

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

15-Mile Processing Hub Project – 15-Mile Minerals and Renewables.

Registry File: 90533

Department/Agency	Fisheries and Oceans Canada (DFO)
Lead Contact	Matt Beyer, Regulatory Review Biologist, Fish and Fish Habitat Protection Program
Full Address	1 Challenger Drive, P.O. Box 1006 Station P500, Dartmouth NS, B2Y 4A2
Email	Matthew.beyer@dfo-mpo.gc.ca
Telephone	<personal information removed>
Alternate Contact	Sean Wilson, sean.wilson@dfo-mpo.gc.ca , (902) 499-6397

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

Yes, Fisheries and Oceans Canada's (DFO) Fish and Fish Habitat Protection Program (FFHPP) reviews projects under the *Fisheries Act*, the *Species at Risk Act* (SARA), and the *Aquatic Invasive Species Regulations* (AISR). The IPD was reviewed for potential prohibited effects related to fish and fish habitat (*Fisheries Act* ss. 34.4(1), 35(1)), aquatic species at risk and their critical habitat (SARA ss. 32, 33, 58(1)), and the introduction of aquatic invasive species (AISR s. 10). These activities are prohibited unless authorized or permitted under the relevant legislation.

Based on the initial project description, it is likely that a *Fisheries Act* authorization under paragraphs 34.4(2)(b) and/or 35(2)(b) will be required to proceed due to the potential impacts noted on Table 5.1-1 (Page 109). The proponent is encouraged to submit a *Fisheries Act* Authorization Application to DFO with the final project design and describe any potential for the death of fish by means other than fishing or Harmful Alteration, Disruption or Destruction (HADD) of fish habitat.

The information requirements and review process for *Fisheries Act* authorizations are set out in the [Authorizations Concerning Fish and Fish Habitat Protection Regulations](#), which were recently amended and come into force on October 15, 2026. These amendments introduce a risk-based approach to application requirements, whereby the type and level of information required from proponents may be tailored based on the level of risk to fish and fish habitat. As such, the specific information and documentation required to support an application may vary depending on the project's risk profile, and may evolve as DFO guidance and technical standards are updated.

DFO is also reviewing the Old Mitchell Mine portion of the project in the context of the St. Mary's River Ecologically Significant Area (ESA) candidate which is in the planning phase for potential designation under *Fisheries Act* s. 35.2(2). The St. Mary's River ESA candidate study area includes all connected waterways, wetlands and the riparian zone on Crown land in the watershed (see Figure 1). Conservation and protection objectives are being engaged on externally and these will inform future ESA regulations. DFO has engaged the proponent on the ESA candidate and presented the draft conservation and protection objectives. DFO will continue to engage with the proponent on the candidate ESA process. While no such regulation exists today, the project may be subject to regulation in the future if the candidate ESA is approved.

