

Federal Authority Advice Record (FAAR)

The FAAR must be submitted via email by December 13.

Project – Construction of a New Wharf B6 and Expansion of the Wharf Terminal – Société du parc industriel et portuaire de Bécancour (SPIPB)

Registry file: 90011

Department/Agency	Environment and Climate Change Canada
Lead contact	Audrey Lessard
Full address	105 McGill Street, Montreal, Quebec H2Y 2E7
Email	audrey.lessard@ec.gc.ca
Telephone	
Alternate contact	Suzie Thibodeau

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.

Species at Risk Act (SARA) permit

Based on the information provided in the Initial Project Description and the details on the natural environment data provided as part of SPIPB's Ten-Year Dredging Program, a SARA permit is unlikely, as the project is located exclusively on non-federal lands. According to our records, few species at risk are likely to be found in the project area given the site's anthropogenic nature and existing disturbances. Furthermore, no critical habitat has been designated in the project area.

Migratory Birds Convention Act (MBCA) permit

Based on the information in the Initial Project Description, an MBCA permit is also unlikely.

The *Migratory Birds Convention Act, 1994* (MBCA) and its *Migratory Birds Regulations, 2022* (MBR 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 a 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 the 18 species listed in Schedule 1 of 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 for issuing permits for activities that do not directly target but may harm protected migratory birds, their nests and/or eggs under the MBCA and its regulations.

The MBR 2022 authorize the issuance of damage and danger permits, as well as scientific permits, which may apply in specific limited situations.

For information on species that are legally defined as migratory birds under federal legislation, see: [Birds protected under the Migratory Birds Convention Act – Canada.ca](#). For guidance on management practices, principles and measures to reduce the risk of violating the MBCA, please consult: [Avoiding harm to migratory birds – Canada.ca](#).

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

In situations where a SARA or MBR permit is required:

SARA permit

Once ECCC has reviewed the Proponent's permit application and issued any requests for information, and the Proponent has provided the required responses, consultations with Indigenous Peoples under subsections 73(4) and 73(5) of SARA may take place.

This permit does not include any opportunities for public consultation.

MBCA permit

The MBR 2022 do not provide for public or Indigenous consultation.

If ECCC is required to issue permits under these acts, the obligations set out in 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 situations where a SARA or MBR permit is required:

SARA permit

Consult Appendix 1 – SARA Permitting 101 for the information requirements.

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

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

MBCA permit

Nests of species listed in Schedule 1 of 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 MBR 2022, this can 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 deemed abandoned (12, 24 or 36 months, depending on the species).

For more information, consult [Fact sheet: Nest Protection under the Migratory Birds Regulations, 2022](#).

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

- The inventory data
- The nature and significance of 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 and Data Platform \(OSDP\)](#)

The Open Science and Data Platform (OSDP) provides relevant information on cumulative effects and development activities across Canada. The platform is publicly accessible at: <https://osdp-psdo.canada.ca/dp/en>. Specifically, the platform offers a single access point for relevant scientific data and knowledge of cumulative effects drawn from existing federal, provincial and territorial government databases and registries, as well as publications from the federal government and its scientists. The platform features an interactive tool that enables users to map multiple datasets from various sources. Available functionalities include keyword search, interactive map-based data visualization and educational resources on key topics such as cumulative effects, water, air, climate, biodiversity, land, economy and industry, human health, and society and culture.

The information provided through the OSDP may assist individuals preparing or reviewing project assessments, including cumulative effects assessments. The following are examples of ECCC-related information available on the OSDP that may be useful to those involved in assessing this project.

Water – quality and quantity

- National Long-term Water Quality Monitoring Data
- Real-time Hydrometric Data
- CABIN Canadian Aquatic Biomonitoring Network
- National Pollutant Release Inventory (NPRI), including:
 - Maps of reporting facilities – total releases to water
- Here you will find additional water-related resources (such as publications, datasets and monitoring stations) from ECCC on the OSDP.

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

- Critical Habitat for Species at Risk National Dataset (terrestrial)
- Range Map extents – Species at Risk
- Canadian National Wetlands
- Canadian Protected and Conserved Areas Database (CPCAD)
- Canadian Breeding Bird Census Plots
- Priority Places for Species at Risk
- Here you will find additional biodiversity-related resources (such as publications, datasets and monitoring stations) from ECCC on the OSDP.

