

Federal Authority Advice Record (FAAR)

FAAR Response must be submitted by August 22, 2025

Yellowhead Copper Project – Taseko Mines Limited (proponent)

Registry File: 89694

Please complete the following:

Department/Agency	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

Based on the information provided in the Initial Project Description, Transport Canada (TC) will potentially have a power or perform a duty or function related to the Project under the *Canadian Navigable Waters Act (CNWA)*.

The mandate of TC's Navigation Protection Program (NPP) is to protect the public right of navigation on Canadian navigable waters. The NPP administers the [Canadian Navigable Waters Act](#), the [Wrecked, Abandoned or Hazardous Vessels Act](#) (jointly with the Department of Fisheries and Oceans and the [Canadian Coast Guard](#)), and certain sections of the [Canada Shipping Act, 2001](#). Program responsibilities of the NPP focus on the administration and enforcement to protect the public right of navigation. The program:

- approves and sets terms and conditions for works in navigable waters;
- assesses navigable waters for additions to the Schedule;
- manages obstructions in navigable waters;
- enforces the [Private Buoy Regulations](#);
- authorizes people to salvage, remove or dispose of abandoned boats; and
- enforces rules against dewatering (removing water from) or depositing materials in navigable waters.

The mandate of the NPP also includes considering requirements under the [Impact Assessment Act](#), or any of the northern IA regimes, when reviewing works on navigable water in Canada. Under the CNWA, approvals for designated major projects on any navigable water would only be issued after an impact assessment is complete and the project is approved.

Under the CNWA, Transport Canada (TC) issues approvals for (a) a designated major work that may interfere with navigation on any navigable water; (b) a work – other than a designated major or minor work – that may interfere with navigation and that is located on a navigable water listed on the Schedule; (c) a work – other than a designated major or minor work – that may interfere with navigation, and that is located on a navigable water that is not listed on the Schedule, whereby the proponent has decided to apply to TC.

TC does not require approvals for works that do not interfere with navigation, or works that meet the criteria of the Minor Works Order (see website link below for details). In cases where a work (other than a minor work) does not interfere with navigation, the proponent is required to deposit information and issue a public notice.

For a work – other than a major or minor work – that may interfere with navigation and that is not located on the schedule, TC requires proponents to post specific information regarding their work on the Online Registry inviting any interested party to comment, and seek authorization through a public resolution process.

Upon application TC requires an application form, as well as information documents relevant to the work which can include, as prescribed by the Minister of Transport, location maps, drawings, methodology of construction (including contingency plans), navigation use, Indigenous use, level of impacts and appropriate mitigation for the impacts for interference to navigation.

The CNWA Application for Approval Form can be found at this website link (create a user/log in to continue): [TC Navigation Protection Program Website](#). For more information, visit [Navigation Protection Program \(canada.ca\)](#).

Should the proponent have questions, they can contact the Navigation Protection Program at NPPAC-PPNPAC@tc.gc.ca.

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

If a CNWA approval (as described above) is required, the proponent would be responsible for posting on the TC-Navigation Protection Program Registry; there is a minimum posting of 30 days for the public comment period, before TC can issue an approval. Indigenous consultation may also be required with regards to the approval(s) and the conditions attached to the approval(s).

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.

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.

Joanne Kwok
Regional Senior Environmental
Advisor

Name and title of Departmental /
Agency Responder

August 22, 2025

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/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	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'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).</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 governmental 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>

Please insert additional rows as necessary.