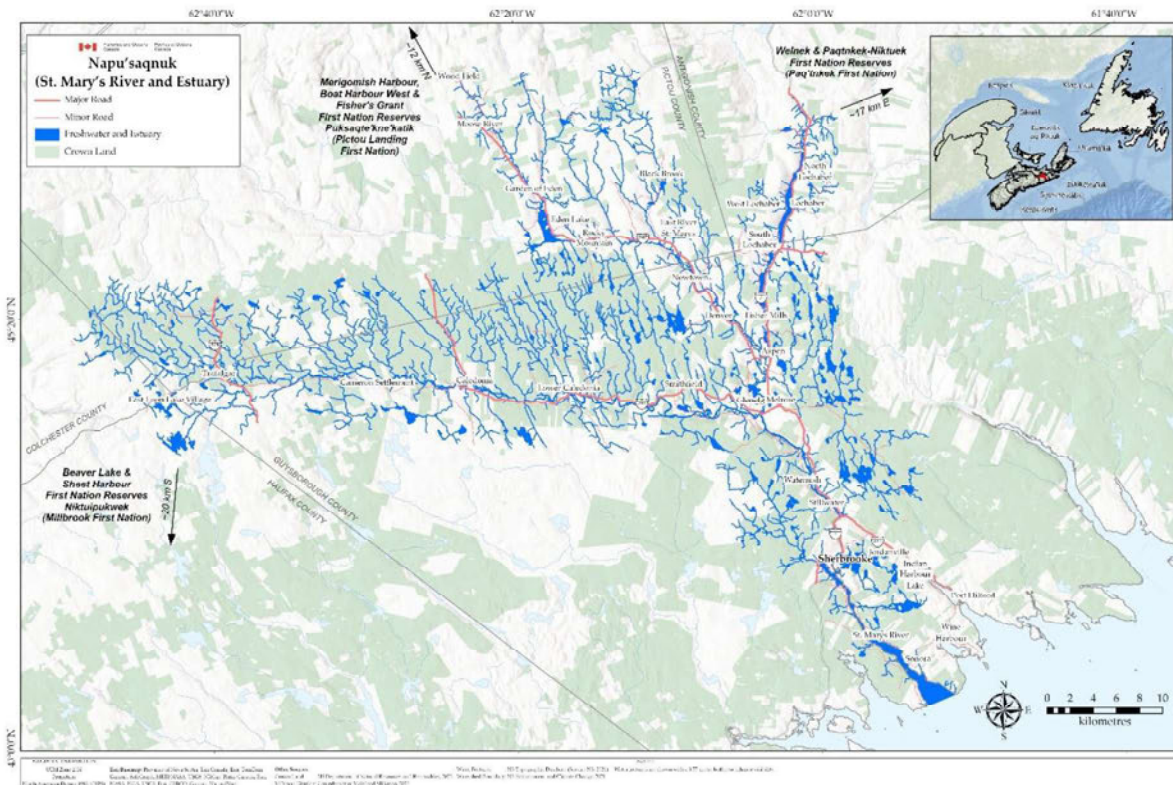


Figure 1: St. Mary's River ESA candidate study area

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

Since a *Fisheries Act* authorization is likely required, DFO has a duty to consult and, where appropriate, accommodate Indigenous Peoples whose Aboriginal or treaty rights may be adversely impacted by the project. While the duty to consult rests with the Crown, proponents are expected to undertake early engagement with Indigenous Peoples and provide documentation of that engagement to support the regulatory review process, as part of a *Fisheries Act* authorization application.

Under the [amended Authorizations Concerning Fish and Fish Habitat Protection Regulations \(2026\)](#), information requirements related to Indigenous engagement are aligned with the *Impact Assessment Act* and may vary based on project risk, with more comprehensive engagement expected for higher-risk projects. DFO encourages the Proponent to continue early engagement with Indigenous Peoples prior to submitting an application, to support the identification of potential concerns, incorporation of Indigenous knowledge, and coordination of consultation activities. Early engagement contributes to more efficient consultation and decision-making processes.

DFO has been in ongoing consultation with the Kwilmu'kw Maw-klusuaqn (KMK) regarding the St. Mary's River Ecologically Significant Area candidate since 2023. KMK has identified the St. Mary's River (*Napu'saqnuq* in Mi'kmaq) as an area of cultural and harvesting importance to the Mi'kmaw of Nova Scotia. DFO has been working closely with Confederacy of Mainland Mi'kmaq (CMM) to bring Mi'kmaq knowledge into the ESA planning process through Etuaptmumk (Two-eyed Seeing). DFO has also been working with other local Indigenous and non-Indigenous organizations throughout the planning process over the last four years. The Confederacy of Mainland Mi'kmaq is currently undertaking a Mi'kmaw Ecological Knowledge Study (MEKS) to identify areas of priority within the watershed.

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.

Since a *Fisheries Act* authorization is likely required for the project, the proponent must provide DFO with:

- a completed Application Form for the Issuance of an Authorization under Paragraphs 34.4(2)(b) and 35(2)(b) of the *Fisheries Act* (see link above in section 1 a));
 - the required information and documentation set out in Schedule 1 of the *Authorizations Concerning Fish and Fish Habitat Protection Regulations* (the Regulations); in particular:
 - spatial delineation (GIS shapefiles) of all watercourses, wetlands, lakes, and riparian areas within the PDA and those intersecting or adjacent to proposed project infrastructure;
 - identification of aquatic habitats supporting fish, including spawning, rearing, feeding, and migration habitat;
 - characterization of fish communities, including species presence, life-history stage, spatial and temporal distribution, and relative abundance, using the most recent available data;
 - clarification of any fish and fish habitat surveys conducted after 2023, including provision of supporting datasets and metadata, where available; AND
 - an acceptable financial guarantee (for requirements see: [Applicant's Guide Supporting the Authorizations Concerning Fish and Fish Habitat Protection Regulations](#)) to cover the cost of offsetting plan.
- d) Identify any associated project-specific guidance or issues of which the proponent should be aware, or information the proponent should provide.
- The proponent is encouraged to review DFO's projects near water website to determine if there are [codes of practice](#) and/or [measures to protect fish and fish habitat](#) that may apply to their project.
 - As the project is expected to have hydrological impacts, the proponent is also encouraged to follow the [DFO Framework for Assessing the Ecological Flow Requirements to Support Fisheries in Canada](#) guidance. This assessment must include:
 - characterization of baseline surface water and groundwater conditions within the PDA and hydrologically connected areas;
 - identification of aquifers, groundwater flow directions, and connectivity between groundwater and surface waters within the PDA to the Saint Mary's River watershed;
 - assessment of potential changes to water quantity, flow regimes, and groundwater–surface water interactions resulting from open pit development, dewatering, or other project infrastructure;
 - hydrological and hydrogeological modelling conducted by qualified professionals to predict potential changes to flow, water levels, and connectivity under normal and worst case scenarios.
- 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.
- Not applicable
2. **Using Table 1**, identify project- and context- specific **key issues**, based on the expertise within your mandate¹ and the information in your possession, including the Initial Project Description, any exchanges with the proponent or others related to the project and known means to address the effects of the project. For each key issue:
- 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

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

- 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.

Matt Beyer, Biologist, Regulatory
Reviews

<original signed by>

Name and title of Departmental /
Agency Responder

July 8, 2026

Date

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
Identify comments by organization and comment number. e.g.: IAAC-01	Specify the key issue (e.g., specific species and location).	Identify the project component or activity linked to the key issue. Be specific about the nature, scale, novelty and complexity or the component or activity.	Identify the specific biophysical effect pathway between the project component or activity and the affected environmental or human receptor (including Indigenous Peoples).	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. Identify if the key issue is common for projects of this nature or in this sector, or whether it's unique to this project due to its complexity, size or novelty; a sensitive or rare receiving environment; and/or proximity of sensitive environmental or human receptors (including Indigenous Peoples).	Describe why the key issue is material to decision-making as either: - an adverse effect within federal jurisdiction, or a direct or incidental adverse effect, that may be significant based on available evidence including: - 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 governmental priorities, such as reconciliation with Indigenous Peoples.	Describe how the key issue could be resolved or addressed by: - 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).	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. Consider whether information, studies, analyses or collaborative work with other authorities would be required to address the issue beyond existing means.
DFO-01	Direct or indirect aquatic habitat loss as a result of project infrastructure construction and operations at all three sites (15 Mile, Old Austen and Old Mitchell mines)	Including, but not limited to, watercourse realignment, open pit development, water management infrastructure, waste rock and stockpile areas, watercourse crossing or wetland alterations.	Project infrastructure expected to overlay aquatic habitat resulting in the incidental death of fish and/or harmful alteration, disruption or destruction of fish habitat. <i>Note that the baseline data used to assess current project effects has relied on surveys conducted under earlier project footprints. This could result in an underestimation of</i>	DFO has a mandate to conserve and protect fish and fish habitat. This issue is common with these types of projects but requires due consideration in due to the scale of this project and sensitivity of the fish and fish habitat.	Harmful alteration, disruption or destruction (HADD) of fish habitat is expected, however, the full extent of these impacts still need to be quantified as per the <i>Authorizations concerning fish and fish habitat protection regulations</i>. There is uncertainty regarding the magnitude of effects due to incomplete baseline data.	This key issue can be addressed by the proponent meeting DFO's regulatory requirements under the <i>Fisheries Act</i> and <i>Species at Risk Act</i>. The proponent should assess whether DFO technical standards or equivalent industry practices apply to components of the project, and where applicable, demonstrate adherence to these standards to reduce impacts to fish and fish habitat. The proponent should provide an adaptive management strategy and monitoring to address uncertainty. The proponent must provide the required information and	The proponent must provide the necessary information set out in the amended regulations. [gazette.gc.ca]

