

Federal Authority Advice Record (FAAR)

FAAR Response must be submitted by email by December 5, 2025

Matane Port Facilities Expansion Project by the 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 implement the project, based on the Initial Project Description, as either Required, Potential, Likely, Unlikely or Not Required.

Species at Risk Act (SARA) permit

Based on the information found in the Initial Project Description, a SARA permit is unlikely, given that the project is located primarily on non-federal land. According to our data, very few species at risk are likely to be found in the project area because of the anthropogenic nature of the site and the disturbance that is already present there. In addition, although there is a small amount of federal land near the project, it does not contain any buildings slated for demolition that are likely to house species at risk, such as bats. Furthermore, no identified critical habitat is found in the project area.

Migratory Birds Convention Act, 1994 permit

Based on the information found in the Initial Project Description, a Migratory Birds Regulations (MBR) permit is unlikely.

The *Migratory Birds Convention Act, 1994* (MBCA) and its regulations (revised July 2022) protect migratory birds and their eggs and prohibit the disturbance, damage, destruction or removal of migratory bird nests that contain a live bird or viable egg. Migratory birds are protected at all times; all migratory bird nests are protected when they contain a live bird or viable egg; and the nests of 18 species listed in Schedule 1 of the MBR 2022 are protected year-round. These general prohibitions apply to all lands and waters in Canada, regardless of ownership. The MBCA also prohibits the discharge of harmful substances into waters, or areas frequented by migratory birds or into any place from which such substances may enter those waters or areas.

There is no mechanism available to provide a permit for activities that do not directly target but may harm protected migratory birds, their nests and/or eggs, under the MBCA and the MBR 2022.

The MBR 2022 authorizes permits to be issued for damage or hazards caused by migratory birds, as well as scientific permits, which may apply in certain limited situations.

For information on species that are legally defined as migratory birds under federal legislation, please visit: [Birds protected under the Migratory Birds Convention Act, 1994 – Canada.ca](https://www.ec.gc.ca/mbr/2022). For

more information on management practices, guiding principles and measures to reduce the risk of non-compliance under the MBCA, please consult: [Avoiding harm to migratory birds – Canada.ca](https://www2.ec.gc.ca/info/nature/birds_migratory_harm_avoiding.cfm).

Disposal at Sea (DAS) permits, as per Part 7, Division 3, of the *Canadian Environmental Protection Act, 1999 (CEPA 1999)*

A disposal at sea permit is not required, as the project is located outside the area of application of the *Disposal at Sea Regulations* (see [Disposal at sea permit application guide: legislative and process framework, chapter 2](#)).

- b) Describe any associated Indigenous or public consultation that will be undertaken in relation to the exercise of that power, duty or function, including when it would take place;

Species at Risk Act (SARA) permits

Once ECCC reviews the proponent's permit application, issues Information Requests, and the proponent responds to the Information Requests, Indigenous consultations under SARA s.73 (4) and (5) may occur.

This permit does not provide any opportunity for public consultation.

Migratory Birds Convention Act permit

Indigenous consultation and public engagement opportunities are not associated with this permit under the *Migratory Birds Regulations, 2022*.

In the event that ECCC were to issue permits under these Acts, the obligations pursuant to section 35 of the *Constitution Act, 1982* would apply and consultations with Indigenous Peoples may be required.

- 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.

In a situation where a SARA or MBR permit is required:

Species at Risk Act (SARA) permit

Please see SARA Permitting 101 (Appendix 1) for information requirements.

The following information requirements may be coordinated with the impact assessment process:

- The inventory data;
- The nature and significance of the anticipated effects;
- The proposed mitigation measures, including offsetting measures.

Migratory Birds Convention Act, 1994 permit

The nests of species listed in Schedule 1 of the MBR 2022 are protected at all times. If there is a need to damage, disturb, destroy, or remove a nest of a species listed in Schedule 1 of the MBR 2022, this can only be done when:

- a notice regarding the unoccupied nest has been received by ECCC, and;
- the nest has remained unoccupied by a migratory bird from the time the notice is received by ECCC for the duration of time indicated in Schedule 1 for that species, and can therefore be considered abandoned (12, 24 or 36 months, depending on the species).

Please see [Fact Sheet: Nest Protection under the Migratory Birds Regulations, 2022](#) for information requirements.

The following information requirements can be coordinated with the impact assessment process:

- The inventory data;
- The nature and significance of the anticipated effects;
- The proposed mitigation measures, including offsetting measures.

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

Open Science Data Platform (OSDP)

The Open Science Data Platform (OSDP) provides information relevant to cumulative effects and development activities across Canada. It is publicly available at the following website: <https://osdp-psdo.canada.ca/dp/en>. More specifically, the platform provides a single window to access data and scientific knowledge relevant to understanding cumulative effects from existing federal, provincial and territorial online databases and registries, including publications from the federal government and its scientists. It provides an interactive geospatial mapping tool to enable mapping of multiple datasets from multiple sources. It offers various features, including keyword-based searching, interactive data visualization on maps, and educational resources covering key topics such as cumulative effects, water, air, climate, biodiversity, land, economy and industry, health, and society and culture.

OSDP information may be of value to persons preparing and reviewing project assessments, including cumulative effect assessments. The following are some examples of ECCC information available on the OSDP.