Air quality

- National Pollutant Release Inventory (NPRI), including:
 - Maps of reporting facilities – criteria air contaminants
- The Canadian Environmental Sustainability Indicators (CESI) Program, including:
 - Average ambient fine particulate matter concentrations at monitoring stations, Canada
 - Peak ambient ozone concentrations at monitoring stations
 - Average volatile organic compounds concentrations at monitoring stations
 - Average sulphur dioxide concentrations at monitoring stations
 - Peak nitrogen dioxide concentrations at monitoring stations
- Here you will find additional air-related resources (such as publications, datasets and monitoring stations) from ECCC on the OSDP.

Climate, including climate change

- Climate observations (hourly and daily)
- Monthly Climate Observation Summaries

- [Climate Normals 1981–2010](#)
- [Homogenized Surface Air Temperature](#)
- [Adjusted Precipitation](#)
- Here you will find [additional climate-related resources \(such as publications, datasets and monitoring stations\) from ECCC on the OSDP](#).

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

- 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.

This does not apply to ECCC.

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; and
 - 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.

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

December 12, 2025

Date

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.

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, scale, novelty and complexity or the component or activity.</p>	<p>Identify the specific biophysical 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 projects of this nature or in this sector, or whether it is 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).</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 government priorities, such as reconciliation with Indigenous Peoples. 	<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); or • Commitments made by the Proponent (e.g., in the Initial Project Description). 	<p>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.</p> <p>Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.</p>

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
ECCC-1	Migratory birds, including migratory birds at risk, listed in Schedule 1 of SARA: killing, injuring or harassing migratory birds, including disturbing or destroying active nests.	Project construction and operational activities, along with associated infrastructure, could result in the mortality of individual birds and the destruction or disturbance of nests and eggs.	<p>Noise, vibrations, artificial lighting and disruptions associated with construction and operational activities may result in injury, mortality, sensory disturbance and changes in habitat use. Attraction to lights at night or under low-visibility conditions may cause birds to collide with lit structures or their vertical supports, leading to injury or mortality.</p> <p>Accidental release of harmful substances into the aquatic environment or into the site's sumps and catch basins, where applicable, could also have adverse effects on migratory birds that frequent them. Dust produced by the construction site and its deposition in nearby environments may also affect the birds that frequent these areas, as well as their nests and eggs, if any.</p> <p>Since the study area may be frequented by migratory birds listed in Schedule 1 of SARA, specifically the Least Bittern and Bank Swallow, the adverse effects could be more significant for these species at risk and for habitats that are particularly sensitive to disruptions (e.g., wetlands) or already subject to significant cumulative effects.</p> <p>Habitat destruction or disruption may have increased impacts on</p>	<p>Migratory birds and migratory bird species at risk fall under ECCC's mandate through the MBCA, MBR and SARA.</p> <p>Although the project is in an already human-influenced environment, certain migratory bird species at risk are, or could be, present in the study area (e.g., Least Bittern, Bank Swallow, Barn Swallow and Common Nighthawk) if suitable habitat is available.</p> <p>In addition, migratory bird species that are not at risk, such as the Killdeer, may nest on the ground in human-influenced areas if suitable habitat is available.</p>	Migratory birds represent a major issue because any potential impact on them would constitute an adverse effect under federal jurisdiction.	<p>Well-defined mitigation measures would generally be required to address potential impacts. Typical mitigation measures recommended by ECCC include, but are not limited to:</p> <ul style="list-style-type: none"> conducting site development and related activities outside the migratory bird nesting season (nesting zone C3) to avoid killing or injuring birds and destroying or disturbing their nests and eggs, in accordance with the MBCA and MBR; managing sources of disturbance generated during construction and operation, such as lighting, noise and project-related activities (e.g., dredging), to minimize adverse effects on birds; implementing mitigation and monitoring measures to prevent or reduce the risk of birds being exposed to harmful substances arising from intentional or unintentional releases into their habitat; noting that the permitting provisions of the MBR 2022 may apply. However, this is considered unlikely for the project (see Question 1, which discusses permits under the MBCA and MBR 2022). 	<p>The main sensitive period to consider is the nesting period for migratory birds. However, based on our understanding, no clearing or excavation work is planned on land, as the work will focus on the aquatic environment (aquatic grass beds) adjacent to existing infrastructure.</p> <p>With respect to disturbance and disruption, the primary risk factors are the timing of the work and the potential presence and location of nests. ECCC has published a webpage to facilitate the planning of activities aimed at reducing risks to migratory birds, their nests and their eggs. (https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html)</p>

