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

Department/Agency	Environment and Climate Change 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

***Species at Risk Act* permits**

For species listed in Schedule 1 of the *Species at Risk Act* (SARA) 2022 as Extirpated, Endangered, or Threatened, a section 73 SARA permit may be required from Environment and Climate Change Canada (ECCC) for activities that affect a listed terrestrial wildlife species, any part of its critical habitat, or the residences of its individuals, where those prohibitions are in place. Such permits may only be issued: if all reasonable alternatives to the activity that would reduce the impact on species have been considered and the best solution has been adopted; all feasible measures will be undertaken to minimize the impact of the activity on the species or its critical habitat of the residences of its individuals; and if the activity will not jeopardize the survival of the species. Permits are also required by those persons conducting activities that contravene the critical habitat destruction prohibitions (subsection 58(1)).

Prohibitions are in place for individuals and residences on federal lands and water in a province, reserve or any other lands under the *Indian Act*, or lands under the authority of the Minister of the Environment, and for birds listed under the *Migratory Birds Convention Act*, *1994* (MBCA) wherever they occur regardless of land tenure.

Furthermore, prohibitions may be in force on land other than federal land pursuant to other orders or regulations under SARA. It is possible that further prohibitions may come into force in the future through orders in Council for individuals, residences, and critical habitat on non-federal lands. It is also possible that, over the course of the assessment or after the assessment and during the lifetime of the Project, additional species could be listed under SARA; permits may be required for project activities that affect these additional species. Proponents are advised to monitor for such developments on the SARA Registry https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html.

Examples of activities that could require a *Species at Risk Act* permit include:

- Species surveys that would affect individuals and residences;
- Site preparation (clearing, grubbing, site access, staging, blasting);
- Construction and operation of temporary and permanent works and infrastructure;
- Creation of new roads, rails or power lines;
- Infilling of wetlands or watercourses;
- Any monitoring that requires the capture/release of individuals; and
- Sensory disturbance effects (artificial lighting, noise, vibration, human activity, vehicular traffic).

For most projects, the requirement for a SARA permit will always remain a possibility due to the widespread presence of SARA-listed migratory birds protected under the *Migratory Birds Convention Act, 1994* across Canada. Permits for these species apply to activities on all types of land tenure. ECCC will require detailed information on the potential effects of the project, including locations and/or occurrences of species at risk, their use of habitat and critical habitat within the project area, and specific effects on federal and non-federal land, before ECCC can determine whether a SARA permit is required.

Note that a SARA permit for activities involving migratory birds is only possible if they do not contravene the *Migratory Birds Convention Act*.

Links to publicly available documents:

- Guidelines for permitting under Section 73 of the *Species at Risk Act* https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/policies-guidelines/permitting-under-section-73.html.
- Species at Risk Permitting Policy https://species-registry.canada.ca/index-en.html#/consultations/2983.

In the event that a SARA permit is required, ECCC would evaluate and determine consultation requirements, if any. ECCC-led Indigenous consultation related to the issuance of SARA permits will be coordinated with consultation during the impact assessment where possible.

If a permit is issued, the description of the activity and how SARA's preconditions were met will be posted on the SARA Registry here: https://species-registry.canada.ca/index-en.html#/permits.

***Migratory Birds Convention Act* Permits**

The *Migratory Bird Regulations, 2022* (MBR 2022) protect migratory birds, their eggs and their nests, by prohibiting activities that may harm them. Unless a person has a permit or the regulations authorize it, it is prohibited to engage in the following activities:

- Capturing, killing, taking, injuring or harassing a migratory bird or attempting to do so;
- Destroying, taking or disturbing an egg; and
- Damaging, destroying, removing or disturbing a nest, nest shelter, eider duck shelter or duck nesting box, unless the following exceptions apply:
    - The nest does not contain a live migratory bird or a viable egg; and
    - The nest was not built by a species listed in Schedule 1.