Water – Quality and Quantity

- [National Long-term Water Quality Monitoring Data](#)
- [Real-time Hydrometric Data](#)
- [Canadian Aquatic Biomonitoring Network \(CABIN\)](#)
- [National Pollutant Release Inventory \(NPRI\)](#)
 - [Facilities that reported releases to water](#)
- Find [additional water-related resources \(including publications, datasets and monitoring stations\) from ECCC on the OSDP here](#).

Biodiversity (e.g., birds, species at risk, wetlands)

- [Critical Habitat For Species at Risk \(terrestrial\)](#)
- [Range Map extents – Species at Risk](#)
- [Canadian Wetlands](#)
- [Canadian Protected and Conserved Areas Database \(CPCAD\)](#)
- [Canadian Breeding Bird Census Plots](#)
- [Priority Places for Species at Risk](#)
- Find [additional biodiversity-related resources \(including publications, datasets and monitoring stations\) from ECCC on the OSDP here](#).

Air Quality

- [National Pollutant Release Inventory \(NPRI\)](#), including:
 - [Facilities that reported release of criteria air contaminants](#)
- [Canadian Environmental Sustainability Indicators \(CESI\)](#), including:
 - [Average ambient fine particulate matter concentrations at monitoring stations](#)
 - [Peak ambient ozone concentrations at monitoring stations](#)
 - [Average volatile organic compound concentrations at monitoring stations](#)
 - [Average ambient sulphur dioxide concentrations at monitoring stations](#)
 - [Peak ambient nitrogen dioxide concentrations at monitoring stations](#)
- Find [additional air-related resources \(including publications, datasets and monitoring stations\) from ECCC on the OSDP here](#).

Climate, including Climate Change

- [Hourly and Daily Climate Observations](#)
- [Monthly Climate Observation Summaries](#)
- [Climate Normals 1981-2010](#)
- [Homogenized Surface Air Temperature](#)
- [Canadian Homogenized Monthly Precipitation](#)
- [Adjusted Precipitation](#)
- Find [additional climate-related resources \(including publications, datasets and monitoring stations\)](#) from ECCC on the OSDP [here](#).

Beyond ECCC's mandate, the OSDP also contains resources on topics led by departments and other levels of government (e.g., human health, economy and industry). The OSDP also provides access to regulatory registries that list government authorizations for other projects under development (e.g., *Fisheries Act* Registry), which can be useful in understanding the cumulative effects on an area.

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 any party in relation to the project, and means to address the effects of the project. 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's a key issue based on:
 - i. biophysical effect pathway(s) of a specific project component or activity;
 - ii. project-specific concerns or a priority within your mandate;
 - iii. the issue being material² to decision-making under the *Impact Assessment Act*.
 - d) Identify how the issue could be resolved, including through means other than an impact assessment.
 - e) Indicate additional information that the proponent could provide, including to give confidence on how the issue could be addressed through other means.

Original signed by Éric Vachon

Éric Vachon, Regional Director
 Environmental Protection Operations Directorate
 Environment and Climate Change Canada (ECCC)

December 15, 2025

 Date

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

² An issue is material for decision-making if its analysis is likely to affect the conclusions regarding (1) whether adverse effects within federal jurisdiction or adverse direct or incidental effects (collectively referred to as adverse federal effects) may be insignificant or of low, moderate or high significance; (2) the appropriate mitigation measures for significant adverse federal effects; or (3) the public interest determination.

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>Identify comments by organization and comment number</p> <p>e.g., IAAC-01</p>	<p>Specify the 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, scope, novelty and complexity of the component or activity.</p>	<p>Identify the specific biophysical effect pathway between the project component or activity and the affected environmental component or human receptor (including Indigenous communities).</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 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 communities).</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 communities); ○ 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 	<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 that your department or agency has; • 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); • Commitments made by the proponent (e.g., in the Initial Project Description). 	<p>Describe information the proponent can provide, or the commitments the proponent can make, in their Response to the Summary of Questions that would provide confidence that the issue can be resolved by existing means.</p> <p>Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.</p>

