

Federal Authority Advice Record (FAAR)

FAAR Response must be submitted by February 3, 2026

Lawyers-Ranch Project- Thesis Gold Inc. (proponent)

Registry File: 90103

Department/Agency	Fisheries and Oceans Canada – Major Projects
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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?

Yes

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

Authorization under Section 34.4(2)(b) and 35(2)(b) of the *Fisheries Act* may potentially be required for works, undertakings or activities that would result in death of fish or harmful alteration, disruption, or destruction (HADD) of fish habitat. A *Fisheries Act* Authorization may potentially be required for works such as the construction, operation, and closure of any open pit areas, waste rock storage facilities, and water management activities throughout all project phases.

A Schedule 2 Amendment under the Metal and Diamond Mining Effluent Regulations (MDMER) may potentially be required if construction of the Tailings Management Facility will result in deposition of mine waste into waters frequented by fish. ECCC is the responsible agency and may assign certain responsibilities to DFO involving the review and monitoring of any required Fish Habitat Compensation Plan (FHCP).

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

If a *Fisheries Act* Authorization or MDMER Schedule 2 Amendment is required, consultation with Indigenous groups whose Aboriginal or treaty rights may be adversely affected by the project will be needed. This consultation does not have a mandated timeline.

- 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.

If a *Fisheries Act* Authorization is required, a comprehensive offsetting plan that adequately counterbalances harmful impacts to fish and fish habitat must be submitted as part of an application for authorization.

If construction of the Tailings Management Facility (TMF) will result in deposition of mine waste into waters frequented by fish, a Fish Habitat Compensation Plan must be submitted with the application for the Schedule 2 Amendment. ECCC are the lead federal agency and are responsible for determining the information requirements for that application.

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

N/A

- 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.

N/A

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:

- 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) from the specific project component or activity
 - ii. concern unique to the project 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) Identify additional information the proponent could provide including to give confidence on how the issue can be addressed through other means.

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

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

Dave Carter
Regional Manager Fish and
Fish Habitat Protection

Feb 2, 2026

Date

Table 1: Key Issues to inform the impact assessment process

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

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
DFO-01	Mining and processing at Lawyers site may cause impacts to fish and fish habitat in various tributaries to the Toadogone River, within the Findlay River watershed. The fish community in the Findlay River watershed includes Bull Trout – Western Arctic Population (SARA Special Concern), Rainbow Trout, Mountain Whitefish, and Arctic Grayling.	<ol style="list-style-type: none"> Construction, operation, and closure of the open pits, waste rock storage facilities, and ore processing plant. Water management throughout construction, operations and potentially during closure. 	<ul style="list-style-type: none"> Vegetation removal Placement of materials in water Water level/flow modifications. 	<p>Pressures may be sufficient to result in harmful alteration, disruption, or destruction of fish habitat.</p> <p>Fish-bearing streams in the vicinity have a high sensitivity to diversion of water during various times of the year, including the winter.</p>	The project may result in adverse effects within DFO jurisdiction. The impact may be significant based on the presence of sensitive species and habitats, and the nature of the proposed works, undertakings, or activities.	Provide the information detailed in (e). If an Environmental Assessment Certificate is issued, Proponent would subsequently apply for a <i>Fisheries Act</i> authorization, where this information is also required. At that time, a detailed offsetting plan would be required.	<ol style="list-style-type: none"> Extent of fish habitat in the project area. Apply the methodology in the BC Fish Stream ID Guidebook (2025). Project footprint intersecting waters frequented by fish and food supply areas. Changes in flow from the project within fish habitat. Assessment of those changes in flow to fish and fish habitat. Conceptual plan for any required offsetting.
DFO-02	Mining at the Ranch site may cause impacts to fish and fish habitat in various tributaries to the Stikine River, including within the Metsantan Creek and Moyez Creek watersheds. The fish community in the upper Stikine River watershed includes including Bull Trout, Rainbow Trout, Mountain Whitefish, and Arctic Grayling.	<ol style="list-style-type: none"> Construction, operation, and closure of the open pits and waste rock storage areas. Water management throughout construction, operations and potentially during closure. 	Same as DFO-01	Same as DFO-01	Same as DFO-01	Same as DFO-01	Same as DFO-01

DFO-03	Construction and operation of the Tailings Management Facility may cause impacts to fish and fish habitat in various tributaries to the Toadoggone River, specifically Caribou Creek. The affected fish community may include Bull Trout – Western Arctic Population (SARA Special Concern), Rainbow Trout, Mountain Whitefish, and Arctic Grayling.	1. Construction, operation, and closure of the Tailings Management Facility (TMF).	Deposition of deleterious substances in water frequented by fish.	Activity may result in a contravention of pollution provisions of <i>Fisheries Act</i> .	The component may result in adverse effects within an area of ECCC jurisdiction.	Proponent should contact ECCC to determine the exact requirements for an Schedule 2 Amendment application. If an Environmental Assessment Certificate is issued, Proponent would subsequently apply for an MDMER Schedule 2 amendment, where this information is also required. At that time, a detailed Fish Habitat Compensation Plan would be required.	<ol style="list-style-type: none"> 1. Extent of fish habitat in the TMF area. Apply the methodology in the BC Fish Stream ID Guidebook (2025). 2. TMF footprint intersecting waters frequented by fish and food supply areas. 3. Conceptual Fish Habitat Compensation Plan.
DFO-04	The transportation infrastructure for the mine may cause impacts to fish and fish habitat in various tributaries of the Findlay and Stikine River watersheds. The potentially affected fish communities are identified in comments DFO-01 and DFO-02.	Existing transportation infrastructure, upgrades, maintenance, and decommissioning upon closure.	Change in fish passage at stream crossings due to culverts. Deposition of a deleterious substance (sediment) in water frequented by fish at stream crossings.	Stream crossings are a key impact to fish and fish habitat in the project region. If a Fisheries Act Authorization is required, cumulative effects from existing and proposed transportation infrastructure would be considered.	This component of the project may result in adverse effects within DFO jurisdiction. The impact may be significant based on the presence of sensitive species and habitats, and the nature of the proposed works, undertakings, or activities.	<ol style="list-style-type: none"> 1. Ensure that existing and new stream crossing structures provide the free passage of fish. 2. Ensure that road design and maintenance practices are sufficient to prevent runoff resulting in deposition of sediment into fish habitat. 	Stream crossing inventory for the relevant transportation infrastructure, including fish stream status as per Fish Stream ID Guidebook (2025) at each crossing.

Please insert additional rows as necessary.