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>species at risk, their residences and their critical habitats. These disruptions may have adverse effects on their behaviour or on more vulnerable species.</p> <p>During construction, certain conditions could create environments that attract specific species, thereby increasing their risk of mortality. For example, certain migratory bird species at risk (such as the Bank Swallow and Common Nighthawk) may nest in large stockpiles of soil or in undeveloped gravel areas left unattended during the most critical period of the breeding season, making them vulnerable to construction activities.</p>				

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
ECCC-2	Greenhouse gas emission assessment	Activities related to the construction and operational phases of the wharf will generate greenhouse gas (GHG) emissions.	The construction and operation of the proposed project will generate GHG emissions. These activities could affect the Government of Canada's ability to meet its climate change commitments.	The project will be a source of greenhouse gases, and an assessment of these emissions is necessary to determine the extent to which they support or hinder the Government of Canada's environmental obligations and climate change commitments.	<p>The Proponent has not provided information quantifying GHG emissions, including those related to the construction and operational phases, nor has it identified emission sources or the factors used. However, the Proponent indicates that a detailed assessment of these emissions will be undertaken.</p> <p>This information will help determine whether the project will contribute to Canada's ability to meet its environmental obligations and climate change commitments.</p>	<p>The Strategic Assessment of Climate Change (SACC), published in 2020, provides guidance on how to consider climate change in federal impact assessments. Proponents may find the SACC's technical guidance useful for assessing climate change impacts in a consistent, predictable, effective and transparent manner. The information generally required for the project description is outlined in the SACC (Section 4.1) and in the draft Technical Guide (sections 2.4, 3.3 and 4.2).</p> <p>Further details are provided in the draft <i>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> (Technical Guide) published in August 2021.</p>	<p>GHG emissions and the project's impacts on climate change should be assessed in accordance with the SACC to implement mitigation measures.</p> <p>The Proponent should provide all 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 should also develop a plan to achieve carbon neutrality by 2050.</p>
ECCC-3	Air quality	All activities associated with the construction and operation of the wharf may result in the emission of air pollutants. The deposition of these pollutants may adversely affect fish and fish habitat, migratory birds and their habitat, species at risk and their habitat, as well as	<p>The construction and operation of the project will generate air pollutant emissions that could contribute to local or regional degradation of ambient air quality or to the deposition of contaminants in the environment.</p> <p>All construction-related activities (including dredging, sediment storage, material handling, machinery operation and road transportation) and operational activities</p>	ECCC can provide expertise related to emissions and the transport, dispersion and deposition of air pollutants. This expertise may support analyses conducted by other departments, such as Health Canada.	The Proponent must assess the effects of air pollutant emissions, their deposition and their potential adverse impacts on fish and fish habitat, migratory birds and their habitat, species at risk and their habitat, and the health of Indigenous Peoples.	<p>ECCC recommends that measures or management plans aimed at improving air quality incorporate the principles of continuous improvement and protection of clean areas, in accordance with the Air Quality Management System (AQMS) for airshed and air quality zone management.</p> <p>The impacts on air quality can be reduced through well-established mitigation measures, such as:</p> <ul style="list-style-type: none"> • Fugitive dust management; • Application of best practices, such as reducing engine idling; 	<p>The Proponent's impact assessment should include the following elements to assess the project's potential effects on air quality:</p> <ul style="list-style-type: none"> • A description of baseline ambient air quality, including quantified emissions from all relevant contaminants—particulates, metals, NO_x, SO_x, VOCs, other fossil fuel combustion products, and other pollutants from mobile, stationary and fugitive sources. Include, where