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					<i>obligations or climate change commitments, or in supporting government priorities, such as reconciliation with Indigenous Peoples.</i>		
ECCC-1	Migratory birds, including SARA Schedule 1 migratory birds: killing, harming or harassing migratory birds, including disturbing or destroying active nests.	The activities linked to the construction and operation of the project and associated infrastructure could result in the mortality of individuals and the destruction and disturbance of nests and eggs.	<p>Noise, vibrations, artificial lighting, and disturbance from construction and operation may result in injury, mortality, sensory disturbance, and habitat alteration. Attraction to lights at night or poor visibility conditions may cause birds to collide with lit structures or their vertical support structures, resulting in injury or death.</p> <p>Accidental release of harmful substances into the aquatic environment could also have adverse effects on migratory birds that frequent this environment. The dust generated by activities at the work site and its deposition in nearby environments can also affect the birds that frequent them as well as their nests and eggs, if applicable.</p> <p>As the study area could be frequented by SARA Schedule 1 migratory birds, the adverse effects of the</p>	<p>Migratory birds and migratory bird species at risk are within ECCC's mandate under the MBCA, the MBR and SARA.</p> <p>Although the project is in an already anthropized environment, certain species of migratory birds at risk could be present within the study area (e.g., Bank Swallow, Barn Swallow, and Common Nighthawk) if suitable habitat is present.</p>	Migratory birds are a key issue, as potential impacts to migratory birds would represent an adverse effect within federal jurisdiction.	<p>Well-defined mitigation measures would generally be required to mitigate potential impacts. Typical mitigation measures recommended by ECCC include, but are not limited to:</p> <ul style="list-style-type: none"> • Conducting site development work and all other related activities outside of the migratory bird nesting season (Nesting Zone C4) to avoid killing or injuring migratory birds, as well as destroying or disturbing their eggs and nests, in accordance with the MBCA and MBR; • Managing sources of disturbance, such as lighting management and noise reduction, generated during construction and operational works, as well as during other project-related activities (decommissioning, dredging, etc.), to minimize adverse impact on birds; • Mitigation and monitoring measures intended to prevent or reduce the risk of birds being exposed to deleterious substances resulting from intentional or accidental releases in their habitat; • An MBR 2022 permit may be required, but considered unlikely for the project (see question 1 where the permit under the MBCA and MBR 2022 is discussed). 	<p>The main sensitive period to consider is the migratory bird breeding season. However, based on our understanding, no logging, clearing or excavation work is planned, since the work will target existing infrastructure and the marine environment for the reconstruction of the wharf and the addition of new structures.</p> <p>Regarding disturbance-related effects, the principal risk factors to consider for birds are location (i.e., nests of migratory birds) and time of year. ECCC maintains a website (https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html) to aid in the planning of activities in order to reduce the risk of adverse effects to migratory birds and their nests and eggs.</p>

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			<p>project could prove to be greater for these species at risk, as well as for habitats that are more sensitive to disturbance (e.g., wetlands) or where there is already a high degree of cumulative effects.</p> <p>Destruction and/or disturbance of habitats can have increased impacts on species at risk individuals, residences and critical habitats. These disturbances can negatively affect their behaviour or the most vulnerable.</p> <p>In some cases, construction can create environmental features that are attractive for species and increase their risk of mortality. For example, certain threatened migratory bird species (e.g., Bank Swallow and Common Nighthawk) may nest in large piles of soil or open gravelled areas left unattended/unvegetated during the most critical period of the breeding season, making them vulnerable to</p>				

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			construction activities.				
ECCC-2	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality.	Activities related to the construction and operation of infrastructure associated with the project may have adverse effects on fish and fish habitat.	<p>Activities related to the construction and operation of the Matane port facilities expansion project may have adverse effects on water quality (surface water and groundwater).</p> <p>These activities include:</p> <ul style="list-style-type: none"> • Site mobilization; • Dredging and transshipment of dredged material; • Placement of armour stone and backfilling with soil or sediment; • Demolition of wharf no. 1; • Refuelling of machinery and vessels; • Concrete work; • Surface and groundwater management during construction and operation; • Transshipment, handling and storage of bulk and other materials during operation. 	ECCC is responsible for the pollution prevention provisions of the <i>Fisheries Act</i> addressing the discharge of deleterious substances into a receiving water body.	Water quality in the ambient environment is a major issue: any disruption or harmful alteration of fish habitat represents an adverse effect within federal jurisdiction pursuant to the <i>Fisheries Act</i> .	<p>Well-defined mitigation measures would generally be required to avoid or mitigate the potential impacts of the project on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to:</p> <ul style="list-style-type: none"> • When planning dredging activities, refer to sediment quality criteria (Environment Canada and the Ministère du Développement durable, de l'Environnement et des Parcs du Québec, 2007. <i>Criteria for the Assessment of Sediment Quality in Quebec and Application Frameworks: Prevention, Dredging and Remediation</i>. 39 pp.). • Implement measures to prevent materials or debris from being released into the aquatic environment and to recover them expeditiously. • Designate a dedicated machinery refuelling area to protect the aquatic environment. • Control dust emissions during the construction and operation phases and during the demolition of wharf no. 1. • Use a dust suppressant that meets BNQ standard 2410-300. • Clean equipment previously in contact with concrete in a way that prevents the washing water from being discharged directly into the environment. • Implement measures to manage excavated material and backfill to prevent their dispersal in the aquatic environment. • Implement measures to control the drop height of backfill and sediment when deposited in the aquatic environment to prevent sediment resuspension. • Use methods to control suspended solids (SS) and ensure follow-up when required. • Implement monitoring and follow-up programs to ensure the implementation and effectiveness of mitigation measures prior to any discharge into the environment, and provide for adaptive management. 	<p>In Table 5-7, the proponent indicated the substances and materials likely to be transshipped, handled or stored at the project site during operations, include road salt, marine diesel, various bulk materials and others. However, the potential impacts of these activities were not shown in Table 5-2.</p> <p>The proponent should describe the measures to be implemented on the wharf and in transshipment, handling and storage areas to protect the aquatic environment, including the management of runoff on the wharves.</p>