Modernization of the MBCA in 2022 has additionally identified 18 species of birds whose nests are protected year-round (Schedule 1 of MBR 2022). The nests of species listed in Schedule 1 are protected at all times, unless the following conditions are met:

- Notification of the unoccupied nest has been submitted/received through the Registry for Abandoned Nests; and

- The waiting time designated in the regulations has passed, during which time the nest has not been occupied by the migratory bird.

In some situations, it may be possible to obtain a permit to move or destroy an unoccupied nest of a Schedule 1 MBR 2022 species. For more information, please visit: https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html.

ECCC advises that there is no mechanism under the MBCA and its regulations to grant a permit for activities that are not directly aimed at migratory birds, their nests and/or eggs, but which may harm them (e.g., land clearing).

Scientific Permits issued under the *Migratory Bird Regulations* may, for scientific purposes, including banding, or for rehabilitation or educational purposes, authorize the permit holder to: capture, kill, injure, or harass an individual; destroy, remove or disturb a nest; deposit bait under specific circumstances; exchange, give, or have in their possession a migratory bird, egg or nest; and if they are authorized to capture and band a migratory bird, take birds that are killed as a result of normal banding operations or that are found dead. Scientific permits are issued to authorize activities for scientific purposes that would otherwise be prohibited by the MBCA and its associated regulations, however, there are only certain exceptional situations where these types of permits may be available. These permits do not authorize activities that may adversely affect migratory birds.

The Canadian Wildlife Service (CWS) issues Scientific permits to authorize the capture and handling of migratory birds that become stranded at facilities that must be kept until they can be successfully released. These permits are most often associated with facilities and vessels with large amounts of artificial lighting that may attract seabirds and cause disorientation, stranding, or collisions, for which proponents are required to search and document such events at their facilities. The information gathered from capture and handling permits is being used to quantify the impact of artificial attraction (causing stranding events) on migratory birds. Stranded bird monitoring is conducted following CWS's *Procedures for handling and documenting stranded birds encountered on infrastructure offshore Atlantic Canada* (2017).

Links to publicly available documents:
For more information, please visit:

- Migratory Birds Convention Act (MBCA) and Regulations;
- Fact sheet: Nest Protection under the Migratory Birds Regulations, 2022;and
- Frequently asked questions: Migratory Birds Regulations, 2022.

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

For most projects, the requirement for a federal SARA permit issued under section 73 of the *Species at Risk Act* will always remain a possibility due to the widespread presence of SARA-listed migratory birds protected under the *Migratory Birds Convention Act, 1994* across Canada. In the event that a SARA permit is required, ECCC would evaluate and determine consultation requirements, if any (per sections 73(4) and 73(5) of SARA).

The *Permits Authorizing an Activity Affecting Listed Wildlife Species Regulation* specifies that the competent minister must either issue a permit or notify the applicant that the permit has been refused within 90 days following the notification, in writing, that the

application has been received, with the 90-day timeline being suspended if an incomplete application is received. However, when additional consultations are required, including consultations with Indigenous groups, the 90-day time limit does not apply (see "Guidelines for permitting under Section 73 of the *Species at Risk Act*" https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/policies-guidelines/permitting-under-section-73.html). ECCC-led Indigenous consultation related to the issuance of SARA permits will be coordinated with consultation during the impact assessment where possible.

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

For species listed in Schedule 1 of the *Species at Risk Act* (SARA) 2022 as Extirpated, Endangered, or Threatened, a section 73 SARA permit may be required from Environment and Climate Change Canada (ECCC) for activities that affect a listed terrestrial wildlife species, any part of its critical habitat, or the residences of its individuals, where those prohibitions are in place. Such permits may only be issued: if all reasonable alternatives to the activity that would reduce the impact on species have been considered and the best solution has been adopted; all feasible measures will be undertaken to minimize the impact of the activity on the species or its critical habitat of the residences of its individuals; and if the activity will not jeopardize the survival of the species. Permits are also required by those persons conducting activities that contravene the critical habitat destruction prohibitions (subsection 58(1)).