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
		the health of Indigenous Peoples.	<p>(including port activities such as moored vessels, vessel maneuvering, tugboats and cargo handling) may release air pollutants.</p> <p>Fuel combustion produces large quantities of chemicals released into the atmosphere. The use of fossil fuels to power, among other things, vehicles, machinery and equipment, generates combustion by-products (engine exhaust), including but not limited to nitrogen and sulphur oxides (NO_x, SO_x), carbon monoxide (CO), volatile organic compounds (VOCs), individually or in an appropriate subset), and other relevant air pollutants from mobile, stationary, and fugitive sources.</p> <p>When contaminants emitted to the atmosphere are deposited in surrounding environments, they may cause adverse effects on terrestrial and aquatic ecosystems. Emissions of NO₂ and SO₂, among others, can contribute to acidification and potentially exceed critical loads in ecosystems. Air contaminant emissions can result in contamination of nearby land and water bodies and may affect sensitive ecosystem receptors.</p>			<ul style="list-style-type: none"> Regular equipment maintenance and the use of best available technologies in all project phases; Installation of shore power supply systems for ships. <p>For example, the Proponent may consult, but is not limited to, the document published by Environment Canada, "Best Practices for the Reduction of Air Emissions From Construction and Demolition Activities" (March 2005): http://www.bv.transports.gouv.qc.ca/mo/1173259.pdf.</p>	<ul style="list-style-type: none"> applicable, a description of the influence of forest fires; A comparison of the baseline ambient air quality with applicable provincial and federal standards; An inventory and description of all activities and equipment that will be used and are likely to affect air quality during all phases of the project; Forecasts and quantification of atmospheric substances and pollutants generated over the project's life cycle. At a minimum, quantify emissions of the following contaminants: particulate matter (PMT, PM_{2.5}, PM₁₀), nitrogen and sulphur dioxides (NO₂, SO₂), carbon monoxide (CO), individual VOCs or an appropriate subset, diesel particulate matter (DPM), black carbon and any other relevant air pollutants from mobile, stationary and fugitive sources. Include dust deposition on identified sensitive receptors, where applicable; Atmospheric dispersion modelling for the construction and operational phases. Provide a rationale for the selected model and detail the methodologies and assumptions used to estimate air pollutant emissions and their concentrations. All relevant emission factors should be provided and properly referenced; When modelling, ensure the use of a mix of engine categories representative of the equipment expected during project activities (e.g., a combination of tiers 0, 1, 2,

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>3 and 4) to ensure a realistic assessment;</p> <ul style="list-style-type: none"> • A comparison of predicted air pollutants with the most stringent applicable federal or provincial air quality standards; • Provision of any previously completed air dispersion modelling referenced in the Initial Project Description to enable assessment of predicted air quality impacts. The Proponent should ensure that the modelling aligns with the Tailored Impact Statement Guidelines and revise it as necessary; • An air quality management plan, including a dust management plan, identifying sources of air pollution, current mitigation measures for air contaminants (including a detailed complaint handling process), the effectiveness of air contaminant control devices, best management practices, and a monitoring and follow-up plan.
ECCC-4	Terrestrial species at risk other than migratory birds at risk	Activities associated with the construction and operation of the project and related 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, habitat loss or disruption of species at risk or their residences could occur. Habitat destruction can also increase the risk of mortality. For example, drainage and backfilling of wetlands or aquatic environments can kill, injure or harass species at risk such as the Painted Turtle and Snapping Turtle. The timing of habitat destruction and disruption is an important factor in understanding the risk of mortality to species at risk.</p> <p>In addition, species at risk may be affected by sensory</p>	<p>ECCC has information on terrestrial species at risk listed in Schedule 1 of SARA, including recovery strategies, action plans and management plans.</p> <p>Species at risk that may be present in the project study area include, but are not limited to, the Green Dragon, Victorin's Water-hemlock, Short-eared Owl, Painted Turtle and Snapping Turtle.</p>	Under subsection 79(2) of SARA, the authorities responsible for the assessment must ensure that measures are taken to avoid or lessen effects and to monitor them on listed species at risk in a way that is consistent with any applicable recovery strategy and action or management plans.	<p>Mitigation measures would generally be required to mitigate potential impacts during the construction and operational phases of the project. These measures would be determined on a case-by-case basis, according to the specific characteristics of the species at risk present in the project area and the nature of the activities to be carried out. Recovery programs and action or management plans for the relevant species at risk can be consulted to identify threats and recommended protection measures for each species likely to be found in the study area.</p> <p>A SARA permit may be required. However, this is considered unlikely for the project (see Question 1, where SARA permits are addressed).</p>	<p>The Proponent must provide the assessment authority with a list of all species at risk listed in Schedule 1 of SARA, as well as any critical habitat likely to interact with the project, and must describe how the project could adversely affect them.</p> <p>The Proponent must describe the measures that will be taken to avoid or mitigate the effects of each activity and project phase. The Proponent must also explain how these measures will be implemented and how effects will be monitored to ensure they are avoided or minimized, or</p>