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ECCC-3	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality.	Capital and maintenance dredging and related activities may have adverse effects on fish and fish habitat.	Sediment dredging activities, including sediment excavation, transshipment, barge transport, on-site storage, and open-water disposal, are likely to affect water and sediment quality. The resulting changes in water and sediment quality can have negative impacts on fish and fish habitat.	ECCC is responsible for the pollution prevention provisions of the <i>Fisheries Act</i> addressing the deposit of deleterious substances into a receiving water body.	Water quality in the ambient environment is a major issue: any disruption or harmful alteration of fish habitat represents an adverse effect within federal jurisdiction pursuant to the <i>Fisheries Act</i> .	Well-defined mitigation measures would generally be required to avoid or mitigate the potential impacts of the project on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to: <ul style="list-style-type: none"> • Delineate dredging areas based on sediment quality criteria. • Comply with the dredging template requirements. • Implement measures to prevent the resuspension and dispersion of sediments during dredging, e.g., limiting the speed at which dredging equipment is raised in the water column. • Avoid overfilling sediment barges. • At the disposal site, immobilize the barge prior to discharge. • Respect the spatial boundaries of the open-water disposal area. • Implement monitoring and follow-up programs to ensure the implementation and effectiveness of the mitigation measures and provide for adaptive management. 	<p>The proponent states that the project aims to “avoid or limit the need for, and frequency of maintenance dredging” (IPD, p. 19), which is also reflected in the project design criteria.</p> <p>However, based on the modelling of hydro-sedimentary conditions (Lasalle NHC, 2024), there seems to be no need for maintenance dredging within 10 years of the completion of the capital dredging.</p> <p>As the project lifetime extends well beyond 10 years, the proponent should assess maintenance dredging needs throughout this lifetime.</p> <p>The sectoral sediment characterization study (IPD pp. 77/135) should be included in the impact statement. Analyzing the sediment characterization results will make it possible to assess whether all the relevant parameters were analyzed in the sampled sediments, given the history of activities at the port of Matane.</p>
ECCC-4	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality, including groundwater quality.	Land-based activities for managing contaminated sediments, as well as the transshipment and stockpiling of various backfill materials (including contaminated sediments) may have adverse effects on fish and fish habitat.	All activities related to dredging and dredged material management will be handled on land and may have adverse effects on fish and fish habitat. Specifically, transshipment and storage activities, as well as dewatering methods, are likely to affect surface and groundwater quality and impact fish and fish habitat.	ECCC is responsible for the pollution prevention provisions of the <i>Fisheries Act</i> addressing the deposit of deleterious substances into a receiving water body.	Water quality in the ambient environment is a major issue: any disruption or harmful alteration of fish habitat represents an adverse effect within federal jurisdiction pursuant to the <i>Fisheries Act</i> .	Well-defined mitigation measures would typically be required to avoid or mitigate the potential impacts of the project on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to: <ul style="list-style-type: none"> • Implement preventive measures to avoid the contamination of soil and surface water in the ambient environment at backfill storage sites. • Develop a dewatering site in the terrestrial environment, while ensuring it does not contaminate the soil, surface water and groundwater in the surrounding environment. • Use effective methods for transshipping materials between the barge and the terrestrial environment to prevent the release of sediments into the harbour or aquatic environment. • Clean road surfaces and/or haulage trucks to prevent the dispersion of contaminated sediments on site. • Implement measures to recover all dewatering water for follow-up purposes before it is discharged into the receiving environment. • Cover piles of soil pending transport. 	

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						<ul style="list-style-type: none"> Implement monitoring and follow-up programs to ensure the implementation and effectiveness of mitigation measures. 	
ECCC-5	Greenhouse gas (GHG) emissions assessment.	The activities associated with the construction and operation of the wharf are sources of greenhouse gas emissions.	The construction and operation of the proposed project will result in GHG emissions. These activities could limit or contribute to the Government of Canada's ability to meet its climate change commitments.	Project implementation will result in greenhouse gas emissions. An assessment of these emissions would be necessary to determine the extent to which they contribute to, or hinder, the Government of Canada's ability to meet its environmental obligations and climate change commitments.	The proponent provided information on GHG emissions, quantifying emissions during the construction and operation phases as well as identifying the emission sources and emission factors used. This information can help in determining whether the project will contribute to Canada's ability to meet its environmental obligations and climate change commitments.	<p>The Strategic Assessment of Climate Change (SACC) was published in 2020. It provides guidance on how to consider climate change in federal impact assessments. Proponents may find the SACC technical guidance helpful for assessing climate change impacts and ensuring these impacts are considered in a consistent, predictable, efficient and transparent manner. The information typically requested in Initial Project Descriptions is outlined in the SACC (including section 4.1) and in the Draft Technical Guide (including sections 2.4, 3.3 and 4.2).</p> <p>More details are provided in the <i>Draft Technical Guide Related to the Strategic Assessment of Climate Change: Guidance on quantification of net GHG emissions, impact on carbon sinks, mitigation measures, net-zero plan and upstream GHG assessment</i> published in August 2021.</p>	<p>Assess GHG emissions and the project's impacts on climate change, in accordance with the SACC, to mitigate GHG emissions.</p> <p>The proponent should provide all the information specified in section 4.1 of the SACC and sections 2.4, 3.3 and 4.2 of the Technical Guide.</p> <p>Since port activities will continue beyond 2050, the proponent must develop a plan to achieve net-zero emissions by 2050.</p>
ECCC-6	Air quality	All activities related to construction and operation can result in the emission of airborne pollutants. The deposition of these pollutants can have adverse effects on fish and their habitat, migratory birds and their habitat, species at risk and their habitat, and the health of Indigenous Peoples.	<p>The construction and operation of the project can result in the emission of airborne pollutants. These emissions are likely to result in the degradation of local or regional ambient air quality or the deposition of contaminants in the environment.</p> <p>All construction-related activities (including the dredging and storage of sediments, material handling, use of machinery and road transportation) and operations-related activities (including port activities, i.e.,</p>	ECCC can provide expertise on emissions and the transport, dispersion and deposition of airborne pollutants. This expertise may be required to support analyses conducted by other departments, such as Health Canada.	The proponent must assess the effects of atmospheric pollutant emissions, their deposition, and their adverse effects on fish and fish habitat, migratory birds and their habitat, species at risk and their habitat, as well as the health of Indigenous Peoples.	<p>ECCC recommends that the principles of continuous improvement and the protection of unpolluted regions in the context of airshed and air zone management within the Air Quality Management System (AQMS) are considered in management plans or actions to improve air quality.</p> <p>Air quality impacts may be reduced through well-established mitigation measures, such as:</p> <ul style="list-style-type: none"> fugitive dust management; implementing best practices, such as minimizing engine idling; maintaining equipment and using the best available technologies for equipment at all phases of the project; installing a shore power supply system to supply power to vessels. <p>For example, and without limitation, the proponent could refer to the document issued by Environment Canada: "Best Practices for the Reduction of Air Emissions From Construction and Demolition Activities," March 2005, available at the following link:</p>	<p>The following elements must be included in the proponent's impact assessment to assess potential effects of the project on air quality:</p> <ul style="list-style-type: none"> Baseline and reference ambient air quality, including quantified emission sources for all relevant contaminants, notably particulate matter, metals, NOx, SOx, VOCs, any other products of fossil fuel combustion, and other relevant pollutants from mobile, stationary, and fugitive sources, including a description of the effects of forest fires, if applicable. Comparison of ambient baseline and reference air quality with applicable provincial and federal standards. Inventory and description of all activities and equipment to be used that are likely to impact air quality during all project phases. Quantitative prediction of air pollutants and substances that will be generated during all project phases. Quantify emissions of the following contaminants, including but not limited to: particulate matter (TPM, PM2.5, PM10), nitrogen and sulphur dioxide (NO₂, SO₂), carbon monoxide (CO), individual volatile organic compounds (VOCs) or an appropriate subset, diesel particulate matter (DPM), black carbon, and any other relevant air pollutants from mobile, stationary and fugitive