If a federal SARA permit is required to authorize the prohibited Project activities affecting SARA-listed migratory birds, the proponent must undertake an alternatives assessment to meet the precondition outlined in section 73(3)(a) of SARA that "all reasonable alternatives to the activity that would reduce the impact on the species have been considered and the best solution has been adopted".

Additionally, should the Project result in potential jeopardy to a SARA-listed species (precondition 73(3)(c) of SARA), particularly migratory bird (regardless of land tenure) that cannot be avoided or mitigated, the proponent may be required to undertake habitat offsetting as part of the SARA permit. If possible, this should be coordinated with assessment of residual adverse effects on migratory bird SAR undertaken by the Impact Assessment process led by the Impact Assessment Agency of Canada (IAAC).

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

Please refer to the information provided in Table 1 below for project-specific guidance and information related to the Project's effects on migratory birds, species at risk, and their habitats, including wetlands, for the proponent's consideration when completing the Impact Assessment.

Open Science Data Platform (OSDP)
The Open Science Data Platform (OSDP) provides information relevant to cumulative effects and development activities across Canada and is publicly available at the following website: https://osdp-psdo.canada.ca/dp/en. More specifically, the platform provides a single window to access data and scientific knowledge relevant to understanding cumulative effects from existing federal, provincial, and territorial on-line databases and registries, including publications from the federal government and its scientists. It provides an interactive geospatial mapping tool to enable mapping of multiple datasets from

multiple sources. It offers various features, including keyword-based searching, interactive data visualization on maps, and educational resources covering key topics such as cumulative effects, water, air, climate, biodiversity, land, economy and industry, health, and society and culture.
OSDP information may be of value to persons preparing and reviewing projects assessments, including cumulative effects assessments. The following are some examples of ECCC information available on the OSDP.
Water – quality and quantity * National long-term water quality monitoring data * Real-time hydrometric data * Canadian Aquatic Biomonitoring Network (CABIN)
* National Pollutant Release Inventory (NPRI) o Facilities that reported releases to water * Find additional water-related resources (including publications, datasets and monitoring stations) from ECCC on the OSDP here.
Biodiversity (e.g., birds, species at risk, wetlands) * Critical habitat for species at risk (terrestrial) * Range map extents – Species at risk * Canadian wetlands * Canadian Protected and Conserved Areas Database (CPCAD) * Canadian Breeding Bird Census plots * Priority places for species at risk * Find additional biodiversity- related resources (including publications, datasets and monitoring stations) from ECCC on the OSDP here.
Air Quality
* National Pollutant Release Inventory (NPRI), including: o Facilities that reported release of criteria air contaminants
* Canadian Environmental Sustainability Indicators (CESI), including o Average ambient fine particulate matter concentrations o Peak ambient ozone concentrations o Ambient volatile organic compound concentrations o Average ambient sulphur dioxide concentrations o Peak ambient nitrogen dioxide concentrations * Find additional air-related resources (including publications, datasets and monitoring stations) from ECCC on the OSDP here.
Climate, including climate change * Hourly and daily climate observations * Monthly climate observation summaries * Climate normals, averages and extremes 1981-2020 * Homogenized surface air temperature * Canadian homogenized monthly precipitation * Adjusted precipitation * Find additional climate-related resources (including publications, datasets and monitoring stations) from ECCC on the OSDP here.
Beyond ECCC's mandate, the OSDP also contains resources on topics led by departments and other levels of government (e.g., human health, economy and industry). The OSDP also provides access to regulatory registries that list government authorizations of other developments (e.g., Fisheries Act Registry), which can be useful in understanding the cumulative pressures on an area.

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.

As noted above, should the Project result in potential jeopardy to a SARA-listed species (precondition 73(3)(c) of SARA), particularly a SARA-listed migratory bird (regardless of land tenure) that cannot be avoided or mitigated, and habitat offsetting has been ruled out as an option, ECCC may be unable to issue a SARA permit to authorize the prohibited activities on the basis that the preconditions outlined in section 73(3) of SARA have not been met (see "Guidelines for permitting under Section 73 of the *Species at Risk Act*" https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/policies-guidelines/permitting-under-section-73.html).

