

Federal Authority Advice Record (FAAR)**FAAR Response must be submitted by July 24, 2026**

Trigon Pacific LPG Project – Trigon Pacific Terminals Ltd.

Registry File: 90557

Department/Agency	Fisheries and Oceans 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?

No. The IPD indicates that there are no expected effects to fish and fish habitat or aquatic species as a result of the construction of the project. DFO's regulatory authority under subsections 34.2(2)(b) or 35(2)(b) of the *Fisheries Act* is applicable where the proposed works cannot avoid death of fish or harmful alteration, disruption or destruction of fish habitat. DFO does not expect that an authorization is required for the proposed works as they are currently described in the IPD.

Although the IPD indicates a potential increase in underwater noise due to LNG vessels, DFO does not anticipate any permitting requirements under the *Fisheries Act*.

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.
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.

<Original signed by>

Jennifer Simpson,
Acting/ Regional Manager
Impact Assessment and Major Projects
Fisheries and Oceans Canada

July 15, 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.

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-001	Risks to marine mammals (including species at risk) – underwater noise and vessel strikes	Marine shipping - identify whether there is an increase in risks associated with marine shipping relative to what has previously been assessed for the operation of the terminal (e.g., Ridley Terminals Berth Expansion Environmental Effects Evaluation, April 2019, and associated federal lands significant environmental effects determinations)	Potential behavioural effects from underwater noise during marine shipping associated with the operation of the Project. Potential Injury or mortality from vessel strikes during marine shipping associated with the operation of the Project.	Potential increased effects due to marine shipping could be a key issue that is within DFO's mandate. DFO's mandate includes the following: The <i>Fisheries Act</i> prohibits death of fish (Sec. 34.4(1)) and any harmful alternation, disruption or destruction of fish habitat (Sec.35(1)). The <i>Marine Mammal Regulations</i> also include general prohibitions to prevent disturbance of marine mammals. Section 73 of <i>Species at Risk Act</i> includes pre-conditions that must be met before a competent minister can issue a permit	This key issue would be an adverse effect related to marine shipping within federal jurisdiction. Potential effects from marine shipping could impact species at risk such as the Northern Resident Killer Whale (NRKW), which is listed as Threatened in Schedule 1 of <i>Species at Risk Act</i> and is known to frequent the project area.	The potential issue would not be resolved directly by DFO powers, duties, functions, frameworks, policies or guidance. DFO does not anticipate exercising any regulatory authority associated with the Project, as an authorization under the <i>Fisheries Act</i> or permitting under the <i>Species at Risk Act</i> are not anticipated as a requirement for the proposed works. Measures to mitigate the risk of vessel strikes include: - Vessel operator training to visually detect cetaceans	Request proponent clarify whether an increased number of vessels is anticipated relative to what was previously considered prior to construction of the additional berth. If applicable, provide analysis or study results of underwater noise impacts predicted to be generated by the project-related increase in the number of vessels, and evaluate how mitigations could reduce anticipated effects of underwater noise on marine mammals.

				affecting listed species, their critical habitat or residence. Depending on how the Project is scoped and the specific details included in the Project proposal, DFO as a Federal Authority may possess specialist or expert information or knowledge that may help inform the Agency if it is determined a Federal Impact Assessment is required for the Project and marine shipping is scoped into the assessment. However, DFO does not anticipate having to exercise a Crown conduct for any work, undertaking or activity associated with the Project (e.g., issue a permit or authorization).		- Vessel speed reductions and course adjustments to maintain distance from marine mammals - Use available applications such as Ocean Wise Sightings Network's Whale Report Alert System, to detect and report cetaceans. Measures to mitigate risk related underwater noise impacts include: - Vessel speed reductions - Use of quieter vessels (e.g. newer or smaller) - Avoid identified important habitat areas (e.g. critical habitats)	
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