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			<p>moored vessels, manoeuvring vessels, tugs and cargo handling) can result in the emission of airborne pollutants.</p> <p>Fuel combustion produces a large quantity of chemicals released into the atmosphere. The use of fossil fuels to power, among other things, the engines of road vehicles, devices, equipment and machinery, generates emissions of combustion products (engine exhaust gases), including, but not limited to, nitrogen and sulphur oxides (NO_x, SO_x), carbon monoxide (CO), individual or groups of volatile organic compounds (VOCs) and other relevant airborne pollutants from mobile, stationary and fugitive sources.</p> <p>When contaminants released into the atmosphere are deposited in the surrounding environment, their deposition can lead to adverse effects on terrestrial and aquatic ecosystems. NO₂ and SO₂ emissions, among others, can also lead to acidification and the potential exceedance</p>			<p>http://www.bv.transports.gouv.qc.ca/mono/1173259.pdf.</p>	<p>sources. Also include dustfall on the sensitive receptors identified, if applicable.</p> <ul style="list-style-type: none"> • Atmospheric dispersion modelling of these contaminants during the construction and operation phases. Provide a rationale for the selection of the air dispersion model used. Provide detailed descriptions of the methodologies and assumptions used to estimate airborne pollutant emissions and their concentrations. All relevant emission factors should be provided and referenced. • When modelling, use a combination of engine categories that are representative of the equipment likely to be used in project activities (e.g., a combination of tiers 0, 1, 2, 3 and 4) to provide a more realistic assessment. • Compare predicted levels of air pollutants with the strictest federal or provincial air quality standards, if applicable. • Based on certain excerpts from the Initial Project Description, atmospheric dispersion modelling appears to have already been performed. Provide this report to make it possible to assess the modelled impacts on air quality. The proponent may wish to ensure that the modelling performed is aligned with the Tailored Impact Statement Guidelines (TISG) and revise it if necessary. • Provide an air quality management plan that includes a dust management plan. This plan should identify sources of air pollution, common mitigation measures for airborne contaminants (including a detailed complaint resolution process), the effectiveness of airborne contaminant control devices, best management practices, as well as a monitoring and follow-up plan.