Additionally, please note that there is no permitting mechanism that authorizes the disturbance/harm to species at risk that is incidental to activities when the species is also protected by the *Migratory Birds Convention Act, 1994* (MBCA).

2. **Using Table 1**, identify project- and context- specific **key issues**, based on the expertise within your mandate[1] 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 material[2] 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.

Stephen Zwicker A/Head EA
Atlantic

Name and title of Departmental / Agency Responder

June 3, 2026
Date

[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.

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*
						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.

					supporting governmental priorities, such as reconciliation with Indigenous Peoples.		
ECCC--01	Migratory birds	The activities linked to the construction, operation, maintenance, and decommissioning of the proposed Project could have adverse effects on migratory birds. Further baseline information on the migratory birds that are present (or have the potential to be present) in the Project Area should be provided to evaluate the potential effects of the project on migratory birds.	The nature of effects of the project on migratory birds will vary based on a number of factors, including: project location, duration, scale and configuration; ancillary project activities (e.g., land clearing, operation, etc.); existing cumulative effects; the type of habitat that may be disturbed; and sensitivity of species found in the project area. The pathway through which potential effects are conveyed will depend on the land, air and water constituents associated with the site along with the behavioural adaptability, presence and interaction with the species limited factor	Habitat Loss and Alteration and Disturbance/Destruction caused by Project Activities (example: land clearing, site preparation, in-water works, etc.) Clearing and other activities that cause habitat loss or alteration may lead to destruction, disturbance, and fragmentation of habitat (foraging, nesting), habitat avoidance, sensory disturbance, and the inadvertent disturbance and destruction of individuals, nests, and eggs of migratory birds. Projects involving the construction of linear footprints (e.g., access roads) can cause the loss, fragmentation, and alteration of habitat and may result in direct adverse effects on migratory birds during breeding, migration, staging, and foraging. Linear disturbances may also cause connectivity issues and/or facilitate the movement of predators into an area and increase hunting access and efficiency. Sensory Disturbance Noise and vibration from site preparation, the use of heavy equipment during construction, human presence, and other disturbances from construction, operation, maintenance and decommissioning activities may result in injury, mortality, sensory	The federal *Migratory Birds Convention Act (MBCA)* and its regulations protect migratory birds and their eggs and prohibit the disturbance, damage, destruction or removal of migratory bird nests that contain a live bird or a viable egg. Migratory birds are protected at all times; all migratory bird nests are protected when they contain a live bird or viable egg; and the nests of 18 species listed in Schedule 1 of the MBR 2022 are protected year-round. These general prohibitions apply to all lands and waters in Canada, regardless of ownership. For more information, please visit: Avoiding harm to migratory birds - Canada.ca. Section 5.1 of the MBCA describes prohibitions related to depositing substances harmful to migratory birds: “5.1(1) No person or vessel shall deposit a substance that is harmful to migratory birds, or permit such a substance to be deposited, in waters or an area frequented by migratory birds or in a place from which the substance may	ECCC provides the following recommendations to avoid and minimize potential adverse impacts on migratory birds: Habitat Loss/Alteration and Disturbance/Destruction caused by Project Activities Most migratory bird species construct nests in trees (sometimes tree cavities) and shrubs, but several species nest at ground level (e.g., Common Nighthawk), in hay fields, pastures or in burrows. Some bird species may nest on cliffs or in stockpiles of overburden material from mines or the banks of quarries. Some migratory birds (including certain waterfowl species) may nest in head ponds created by beaver dams. Some migratory birds (e.g., Barn Swallow, Cliff Swallow, Eastern Phoebe) may build their nests on structures such as bridges, ledges or gutters. In developing mitigation measures, it is incumbent on the proponent to identify the best approach, based on the circumstance, to comply with the MBCA. The following should be considered during project planning: • Avoid scheduling high disturbance activities, such as vegetation clearing and site preparation, during the regional nesting period for migratory birds. Information regarding regional nesting periods can be found at Nesting periods - Canada.ca. Some species protected under the MBCA may nest *outside* these timeframes. • Nest searches or pre-clearing surveys during the breeding season are not supported as mitigation in most habitat types (e.g., forests, grasslands, wetlands) due to low detectability and high likelihood of disturbance to nesting birds. • Nest searches may be effective when conducted by experienced observers using appropriate methods in simple habitats with limited potential nesting locations or small	Further baseline information on the migratory birds that are present (or have the potential to be present) in the Project Area should be provided to evaluate the potential effects of the project on migratory birds. As a first step, ECCC recommends that information on migratory birds potentially occurring in the project area, including downstream habitats potentially affected by the project, be obtained from the Atlantic Canada Conservation Data Centre (ACCDC http://accdc.com/index.html). This information can be supplemented with field surveys by professional biologists (with expertise in conducting the types of surveys required) at the appropriate time of year. Using baseline information, including rigorous survey data, the proponent should develop mitigation measures to avoid adverse effects on migratory birds. It should be noted that although a species may not be confirmed in an area, it

