or proximity of sensitive environmental or human receptors (including Indigenous Peoples).</i></p>	<p><i>Describe why the key issue is material to decision-making as either:</i></p> <ul style="list-style-type: none"> • <i>an adverse effect within federal jurisdiction, or a direct or incidental adverse effect, that may be significant based on available evidence including:</i> <ul style="list-style-type: none"> ○ <i>federal experts' knowledge and experience with past project assessments;</i> ○ <i>presence of sensitive species, habitats or human receptors (including Indigenous Peoples);</i> ○ <i>novel or complex project activities, components or technologies;</i> ○ <i>high uncertainties in effects or in the effectiveness of mitigation measures;</i> ○ <i>unknown or unproven mitigation; or</i> • <i>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.</i> 	<p><i>Describe how the key issue could be resolved or addressed by:</i></p> <ul style="list-style-type: none"> • <i>Any means, including powers, duties, functions, frameworks, policies or guidance that your department or agency has;</i> • <i>Any means, including powers, duties, functions, frameworks, policies or guidance from another jurisdiction, including the province;</i> • <i>Common, proven, well-understood or standard mitigation measures to mitigate the effect or effect pathway(s); or</i> • <i>Commitments made by the proponent (e.g., in the Initial Project Description).</i> 	<p><i>Describe information the proponent can provide, or commitments the proponent can make, in their Response to the Summary of Issues that would provide confidence that the issue can be resolved by existing means.</i></p> <p><i>Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.</i></p>
<p>DFO-01</p>	<p>Characterization of fish communities and their habitat in and near the work area</p>	<p>All components (dock configuration, dredging and sediment disposal site, breakwater reconstruction)</p>	<p>Missing or limited information on fish and habitat may affect analysis of biophysical effect sequences on fish and habitat</p>	<p>As with any project in or near water, a description of fish communities (e.g., species, abundance, structure) and habitat (e.g., type, area and quality, substrate and aquatic vegetation, turbidity, habitat functions) in all watercourses and water bodies likely to be impacted by the project is necessary to assess project effects. This also helps determine the effect intensity of prohibited works/undertakings/activities under the FA or the SARA on fish and habitat, and consequently evaluate the</p>	<p>Characterization of fish and habitat allows assessment of project impact intensity, relevance and adequacy of proposed mitigation measures, and identification of works/undertakings/activities that would contravene the FA and the SARA, requiring authorization and/or permit. Finally, the importance of impacted habitat supports analysis of the adequacy of the proposed compensation plan, if applicable.</p>	<p>Need to provide updated information on fish and habitat characteristics likely to be affected, directly or indirectly, by the selected project variant(s).</p>	<p>Provide reports of studies mentioned in section 3.2.3. Assess whether these studies provide a complete description of fish and habitat to allow evaluation of direct and indirect project impacts.</p>