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			of the ecosystems' critical loads. Emissions of airborne contaminants may result in the contamination of nearby land and water bodies and can affect sensitive ecosystem receptors.				
ECCC-7	Terrestrial species at risk other than migratory birds at risk.	Activities related to the construction and operation of the project and associated infrastructure could adversely affect terrestrial species at risk listed in Schedule 1 of SARA, as well as their habitat (e.g., wetlands) and critical habitat.	<p>During construction, the loss or alteration of the habitat or residences of species at risk could occur. Habitat destruction can also increase the risk of mortality.</p> <p>In addition, species at risk could be affected by sensory disturbances during the construction and operation of the project.</p> <p>Some examples of potential sources of sensory disturbance include noise from various project activities, lights, vibrations, and the presence of workers. The duration, frequency, and timing of these disturbances are important in determining potential effects on species. They can also cause avoidance behaviour in nearby habitats.</p>	<p>ECCC has information on the terrestrial species at risk listed on Schedule 1 of SARA, including recovery strategies, action plans, and management plans.</p> <p>According to the information provided by the proponent, there is a high likelihood of the Little Brown Myotis being present in the expanded study area.</p>	<p>The authorities responsible for the assessment have an obligation under subsection 79(2) of SARA to ensure that measures are taken to mitigate or avoid impacts and to monitor effects on listed species at risk in a manner that is consistent with existing recovery strategies or action and management plans.</p>	<p>Mitigation measures would generally be required to address the potential impacts of the project during the construction and operation phases, which would be determined on a case-by-case basis, i.e., based on the specifics of both the species at risk identified in the project area and project activities. Recovery strategies, action plans and management plans for the targeted species at risk can be consulted to determine the relevant threats and recommended protection measures for each species at risk likely to be present in the study area.</p> <p>A SARA permit may be required. However, it is considered unlikely for the project (see question 1 where the permit under SARA is discussed).</p>	<p>The proponent must provide the responsible authority for environmental assessment with a list of all species at risk listed in Schedule 1 of SARA and any critical habitat that may interact with the project, and describe how they may be adversely affected by the project.</p> <p>The proponent must describe what measures will be taken to avoid or mitigate the effects of each project activity and phase, and how these measures will be implemented and the effects will be monitored to ensure that they are avoided or minimized or whether adaptive management measures are required.</p> <p>Additionally, there is always the possibility that species assessed by COSEWIC will be added to Schedule 1 of SARA or that a critical habitat will be identified during or even after the impact assessment process. It is also recommended that species assessed by COSEWIC be considered to implement measures to mitigate or avoid impacts and to monitor them.</p>
ECCC-8	Climate change adaptation and resilience	The climate over the lifetime of the project is likely to differ from the past and current climate	It is possible that climate change could affect the project, which, in turn, could impact the	Climate change could affect the project, which could affect fish habitat and	It is possible that climate change could affect the project, which could, in turn, result in impacts on fish	The Strategic Assessment of Climate Change (SACC), published in 2020, works in conjunction with the <i>Impact Assessment Act</i> to provide guidance on how to consider climate change in federal impact assessments.	The proponent may consider using the following guidelines when assessing the impacts of climate change on the project:

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		<p>in the project area. Project components and activities for which adaptation and resilience to climate change could be important include those related to the resilience and adaptive capacity of the built infrastructure.</p>	<p>surrounding environment (e.g., through accidents or malfunctions or due to increased storm intensity).</p> <p>Climate change in the project area— e.g., possible changes in average and extreme temperature and precipitation and related environmental conditions, such as sea level rise and changes in storm surges and wave heights—may alter baseline conditions, with implications for climate-sensitive aspects of the project and associated effects under federal jurisdiction.</p>	<p>migratory bird habitat.</p> <p>The challenges of climate change adaptation and resilience during the construction and operation phases are not unique to this project in terms of complexity, scale or novelty.</p>	<p>habitat and migratory bird habitat.</p>		<p>Strategic Assessment of Climate Change Strategic Assessment of Climate Change Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience - Canada.ca</p>
ECCC-9	<p>Environmental emergencies</p> <p>Effects on water quality, fish and fish habitat, and migratory birds due to hazardous substance spills.</p>	<p>There is always the risk of accidents or malfunctions during construction and operation phase activities. The presence of hydrocarbons or fuels on site as well as the refuelling of heavy equipment running on diesel and gas increase the risk of accidental spills.</p>	<p>The proposed project includes the construction and operation of a second berth in the commercial sector of the harbour, the development of a storage area, the reconstruction of the existing berth, the elevation of the West breakwater as well as capital dredging within the harbour.</p> <p>The completion of the project is expected to result in an increase in vessel traffic and transshipment activities, as well as an increase in the</p>	<p>ECCC is responsible for the pollution prevention provisions of the <i>Canadian Environmental Protection Act, 1999</i>, the <i>Fisheries Act</i>, and the <i>Migratory Birds Convention Act, 1994</i>.</p> <p>ECCC has expertise in environmental emergency management planning, as well as in the assessment of different accident</p>	<p>Presentation of accident and malfunction scenarios related to the construction or operation of the project that may result in releases of hazardous substances into the environment, causing significant adverse effects on air quality, water quality, species at risk, fish and fish habitat, and migratory birds.</p> <p>Given that the project is located on the shore of the St. Lawrence River, spills could directly reach the aquatic environment and cause significant environmental impacts.</p>	<p>Optimized spill prevention, preparedness and response measures and systems will be essential for all construction and operational activities at the project site, given the risk of hazardous substances being released into the environment. This includes:</p> <ul style="list-style-type: none"> • The implementation of effective mitigation measures, such as the use of secondary containment systems for tanks containing hazardous substances and the availability of adequately equipped spill kits, to reduce the risk of accidental releases into the environment. • The development of operational plans, including a spill contingency plan, an emergency response plan, and a waste management plan. These documents will help reduce the risk of accidents and malfunctions and provide responders with the information needed to ensure a timely and effective response in the event of an incident. 	<p>Assessing the risk of accidents and malfunctions, as well as the effectiveness of the proposed mitigation measures and plans, is an essential part of understanding the potential adverse effects of the project on areas within federal jurisdiction.</p> <p>The proponent could commit to the following actions to ensure that potential accident and malfunction scenarios associated with the project have been adequately considered and prepared for, and that the risk of adverse effects on components of the environment under federal jurisdiction is minimized:</p> <ul style="list-style-type: none"> • Conduct a risk assessment for plausible accident and malfunction scenarios: <ul style="list-style-type: none"> ○ that may result from the proposed activities at all stages of the project; ○ that may result from the impact of natural hazards or environmental conditions on the proposed project site. • Implement measures to manage overland runoff and prevent the release of deleterious substances into the waters of the St. Lawrence River.