			(e.g., habitat support staging, nesting, roosting, or foraging) and population resilience.	disturbance and change in habitat use. The amount, duration, frequency, and timing of disturbance are important to understand potential effects. Sensory disturbance may make adjacent habitat unsuitable for use by migratory birds and cause avoidance effects in many species. <u>Lighting Attraction</u> Night-flying birds may be attracted to lights, resulting in possibly injury or mortality: • Equipment and building strikes; • Disorientation and increased energy expenditure, which may lead to exhaustion and increased predation. <u>Accidental Release of Hazardous Substances</u> (e.g., hydrocarbons, fuel, etc. from construction equipment) Adverse effects on migratory birds and their habitat could result from the accidental release of hazardous substances. Depending on the nature of the release (e.g., toxicity, volume, exposure pathway(s)), and the location and duration of the release, effects on migratory birds could be acute, chronic, or both. Contamination of the environment through accidental spills can result in the destruction or disturbance of nests and eggs, contamination of feathers, which	enter such waters or such an area. (2) No person or vessel shall deposit a substance or permit a substance to be deposited in any place if the substance, in combination with one or more substances, result in a substance – in waters or an area frequented by migratory birds or in a place from which it may enter such waters or such an area – that is harmful to migratory birds." It is the responsibility of the proponent to ensure that activities are managed so as to ensure compliance with the MBCA and associated regulations. Further information can be found at: Avoiding harm to migratory birds - Canada.ca.	migratory bird communities. Examples include urban parks with few trees, vacant lots with limited nesting sites, previously cleared areas where ground nesters may use exposed soil or stockpiles, and structures such as bridges, towers, beacons, or buildings commonly used for nesting (e.g., by swallows, robins, phoebes, Common Nighthawks, and gulls). • The risk of impacting active nests or birds caring for pre-fledged chicks discovered during project activities *outside* of the regional nesting period can be minimized by measures such as the establishment of vegetated buffer zones around nests and minimization of activities in the immediate area until nesting is complete and chicks have naturally migrated from the area. • In developing and implementing a wildlife management plan, preventative measures to minimize the risk of impacts on migratory birds should be considered (see "Avoiding harm to migratory birds: guidelines to reduce the risk to migratory birds: at https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html). Some ground nesting species of migratory birds, such as the Killdeer, may be attracted to previously cleared areas for nesting in the spring and summer if there is a delay between clearing activities and construction (e.g., clearing conducted during the fall/winter and construction scheduled in spring/summer). In the event that a nest is discovered, it would be prudent for a proponent to consult ECCC and/or NL's Department of Forestry, Agriculture and Lands (NLFAL) (depending on the species) regarding appropriate buffers and other mitigation measures, and to prepare and implement a monitoring plan to verify their efficacy.	does not necessarily mean that it does not occur there, <u>especially if habitat appropriate for the species is available</u>. With regard to migratory birds, when providing information in an environmental assessment document, the proponent should give particular, but not exclusive, consideration to birds or habitats that meet one of the following criteria: • Species listed under the *Species at Risk Act* (SARA) and/or provincial species at risk legislation; designated, under review or identified as a candidate species by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC); and/or with rarity ranks assigned by the province and/or the Atlantic Canada Conservation Data Centre (ACCDC); • Areas of concentration of migratory birds, such as breeding areas, colonies, spring and fall staging areas, and wintering areas; • Breeding and nesting areas of species low in number and high in the food chain;