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>disruptions during project construction and operation.</p> <p>Potential sources of sensory disruption generally include noise from various activities, lighting, vibrations and the presence of workers. The duration, frequency and timing of these disruptions are key factors in determining potential effects on species at risk. Sensory disruptions may also prompt avoidance behaviour in nearby habitats.</p>				<p>whether adaptive management measures are required.</p> <p>In addition, species assessed by COSEWIC may be added to Schedule 1 of SARA, or critical habitat may be designated during the impact assessment process. It is therefore recommended that COSEWIC-assessed species also be considered so that measures can be implemented to mitigate or avoid impacts and ensure appropriate monitoring.</p>
ECCC-5	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality	Activities associated with the construction and operation of the project may have adverse effects on fish and fish habitat.	<p>These activities may also negatively affect water quality (surface water and groundwater).</p> <p>They include:</p> <ul style="list-style-type: none"> • establishing the construction site; • dredging and transshipment of dredged material; • constructing the new wharf and backfilling with dredged sediment and other soil (as needed) for the future wharf (which will serve as a storage area); • refuelling machinery and vessels; • concrete work; • managing surface water and groundwater during construction and operation; • transshipment, handling and storage of materials on the wharf, as well as snow and de-icing salt management, if applicable. 	ECCC is responsible for enforcing the pollution prevention provisions of the <i>Fisheries Act</i> related to the release of harmful substances into the environment.	Water quality in the surrounding environment is a major issue: any disruption or harmful alteration to fish habitat is considered an adverse effect under federal jurisdiction pursuant to the <i>Fisheries Act</i> .	<p>Well-defined mitigation measures would generally be required to avoid or reduce the project's potential impacts on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to:</p> <ul style="list-style-type: none"> • referring to sediment quality criteria when planning dredging activities (reference: Environment Canada and the Ministère du Développement durable, de l'Environnement et des Parcs du Québec, 2007. Criteria for the Assessment of Sediment Quality in Quebec and Application Frameworks: Prevention, Dredging and Remediation. 39 pages); • implementing measures to prevent material or debris from entering the aquatic environment and promptly recovering any that does escape; • designating a dedicated refuelling area for machinery to protect the aquatic environment; • controlling dust emissions during construction and operation; 	The Proponent should describe the measures that will be implemented on the wharf and in the transshipment, handling and storage areas to protect the aquatic environment, including measures for managing wharf runoff.

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
						<ul style="list-style-type: none"> • using dust suppressants that comply with BNQ 2410-300; • cleaning equipment that has come into contact with concrete in a manner that prevents wash water from being released directly into the environment; • implementing measures to manage excavated and backfill material to prevent its dispersion into the aquatic environment; • using suspended solid control methods and monitoring them when necessary; • implementing monitoring and follow-up programs to verify the application and effectiveness of mitigation measures before any release into the environment, and incorporating adaptive management as needed. 	
ECCC-6	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality	Capital or maintenance dredging activities, as well as activities related to this component of the project, may have adverse effects on fish and fish habitat.	Activities associated with sediment dredging, including excavation, transshipment and barge transport, on-site storage, sediment dewatering and the use of dredged material as backfill behind the wharf, are likely to affect water and sediment quality. These changes can have adverse effects on fish and fish habitat.	ECCC is responsible for enforcing the pollution prevention provisions of the <i>Fisheries Act</i> related to the release of harmful substances into the receiving environment.	Water quality in the surrounding environment is a major issue: any disruption or harmful alteration of fish habitat is considered an adverse effect under federal jurisdiction pursuant to the <i>Fisheries Act</i> .	Well-defined mitigation measures would generally be required to avoid or reduce the project's potential impacts on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to: <ul style="list-style-type: none"> • delineating dredging areas based on sediment quality criteria; • complying with the requirements prescribed in the dredging template; • implementing measures to avoid resuspension and dispersion of sediments during dredging (e.g., limiting the speed at which dredging equipment is raised through the water column); • avoiding overfilling barges used to transport sediments; • managing dredged material in accordance with sediment quality criteria (reference: Environment Canada and the Ministère du Développement durable, de l'Environnement et des Parcs du 	The Proponent must provide the results of the 2025 sediment characterization to assess the quality of the sediments to be dredged and to confirm that all relevant parameters have been analyzed.