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			<p>risk of accidents or malfunctions.</p> <p>Hazardous substance spills could occur in the terrestrial or aquatic environment. Such spills could result in significant adverse effects on components of the environment under federal jurisdiction, notably fish and fish habitat.</p>	<p>and malfunction scenarios that are likely to lead to unplanned or uncontrolled releases of hazardous substances into the environment.</p> <p>This expertise covers scenarios that may result in significant adverse effects on components under ECCC's mandate, including migratory birds and their habitat, fish and fish habitat, terrestrial species at risk, as well as changes to the environment that may have significant negative impacts on Indigenous Peoples.</p> <p>ECCC reviews atmospheric dispersion, contaminant behaviour, as well as the hydrological modelling of contaminants.</p>		<p>Part 8 (Environmental Matters Related to Emergencies) of the <i>Canadian Environmental Protection Act, 1999</i> (sections 193 to 205) deals with the prevention of, preparedness for, response to and recovery from environmental emergencies caused by uncontrolled, unforeseen or accidental releases. It also addresses the reduction of any foreseeable likelihood of releases of toxic or other hazardous substances listed in Schedule 1 of the <i>Environmental Emergency Regulations (2019)</i>. This Act may apply if the Schedule 1 substances present on the site meet or exceed the threshold for regulation under the <i>Canadian Environmental Protection Act, 1999</i>. Technical Guidelines for the <i>Environmental Emergency Regulations, 2019</i> are available at: https://www.canada.ca/en/environment-climate-change/services/environmental-emergencies-program/regulations/technical-guidelines.html.</p>	<ul style="list-style-type: none"> • Share the results of any existing modelling of fuel spills resulting from marine transportation, as well as the analysis of the impact of these spills, if applicable. • Adopt all relevant industry best practices for spill prevention, preparedness, response, and recovery in the context of spills resulting from accidents and malfunctions. • The proponent is also invited to plan the mapping of sensitive elements of the environment, including the Matane waterfowl concentration area (WCA) located 1.2 km downstream of the port.

Please insert additional lines as needed.

Appendix 1 – SARA Permits 101

Project planning: Applying for a *Species at Risk Act* (SARA) permit administered by Environment and Climate Change Canada (ECCC)

Context

This Project Planning document provides an overview of the [Species at Risk Act \(SARA\) permitting process administered by Environment and Climate Change Canada \(ECCC\)](#) and outlines the key requirements for the permit application, as well as some tips to support applicants in providing a timely and complete permit application.

Section 73 of SARA allows a competent minister, under certain conditions, to issue a permit for an activity affecting a listed wildlife species, any part of its critical habitat or the residences of its individuals. The Minister of Environment and Climate Change is the competent minister with respect to individuals of all species other than aquatic species (as defined under the *Fisheries Act*) and individuals found on lands administered by the Parks Canada Agency.

Do You Need a SARA Permit?

Any person engaging in an activity affecting a species listed in Schedule 1 of SARA as Extirpated, Endangered, or Threatened (hereafter, listed species), and that would contravene any SARA prohibitions, must obtain a permit.

Where multiple individuals engage in activities requiring a permit, on behalf of an entity (e.g., the employees or contractors of a company), the entity may apply for a permit that will cover all such individuals.

Species at Risk Act Prohibitions

General Prohibitions

Under s. 32 and s. 33 of SARA, it is prohibited to:

- Kill, harm, harass, capture or take an individual of a listed wildlife species,
- Possess, collect, buy, sell or trade an individual of a listed wildlife species, or
- Damage or destroy the residence of one or more individuals¹ of a listed wildlife species.

¹ Under SARA, a residence is a dwelling-place, such as a den, nest or other similar area or place, that is occupied or usually occupied by one or more individuals during all or part of their life cycle.

These general prohibitions automatically apply for terrestrial species as soon as they are listed under SARA, except on lands in the provinces that are not [federal lands](#) or on lands in territories that are not lands under the authority of the Minister or Parks Canada. For migratory birds (identified under the *Migratory Birds Convention Act* [MBCA]), these prohibitions apply throughout Canada.²

Additional SARA Prohibitions:

Critical habitat,³ identified in recovery strategies or action plans, can be protected through a range of mechanisms. Where a critical habitat prohibition applies, SARA makes it an offence to destroy any part of the critical habitat of a species listed under SARA. For information about specific critical habitat protection on federal and non-federal lands in the province and territories, please visit: [Your responsibilities under the Species at Risk Act](#).

Additional specific prohibitions may be in force as a result of an Emergency or Protection Order issued under sections 34, 61, or 80 of SARA, and regulations made under sections 53, 59, or 71 of SARA; such orders and regulations are published in the [Species at risk public registry](#).

