

**Federal Authority Advice Record (FAAR)****FAAR Response must be submitted by JUNE 3, 2026**

Port of Botwood Wharf Rehabilitation Project – Exploits Valley Port Corporation

Registry File: 90422

<b>Department/Agency</b>	Transport Canada
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1. Will your department or agency exercise a **power, perform a duty or function**, or provide **financial assistance**, related to the project to enable it to be carried out in whole or in part?

As relevant,

- a) Specify the power, duty or function, or financial assistance, and the likelihood that it will be required to construct the project, based on the Initial Project Description, as either Required, Potential, Likely, Unlikely or Not Required
- b) Describe any associated Indigenous or public consultation, including timelines
- 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
- d) Identify any associated project-specific guidance or issues of which the proponent should be aware, or information the proponent should provide
- 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.

Yes, the refurbishment of the ASARCO wharf in the Port of Botwood will require an application for a *Canadian Navigable Waters Act* (CNWA) approval. Applications under review for CNWA approval, include Indigenous and Public Consultation considerations. The Proponent has previously been made aware of this.

2. **Using Table 1**, identify project- and context- specific **key issues**, based on the expertise within your mandate<sup>1</sup> 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)

<sup>1</sup> Refer to the [Memoranda of Understanding with IAAC](#).

- 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 material<sup>2</sup> 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.

Transport Canada (TC) has not identified any key issues with the proposed project related to our departmental Mandate. The following information is for the Proponent.

**Navigation Protection Program (NPP):**

NPP has not identified any key issues with respect to navigation. The proposed project will require a CNWA approval(s), and any direct effects on navigation will be addressed through conditions of the CNWA approval/permit that is issued.

The application process can be accessed at the following link: [External Submission Site for the Navigation Protection Program](#) (create an account first if needed)

Additional guidance information and links for the NPP regulatory process can be found here:

*Canadian Navigable Waters Act*

<https://www.tc.gc.ca/eng/programs-632.html>

<https://www.tc.gc.ca/eng/canadian-navigable-waters-act.html>

Navigation Protection Program, Transport Canada

<http://www.tc.gc.ca/eng/programs-621.html>

NPP Contact coordinates:

**Navigation Protection Program**

Transport Canada - Atlantic Region

Heritage Court, 6<sup>th</sup> Floor

95 Foundry Street, Moncton, N.B.

E1C 5H7

Tel: 506-851-3113

Fax: 506-851-7542

Email: [NPPATL-PPNATL@tc.gc.ca](mailto:NPPATL-PPNATL@tc.gc.ca)

Transport Canada has introduced new fees for services, under the *Canadian Navigable Waters Act*, as part of the Fee Modernization initiative. Find out more at: [Canada Gazette, Part 2, Volume 158, Number 14: Canadian Navigable Waters Act Fees Regulations](#)

<sup>2</sup> 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.

**Marine Safety (MARSAF):**

MARSAF are responsible for providing the marine safety expertise that's necessary in working with proponents, partnering governments and agencies, and Indigenous groups within the Impact Assessment (IA) process to undertake a Navigation Safety Assessment Process ([NSAP Guidelines](#)), if necessary. The scope of a NSAP may vary, depending on the Impact Assessment Agency of Canada's determination and the nature and location of the proposed project.

**Marine Security (MARSEC):**

Marine Transportation Security Regulations are applicable to a marine facility based on how many ship interfaces are planned per calendar year and whether the ships will be engaged on domestic or international voyages. A security assessment may be required to be conducted by Transport Canada (TC) before a Marine Facility Security Plan can be submitted to TC for approval. The facility's operator is recommended to reach out to MARSEC at [atlmarsec-surmaratl@tc.gc.ca](mailto:atlmarsec-surmaratl@tc.gc.ca) for initial assessment.

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Environmental Programs  
Transport Canada, Quebec-Atlantic Region  
Name and title of Departmental / Agency Responder

June 1, 2026

Date