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>Québec, 2007. Criteria for the Assessment of Sediment Quality in Quebec and Application Frameworks: Prevention, Dredging and Remediation. 39 pages);</p> <ul style="list-style-type: none"> • implementing measures to recover all sediment dewatering water for monitoring purposes prior to release; • ensuring that sediment storage areas are watertight; • implementing monitoring and follow-up programs to verify the application and effectiveness of mitigation measures, with provisions for adaptive management. 	
ECCC-7	Fish and fish habitat: Harmful alteration, disruption or destruction of fish habitat related to water quality, including groundwater.	Land-based management activities involving dredged sediments, transshipment and the stockpiling of various backfill materials (including dredged sediments) can have adverse effects on fish and fish habitat.	The management of dredged material on land can have adverse effects on fish and fish habitat. More specifically, transshipment, storage and dewatering methods will likely affect surface water and groundwater quality, with resulting impacts on fish and their habitat.	ECCC is responsible for enforcing the pollution prevention provisions of the <i>Fisheries Act</i> related to the release of harmful substances into the receiving environment.	Water quality in the surrounding environment is a major issue: any disruption or harmful alteration of fish habitat is considered an adverse effect under federal jurisdiction pursuant to the <i>Fisheries Act</i> .	<p>Well-defined mitigation measures would generally be required to avoid or reduce the project's potential impacts on fish and fish habitat. Typical mitigation measures recommended by ECCC include, but are not limited to:</p> <ul style="list-style-type: none"> • implementing preventive measures to avoid contamination of soil and surface water in the surrounding environment at backfill storage sites; • developing the land-based dewatering site in a manner that prevents contamination of surrounding soil, surface water and groundwater; • using effective transshipment methods between barges and land to prevent sediment discharge into the harbour or aquatic environment; • cleaning road surfaces and/or transport trucks to prevent the spread of contaminated sediment on site; • implementing measures to collect all dewatering water for monitoring prior to release; • covering soil piles awaiting transport; 	The Proponent should conduct a physicochemical analysis of the dewatered sediment and compare the results with the applicable criteria (CCME) before using them as backfill material for the wharf to ensure their proper management.

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
						<ul style="list-style-type: none"> controlling dust emissions during construction and operation; using dust suppressants that comply with BNQ 2410-300; implementing monitoring and follow-up programs to verify the application and effectiveness of mitigation measures. 	
ECCC-8	Climate change adaptation and resilience	The climate throughout the project's duration will likely differ from past and current climatic conditions in the project area. Project components and activities for which climate change adaptation and resilience may be important include those associated with the resilience and adaptability of the infrastructure being constructed.	<p>Climate change may affect the project, which, in turn, could have consequences for the surrounding environment (e.g., through accidents or failures, or due to increased storm intensity).</p> <p>Changes in climate conditions within the project area, such as potential variations in precipitation, average and extreme temperatures, as well as related environmental factors like sea-level rise, and changes in storm surges and wave heights, may alter baseline conditions, with implications for climate-sensitive components of the project and for effects under federal jurisdiction.</p>	<p>Climate change could also affect the project in ways that may impact fish habitat and migratory bird habitat.</p> <p>The issues related to climate change adaptation and resilience during the construction and operational phases are not unique to this project in terms of complexity, scale or novelty.</p>	Climate change may affect the project, which could, in turn, have effects on fish habitat and migratory bird habitat.	The Strategic Assessment of Climate Change (SACC), published in 2020, is intended to complement the <i>Impact Assessment Act</i> by providing guidance on how to consider climate change in federal impact assessments.	<p>The Proponent may consider the following guidelines when assessing the impacts of climate change on the project:</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>