SARA permit eligibility

If your project requires undertaking an activity that is likely to affect a listed species in a manner that is prohibited under SARA, you may need a SARA permit to proceed. Certain conditions must be met for a SARA permit to be issued, notably:

- All reasonable alternatives to the activity that would reduce the impact on the species have been considered and the best solution, with the conservation of the species in mind, has been adopted.
- All feasible measures will be taken to minimize avoidable adverse effects of the activity on the species, its critical habitat or the residences of its individuals.
- The residual effects of the activity, after avoidance and mitigation measures are applied, must not jeopardize the survival or recovery of the species.

² NOTE: Migratory Birds (both SARA-listed species and non-SARA-listed species), their nests, and eggs are protected under the MBCA and its Regulations.

³ Critical habitat is the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species' critical habitat in the recovery strategy or action plan for the species.

Applying for a SARA permit

Complete applications for a SARA permit can be submitted via ECCC's [Species at Risk Act E-Permitting System](#). A complete and adequate application contains all the documentation and information set out in the:

- [Guidelines for permitting under Section 73 of Species at Risk Act](#)
- [Permits Authorizing an Activity Affecting Listed Wildlife Species Regulations](#)

Sufficient detail must be included in the application for the Minister to decide whether or not to issue a SARA permit. The tips below will help you submit a complete application, reducing the likelihood of delays.

Applicants are encouraged to proactively engage with the [Species at risk permit regional offices](#), who have expertise in the SARA regulatory process, to obtain additional advice on preparing a complete and adequate application for review.

Time limits for processing SARA permits

The time limit for ECCC to process an application is established in the [Permits Authorizing an Activity Affecting Listed Wildlife Species Regulations](#) (the Regulations).

ECCC has 90 days to either issue or refuse to issue a SARA permit. This timeline starts on the date ECCC sends the applicant a written notice indicating that the application was received. This time limit will be suspended if additional information is needed to assess the proposed activity. The time limit is suspended on the day when ECCC sends the information request to the applicant and resumes once ECCC receives all the missing information.

The Regulations also list the circumstances under which the 90-day time limit does not apply, including when the following is required:

- Indigenous consultation
- A decision under another act of parliament, such as the *Impact Assessment Act*

Tips for a successful application

Tip 1: Plan activities with species at risk in mind

Common mistake

- Not considering impacts to species at risk during project planning.
-

Best practices

1. Determine whether any species at risk and/or critical habitat are found in the area of the proposed activity through resources such as:
 - a. [Critical Habitat for Species at Risk National Dataset](#)
 - b. Provincial conservation data centres
 - c. Other publicly available datasets

- d. Consultation with a qualified professional
 - e. Discussions with ECCC
- 2. Consult the recovery strategy or action plan of the species in question if available.
 - a. These documents will help identify the most sensitive life cycles of the species affected, as well as how to avoid negatively affecting the recovery objectives of the species or jeopardize the recovery or survival of the species (see “SARA permit eligibility” above).
 - b. You will find important information in these documents to better understand the species and their needs, the threats to their survival or recovery, and their critical habitat (including examples of activities that are likely to result in its destruction).
 - c. These documents are available on the [Species at risk public registry](#). For listed species at risk that do not yet have a published recovery strategy or action plan, you can also consult the [Committee on the Status of Endangered Wildlife in Canada \(COSEWIC\) species assessment](#) and other best available information.
- 3. Verify if best management practices, residence descriptions and other species documents are available for the species.
- 4. Integrate considerations related to species at risk into project planning from the start, including the implementation of the mitigation measures hierarchy (e.g., avoid, minimize, restore, compensate) in project planning.

Benefit to applicant

- Demonstrating avoidance and minimization of impacts to species at risk is necessary to meet the mandatory preconditions, including that a species’ survival or recovery not be jeopardized.

Tip 2: Ensure sufficient detail in permit application

Common mistakes

- The permit application contains an insufficient level of information on the potential effects of your activity on species at risk, the residence of its individuals, or their critical habitat.
- The permit application does not consider impacts to individuals and/or residences outside of areas that have been identified as critical habitat.

Best practices

Use the [Guidelines for permitting under Section 73 of Species at Risk Act](#) to prepare your application, ensuring that the details you provide:

- reflect the scale and complexity of your project and its activities, as well as timing and schedule of activities;
- explain the measures taken to avoid, mitigate and compensate impacts to species at risk and their habitat; and
- demonstrate how you meet the purpose of SARA and the permitting preconditions in s.73.

Benefit to applicant

- This will reduce the likelihood of delays created by information requests as ECCC reviews your application for completeness and adequacy.

Tip 3: Engage Indigenous Peoples early

Common mistakes

- The permit application does not account for Indigenous concerns.
- Indigenous communities are engaged only after the project design is completed.

Best practices

- Begin communication with Indigenous Peoples early during the project design phase (including compensation measures). Engage and work with Indigenous Peoples to identify and address concerns throughout the development of project plans.

Benefit to applicant

A project that has the consent (or non-objection) of Indigenous groups would reduce the time required for:

- ECCC to consult with Indigenous Peoples whose Aboriginal and treaty rights may potentially be adversely affected by your project;
- ECCC and the applicant to ensure accommodation measures are implemented, where necessary.

Contact information

For further details or assistance, reach out to the [Species at risk permit regional offices](#).

Disclaimer

This document is not intended to be a substitute for SARA or its regulations. In the event of an inconsistency between this document and SARA or its regulations, SARA and associated regulations would prevail. For the most up-to-date versions of SARA, please consult the [Department of Justice website](#).