			effects therefore updated information will be required as part of the review process			documentation set out in Schedule 1 of the <i>Authorizations Concerning Fish and Fish Habitat Protection Regulations</i> (the Regulations) in particular, DFO requires the following information/studies to be provided in the <i>Fisheries Act</i> Authorization Application: - Updated fish and fish habitat assessment, identifying the species and habitats within the project area and the adverse impacts expected from each project component. - The area of impact and quality must be quantified and avoidance/mitigation measures must also be provided. Updated baseline studies prior to finalizing effects assessment will be required. DFO recently received the 2025 Aquatic Baseline Monitoring Report for the Old Austen Mine. DFO will require similar baseline reports for the Old Mitchell and 15 Mile mine sites in the FAA application.	
DFO-02	Changes to hydrology at all three sites including groundwater–surface water connectivity and potential flow diversion from watercourses into open pits, resulting in loss of water quantity and habitat function .	Development of open pits at the three mine sites as well as water withdrawal at the 15 Mile Processing Site.	Lowering the water table likely to reduce groundwater discharge to nearby surface waters, resulting in altered ecological flows .	DFO has a mandate to conserve and protect fish and fish habitat. This issue is common with these types of projects but requires due consideration in due to the scale of this project and sensitivity of the fish and fish habitat.	Any reduction in ecological flows could constitute an adverse effect on fish and fish habitat, which falls under federal jurisdiction. Additional information is required to determine the extent of the harmful alteration, disruption, or destruction (HADD) of fish habitat. There is uncertainty regarding the magnitude of effects due to incomplete baseline data.	This key issue can be addressed by the proponent meeting DFO's regulatory requirements under the <i>Fisheries Act</i> and <i>Species at Risk Act</i> . The proponent should assess whether DFO technical standards or equivalent industry practices apply to components of the project, and where applicable, demonstrate adherence to these standards to reduce impacts to fish and fish habitat. The proponent should apply an adaptive management strategy and monitoring to address uncertainty. The proponent must provide the required information and documentation set out in Schedule 1 of the <i>Authorizations Concerning Fish and Fish Habitat Protection Regulations</i> (the Regulations), in particular, DFO requires the following: A Water Balance Assessment and hydrologic analysis are important to understand how groundwater withdrawals and changes to the water table may reduce surface water contributions and affect ecological flows that support fish and fish habitat. DFO (2013) provides two guidelines for assessing ecological flow requirements for fish and fish habitat	The proponent must include groundwater modelling and hydrologic information quantifying how groundwater levels and surface water flows may be altered, particularly during low flow conditions as part of the <i>Fisheries Act</i> Authorization application. The submission should outline model assumptions, predicted flow changes, and proposed monitoring or mitigation measures to demonstrate that ecological flows will be maintained and met.

						including mean annual discharge and cumulative effects, which are referenced in the following publication: Ecological Flow Requirements to Support Fisheries in Canada • Provincial approvals and conditions also regulate impacts on watercourses and wetlands. • Adaptive management supported by monitoring	
DFO-03	Death of fish , by means other than fishing	Blasting during construction/operations and development of pit during ore extraction	The use of explosives near fish habitat can result in the death of fish .	DFO has a mandate to conserve and protect fish and fish habitat. This issue is common but there is uncertainty due to incomplete baseline data.	The death of fish, by means other than fishing, is expected, however, the full extent of these impacts still need to be quantified as per the <i>Authorizations concerning fish and fish habitat protection regulations</i> .	This key issue can be addressed by the proponent meeting DFO's regulatory requirements under the <i>Fisheries Act</i> and <i>Species at Risk Act</i>. The proponent must provide the required information and documentation set out in Schedule 1 of the <i>Authorizations Concerning Fish and Fish Habitat Protection Regulations</i> (the Regulations) in particular, DFO requires: • A fish and fish habitat assessment, identifying the species, habitats and fish use/functions (e.g. spawning, migration, rearing) within the project area and the adverse impacts expected from each project component. • An assessment of whether DFO technical standards, mitigation measures or equivalent industry practices apply to components of the project, and where applicable, demonstrate adherence to these standards to reduce impacts to fish and fish habitat. • For blasting, DFO has developed the following guidelines: Guidelines for the Use of Explosives	The proponent must provide the necessary information set out in the amended regulations. [gazette.gc.ca]
DFO-04	Cumulative effects on fish and fish habitat, across the proposed mine locations. Habitat functions supporting Atlantic salmon, American eel, Brook trout, and associated aquatic habitats, from the Project in combination with past, ongoing and reasonably foreseeable projects and other threats.	Including, but not limited to, watercourse realignment, open pit development, water management infrastructure, waste rock and stockpile areas, watercourse crossing or wetland alterations.	Project activities such as open pit development and dewatering may alter groundwater-surface water connectivity, reduce groundwater discharge to surface waters, and change ecological flows. Watercourse realignment/crossings, wetland alteration, and other mine infrastructure may directly disturb aquatic	DFO has a mandate to conserve and protect fish and fish habitat and is required to consider cumulative effects in its decision-making.	This issue is material because paragraph 34.1(1)(d) of the <i>Fisheries Act</i> requires DFO to consider the cumulative effects of a proposed project in combination with other projects on fish and fish habitat before making authorization decisions.	Section 34.1(1)(d) of the Fisheries Act requires that DFO consider the cumulative effects of carrying out a project before exercising a decision under the Fisheries Act. Cumulative effects consideration under a federal impact assessment would help support the Department's regulatory decision under the Fisheries Act. This issue may be addressed through a combination of project-level mitigation, regional considerations, and regulatory processes, including: • Completion of a cumulative effects assessment that considers existing and	The proponent must provide the necessary information set out in the amended regulations, including but not limited to: • Identification of all relevant stressors (e.g., habitat loss, flow alteration, water quality changes, thermal effects) and their interaction across spatial and temporal scales;