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
ECCC-9	<p>Environmental emergencies</p> <p>Effects on water quality, fish and fish habitat, and migratory birds owing to spills of hazardous substances</p>	<p>The proposed project involves the construction and operation of a new wharf (B6), the expansion of storage areas and the dredging of the approach to access Wharf B6. Site preparation and construction work will require the use of heavy equipment powered by diesel and gasoline, as well as hydraulic oils and lubricants. These activities will occur at several locations on land and in the St. Lawrence River.</p> <p>During the operational phase, the facility will continue to use equipment containing hydraulic oils and lubricants and will involve the transshipment of goods to storage areas. Given the hazardous nature of many of the substances that may be handled, stored or used as part of the project, there is potential for significant adverse effects under federal jurisdiction if accidents or malfunctions result in their release into soil or water.</p>	<p>The project includes major work in the aquatic environment and the operation of a port located along the St. Lawrence River. It will result in increased marine traffic and transshipment activity. Spills of hazardous substances during construction or operation could enter terrestrial or aquatic environments directly, or reach aquatic environments from adjacent terrestrial areas. These spills could have significant adverse effects on components of the environment under federal jurisdiction, including fish and fish habitat.</p>	<p>ECCC is responsible for enforcing 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 recognized expertise in environmental emergency management planning and in assessing various accident and failure scenarios that could lead to unplanned or uncontrolled releases of hazardous substances into the environment.</p> <p>This expertise includes scenarios with the potential to cause significant adverse effects on areas within ECCC's mandate, such as migratory birds and their habitat, fish and fish habitat, terrestrial species at risk and environmental changes that could have significant adverse impacts on Indigenous Peoples.</p> <p>ECCC also analyzes atmospheric dispersion and contaminant behaviour, as well as the hydrological modelling of contaminants.</p>	<p>Accident and failure scenarios associated with the construction or operation of the project could result in the release of hazardous substances into the environment, which could cause significant adverse effects on air and water quality, species at risk, fish and fish habitat, and migratory birds.</p> <p>Given that the project is located along the St. Lawrence River, spills could directly reach the aquatic environment and result in substantial environmental impacts.</p>	<p>Optimized spill prevention, preparedness, and response measures and systems will be essential for all project construction and operation activities, given the risk of hazardous substances being released into the environment. This includes, in particular:</p> <ul style="list-style-type: none"> • The implementation of effective mitigation measures, such as secondary containment systems for tanks holding hazardous substances and the availability of well-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 likelihood of accidents and failures, and will provide stakeholders with the information needed to ensure a rapid and effective response in the event of an incident. <p>Part 8 of the <i>Canadian Environmental Protection Act, 1999</i> (sections 193 to 205) addresses prevention, preparedness, response and recovery in the event of environmental emergencies caused by uncontrolled, unplanned 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 Emergencies Regulations, 2019</i>. This Act may apply if any Schedule 1 substances present at the site meet or exceed the regulatory threshold. Technical guidelines for the <i>Environmental Emergencies Regulations, 2019</i> are available at: https://www.canada.ca/en/environmen</p>	<p>Assessing the risk of accidents and failures, as well as the effectiveness of proposed mitigation measures and plans, is an essential element in understanding the project's potential adverse effects on areas under federal jurisdiction.</p> <p>The Proponent could commit to the following actions to ensure that potential accident and failure scenarios associated with the project are adequately considered and addressed, and that risks of adverse effects on environmental components under federal jurisdiction are minimized:</p> <ul style="list-style-type: none"> • Conduct a risk assessment of plausible accident and failure scenarios: <ul style="list-style-type: none"> ○ arising from project activities at all stages; ○ arising from the impact of natural hazards or environmental conditions at the proposed project site. • Implement measures to manage runoff and prevent the release of harmful substances into the St. Lawrence River. • Share any existing modelling of fuel spills from marine transportation, along with the associated impact analysis, if available. • Adopt relevant industry best practices for prevention, preparedness, response and recovery in the context of spills resulting from accidents and failures.

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
						t-climate-change/services/environmental-emergencies-program/regulations/technical-guidelines.html	

Please insert additional rows as necessary.

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](#).