				can be detrimental to waterproofing capabilities, and change in food quantity/quality.		<u>Sensory Disturbance caused by Noise</u> ECCC recommends the following best management practices for noise disturbance issues: • The proponent should develop mitigations for programs that introduce very loud noise and random noise disturbance (e.g., blasting programs) during migratory bird breeding season for their region. • The proponent should, where possible, prioritize construction activities in areas away from natural vegetation while working during the migratory bird breeding season. Conducting loud construction works adjacent to natural vegetation should be completed outside the migratory bird breeding season. • The proponent should keep all construction equipment and vehicles in good working order, and loud machinery should be muffled if possible. <u>Sensory Disturbance caused by Lighting</u> The proponent should consider the following mitigation measures when designing the Project's Lighting Plan: • Use the minimum amount of aviation safety warning and obstruction lighting needed on tall structures. Warning lights should flash and completely turn off between flashes; • Use the fewest number of site illuminating lights possible in the project area. Only use strobe lights at night, at the lowest intensity and the smallest number of flashes per minute allowable by Transport Canada; • Reduce lighting levels during inclement weather events that may force migratory birds to land, or fly at lower altitudes, to prevent birds from landing in areas that would cause collisions; • Avoid or restrict the time of operation of exterior decorative lights such as spotlights and floodlights whose function is to highlight	• Species that are identified by priority ranking systems (e.g., Bird Conservation Region priority species).

						features of buildings or to illuminate an entire building. These lights, especially during periods of inclement weather, can draw birds from far away. Turn off these lights during migration season when the risk to birds is highest, and during periods when birds are dispersing from their nests to colonies; • Shield safety lighting so that the illumination shines down. Only install safety lighting where it is needed, without compromising safety; • Shield street and parking lot lighting so that little escapes into the sky, and it falls where it is required. Consider using LED lighting fixtures as they are generally less prone to light trespass; • Limit construction activities to the day and avoid illuminating habitat adjacent to the worksite(s); • Develop a Bird Monitoring and Management Plan that describes what measures will take place to avoid incidental take. The Plan should include: o Actions that will be used to prevent incidental take of migratory birds; o A mortality monitoring plan that includes corrections for searcher efficiency, carcass persistence, and searchable area. For further guidance regarding lighting attraction, please see the International Light Pollution Guidelines for Migratory Species. <u>Accidental Release of Hazardous Substances</u> The proponent must ensure that all precautions are taken by the contractors to prevent fuel leaks from equipment, and that a contingency plan in case of oil spill(s) is prepared. Furthermore, the proponent should ensure that contractors are aware that under the MBCA "*no person shall deposit or permit to be deposited oil, oil wastes or any substance harmful to migratory birds in any waters or any area frequented by*	