			habitat and reduce habitat availability or connectivity. Waste rock, tailings, and mine water management may contribute to changes in aquatic conditions and habitat function. In combination with other past, ongoing or reasonably foreseeable projects and other watershed threats, these effects may overlap spatially and temporally, reducing the recovery capacity of fish and fish habitat and increasing cumulative harmful impacts at the watershed scale.			reasonably foreseeable activities within the St. Mary's River watershed, including other mining activities, water withdrawals, and land use changes; • Application of the Fisheries Act authorization process to assess cumulative impacts to fish and fish habitat, including risk-based determination of offsetting requirements where residual effects are anticipated; • Implementation of avoidance and mitigation measures to minimize additive effects on fish and fish habitat, including maintaining connectivity, minimizing habitat alteration, and protecting key habitat features such as spawning and rearing areas; • Application of DFO technical standards, codes of practice, or equivalent industry practices, where applicable, to reduce project-related impacts and limit cumulative effects pathways; • Development and implementation of adaptive management and monitoring programs with clearly defined thresholds and response actions to address uncertainty and detect cumulative effects over time; • Coordination with provincial regulators and other federal authorities to ensure alignment of mitigation measures, monitoring, and water management approaches across the watershed.	• Baseline characterization at an appropriate watershed scale, including identification of sensitive species and habitats (e.g., fish species of conservation concern, critical habitat, or ecologically significant areas); • Description of how project-specific mitigation measures will reduce cumulative effects, including demonstration of effectiveness based on established practices, technical standards, or modelling results; • Description of proposed offsetting measures (if required), including how these measures will account for cumulative impacts at a watershed scale; • A monitoring and adaptive management framework that includes performance indicators, thresholds, and contingency measures to address cumulative effects and associated uncertainties;
DFO-05	The St. Mary's River ESA candidate is in a planning process with the potential to initiate regulatory development in the next few years.	Including, but not limited to, watercourse realignment, open pit development, water management infrastructure, waste rock and stockpile areas, watercourse crossing or wetland alterations.	As noted above, project activities are likely to impact fish and fish habitat in the St. Mary's River watershed.	Impacts to the hydrologic regime and temperature could occur. McKeen's Brook is a well-known salmon spawning area that could be impacted due to hydrological changes resulting from the open pit, waste rock stockpiles resulting in	The ESA candidate is currently in the planning phase and may result in additional regulatory requirements, if approved.	Given that the candidate ESA is currently in the planning phase and regulations have not been developed, it is recommended that the proponent continue to engage with DFO throughout the planning processes for the ESA candidate, including the draft conservation and protection objectives.	The proponent must provide the necessary information set out in the amended regulations. The proponent should continue to engage with DFO on the planning process for the ESA.

				overprinting of surface water, and flow changes due to treatment of waste water flowing into Cargill Lake. Glenelg Lake, where McKeen's flow into, is a well-known important overwintering and thermal refuge area for salmon, trout, and other species. Impacts on the hydrology of this site could have broader watershed implications for salmon trying to make it upstream to spawn.			
--	--	--	--	--	--	--	--

Please insert additional rows as necessary.