				adequacy of the compensation plan to be submitted.			
DFO-02	Impacts of sediment disposal at sea	Dredging and sediment disposal site	Habitat degradation at disposal site	Under section 35(1) of the FA, it is prohibited to carry on any work, undertaking or activity that results in the harmful alteration, disruption or destruction of fish habitat. The initial project description does not include a description of fish communities and habitat at the proposed sediment disposal site. DFO needs this information to determine the intensity of effects of sediment disposal at sea and the mitigation measures to be implemented (e.g., timing windows). The initial project description (IPD) also lacks information on risks to surrounding habitats and species from sediment drift when deposited.	Large volumes of dredged sediment will be disposed of in a 90,200 m ² parcel in deep water. These sediments may cause prohibited effects under the FA on fish habitat. The absence of information on fish and habitat at the disposal site limits the ability to assess intensity and type of effects (disruption or destruction). Sediments may also drift due to currents before settling on the seabed, potentially impacting adjacent areas and pelagic species through high suspended solids during disposal.	Need to provide updated information on fish and habitat characteristics likely to be affected, directly or indirectly, by the selected project variant(s), including at the marine disposal site. Also need to provide sediment drift modeling at the disposal site.	Provide relevant study reports if available. Assess whether these studies provide a complete description of fish and habitat to allow evaluation of direct and indirect project impacts at the marine disposal site.
DFO-03	Marine mammals and species listed under Schedule 1 of the SARA in or near the project area	All components (dock configuration, dredging and sediment disposal site, breakwater reconstruction)	Introduction of underwater noise into habitat	Underwater noise can cause various effects at different intensities. It can interfere with vital functions for fish and may injure or kill individuals. Noise can also disturb species listed under Schedule 1 of SARA. In addition to FA provisions, it is prohibited to kill an individual of a wildlife species listed as extirpated, endangered or threatened, harm it, harass it, capture it or take it under section 32(1) of SARA.	By affecting the acoustic environment, noise generated by project operations (dredging, pile driving, vibro-driving) could harm several fish species at different life stages and species at risk present in the extended work area, especially at certain times of the year. Sound can propagate over long distances, notably during pile driving. Cetaceans in the St. Lawrence Estuary are particularly sensitive to these sound emissions. Noise sources can cause behavioral changes, indirectly hindering recovery of species at risk populations.	Noise impact can be assessed through modelling. The propagation radius of sound waves emitted by one or more sources is estimated. Mapping acoustic wave propagation generated by an activity then defines areas where species are likely to be affected and identifies appropriate mitigation measures, including a marine mammal monitoring plan.	Provide a detailed assessment of noise characteristics from various construction activities. Develop tailored mitigation measures to reduce underwater noise effects on fish, especially marine mammals.
DFO-04	Project Planning and Implementation Schedule	All components (quay configuration, dredging and sediment disposal site, breakwater reconstruction)	Effects on vital fish functions and on species listed in Schedule 1 of SARA.	The IPD does not include a sufficiently detailed schedule of the works/undertakings/activities associated with the various components of the project to identify potential impacts on fish and fish habitat, including the risk of disturbance to species at risk.	A more detailed schedule will make it possible, among other things, to assess the intensity of the project's effects based on information obtained about fish and fish habitat in or near the work area, and to determine appropriate mitigation measures, including the timing of the work, as well as to evaluate their relevance and adequacy.	The schedule must describe the construction period, as well as the frequency and duration of the works, undertakings, and activities related to the project.	Provide a more detailed project schedule that includes all works, undertakings, and activities likely to have an effect on fish and fish habitat.
DFO-05	Compensation for harmful alteration, disruption or destruction of fish habitat and fish mortality	All components	Compensate impacts from port expansion	If residual harmful effects remain after implementing avoidance and mitigation measures, the proponent must obtain DFO authorization under paragraphs 34.4(2)(b) and 35(2)(b) of the FA. To do so, the proponent must first present a compensation plan to offset harmful alteration, disruption or	This element is a prerequisite for obtaining DFO authorization.	DFO invites the proponent to start examining appropriate compensation options now. Developing adequate compensation projects that provide significant benefits for fish and habitat can be challenging. Compensation projects should align with DFO's current policy on offsetting, including: 1) Support fisheries management objectives and prioritize restoration of	Need to develop a fish habitat compensation plan to offset residual harmful effects of the project on fish and habitat.

				destruction of fish habitat and fish mortality. This is a regulatory requirement.		degraded fish habitat; 2) Offset residual harmful effects from works/undertakings/activities; 3) Provide additional ecosystem benefits; 4) Generate self-sustaining long-term benefits.	
DFO-06	Introduction of aquatic invasive species	All components	Risks to biodiversity (competition, predation, disappearance of native species)	Aquatic Invasive Species Regulations apply. The proponent barely addresses risks of presence of aquatic invasive species in the St. Lawrence Estuary and risks related to their introduction.	The proponent must ensure that data collected to identify and locate aquatic invasive species are sufficient in quantity and quality to provide an adequate representation for risk management. The proponent must also identify measures to prevent introduction into unaffected water bodies.	Identify and locate aquatic invasive species and determine measures to prevent introduction into unaffected water bodies.	Need to identify and locate aquatic invasive species and determine measures to prevent introduction into unaffected water bodies.
DFO-07	Cumulative effects of increased marine traffic	Operation phase: Increased dock activity and marine traffic in the St. Lawrence Estuary	Increased underwater noise; disturbance to species listed under SARA; obstruction of space – collision risks with marine mammals	Significant increase in marine traffic may disturb vital functions of species at risk due to increased underwater noise and mortality risk from collisions. These effects may hinder recovery of species at risk present in the area.	Port operation phase could add 40 ships per year, nearly doubling current traffic. Several species frequenting the area are listed under SARA, including beluga, North Atlantic right whale and blue whale. The initial project description does not address added effects on these species from increased marine traffic in the area.	Identify potential risks of increased marine traffic on marine mammals and intensity of expected effects.	Include cumulative effects of increased marine traffic in the area.

Please insert additional rows as necessary.