						migratory birds”. Biodegradable alternatives to petroleum-based chainsaw bar oil and hydraulic for heavy machinery are commonly available from major manufacturers. Such biodegradable fluids should be considered for use in place of petroleum products wherever possible, as a standard for best practices. Fueling and servicing of equipment should not take place within 30-metres of environmentally sensitive areas, including shorelines and wetlands. ECCC recommends incorporating a Wildlife Emergency Response Plan into emergency response contingency plans for scenarios that may impact avifauna directly (injury or mortality, e.g., polluting incident) or indirectly (collisions causing mortality, stranding due to light attraction). For consideration in emergency response and contingency planning related to accidents and malfunctions, ECCC has prepared *Guidelines for Effective Wildlife Response Plans* (ECCC 2022) available online at: https://www.canada.ca/en/services/environment/wildlife-plants-species/national-wildlife-emergency-framework.html. Plans should include: • Measures to deter migratory birds from coming into contact with the oil or polluting substance; • Measures undertaken if individuals of migratory birds and/or sensitive habitat become contaminated; and • The type, extent of monitoring, and reporting in relation to various spill events. The proponent is responsible for ensuring that all precautions are taken by the contractors to prevent fuel leaks from equipment, and that a contingency plan is prepared in the case of spills. Furthermore, the proponent should ensure that contractors are aware of s.5.1 MBCA prohibitions	
ECCC-02	Species at Risk (SAR), Species of Conservation	The activities linked to the construction, operation,	The nature of effects of the project on species at risk	Habitat Loss and Alteration and Disturbance/Destruction caused by Project Activities	The purpose of the *Species at Risk Act* (SARA) is to 1) prevent wildlife species from extirpation or extinction, and	ECCC provides the following recommendations to avoid and minimize potential adverse impacts on species at risk.	The proponent’s proposed mitigation measures for species at risk are framed using ambiguous language

	Concern (SOCC), and their Habitat	maintenance, and decommissioning of the proposed Project could have adverse effects on terrestrial wildlife including species at risk listed on the *Species at Risk Act* (SARA), or Species of Conservation Concern (SOCC) assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) (e.g., birds, terrestrial mammals, amphibians, reptiles, arthropods, lichen, mosses, and vascular plants), and their habitats (e.g., wetlands) and critical habitat. Further information on SAR bird species is required to evaluate the potential effects of the Project.	(including their residences and critical habitat defined under the SARA) can vary based on a number of factors, including: project location, duration, scale, and configuration; ancillary project activities (e.g., land clearing, operation, etc.); existing cumulative effects; the type of habitat that may be disturbed; and sensitivity of species found in the project area. The pathway through which potential effects are conveyed will depend on the land, air and water constituents associated with the site along with the behavioural adaptability, presence and interaction with the species limited factor (e.g., habitat support staging,	(example: land clearing, site preparation, in-water works, etc.) Clearing and other activities that cause habitat loss or alteration may lead to destruction, disturbance, and fragmentation of habitat (foraging, nesting), habitat avoidance, sensory disturbance, and the inadvertent disturbance and destruction of individual migratory bird species at risk and their nests and eggs, or of individual species at risk, their residences and critical habitat. Projects involving the construction of linear footprints (e.g., access roads) can cause the loss, fragmentation, and alteration of habitat and may result in direct adverse effects on migratory species at risk during important life stages. Linear disturbances may also cause connectivity issues and/or facilitate the movement of predators into an area and increase hunting access and efficiency. There is a higher risk that these effects would be more severe for migratory birds that are also SAR and species where habitat is sensitive to disturbance (e.g., wetlands) or where there is already a high degree of cumulative effects to habitat and individuals. Destruction and/or disturbance of habitat can have increased impacts on SAR individuals, residence(s), and their critical habitat, which can lead to	2) provide for the recovery of wildlife species that are extirpated, endangered, or threatened as a result of human activity. The list of species protected by the SARA can be found on the Species at Risk Public Registry. Under SARA s.79(1) "*Every person who is required by or under an Act of Parliament to ensure that an assessment of the environmental effects of a project is conducted, and every authority who makes a determination under paragraph 82(a) or (b) of the Impact Assessment Act in relation to a project, must, without delay, notify the competent minister or ministers in writing of the project if it is likely to affect a listed wildlife species or its critical habitat*". Under section 79(2) of SARA, "*The person must also identify the adverse effects of the project on listed wildlife species and its critical habitat and, if the project is carried out, must ensure that measures are taken to avoid or lessen adverse effects and to monitor them.*" Mitigation measures must be consistent with recovery strategies and action plans	<u>Habitat Loss and Alteration and Disturbance/Destruction caused by Project Activities</u> ECCC recommends that proponents establish buffer zones or setback distances to minimize potential impacts from disturbance activities. A 30 m buffer is likely not sufficient to address impacts on SAR, ground-nesting species, or highly mobile chicks of certain species. Should the nests of a migratory bird SAR or any unfledged chicks be discovered, proponents should establish an appropriate-sized buffer for the relevant species. In general, ECCC-CWS recommends the following buffers for landbird SAR during the breeding season: • Low disturbance activities (e.g., site monitoring) – 50 metres • Medium disturbance activities (e.g., sensory disturbance) – 150 metres • High disturbance activities (e.g., clearing, use of heavy equipment) – 300 metres • Very high disturbance activities (e.g., blasting) – 1000 metres In the event that a nest is discovered, it would be prudent for a proponent to consult ECCC-CWS and/or NL's Department of Forestry, Agriculture and Lands (NLFAL) (depending on the species) regarding appropriate buffers and other mitigation measures, and to prepare and implement a monitoring plan to verify their efficacy. <u>Sensory Disturbance from Noise</u> ECCC recommends the following best management practices for noise disturbance issues: • Develop mitigations for programs that introduce very loud noise and random noise disturbance (e.g., blasting programs) during migratory bird breeding season for their region. • Where possible, prioritize construction activities in areas away from natural vegetation while working during the migratory bird breeding season. Conducting loud construction works adjacent to natural	(e.g., "where practicable" and "where feasible", etc.) and therefore do not constitute clear commitments. The proponent should revise their approach by: 1) clearly stating firm commitments to mitigation measures; 2) defining objective criteria for determining when measures are not feasible; and 3) identifying contingency measures applicable across all project phases and seasons. The proponent should commit to scheduling high-disturbance activities, including vegetation clearing, outside the core migratory bird breeding period (mid-April to mid-August). Pre-clearing nest searches are not supported as effective mitigation for most habitat types. With respect to species at risk, the proponent should identify potential adverse effects on listed species and critical habitat and implement mitigation measures that are consistent with applicable Recovery Strategies, Action Plans, and Management Plans, and that comply with

		Based on the information provided to date in the Initial Project Description, and best available information, *Species at Risk Act* (SARA)-listed and Committee on the Status of Endangered Wildlife in Canada (COSEWIC)-assessed species that may occur in the project area include: Red Knot (*rufa* subspecies, Endangered), Bank Swallow (Threatened), Harlequin Duck (Atlantic population, Special Concern), Short-eared Owl (Special Concern), Little Brown Myotis (Endangered), Northern Myotis (Endangered), American Marten (Newfoundland population, Special Concern).	nesting, roosting, or foraging) and population resilience.	changes in prey and predator dynamics, loss of food resources, loss of breeding areas, changes in migration or movement, and increased risk of mortality. For example, certain species of migratory bird SAR (e.g., Bank Swallow) may nest in large piles of soil left unattended/unvegetated during the most critical period of breeding season. <u>Sensory Disturbance</u> Noise and vibration from site preparation, the use of heavy equipment during construction, human presence, and other disturbances from construction, operation, maintenance and decommissioning activities may result in injury, mortality, sensory disturbance and change in habitat use. The amount, duration, frequency, and timing of disturbance are important to understand potential effects. Sensory disturbance may make adjacent habitat unsuitable for use by migratory birds and cause avoidance effects in may species. <u>Lighting Attraction</u> Night-flying birds may be attracted to lights, resulting in possible injury or mortality: • Equipment and building strikes; • Disorientation and increased energy expenditure, which may lead to exhaustion and increased predation.	for the species. Indirect and direct effects should be considered. The proponent must manage activities to ensure compliance with the SARA and associated regulations. SARA Policy Guidelines (2016) are available at: Species at Risk Act: addressing considerations - Canada.ca **<u>Important Note</u>**: ECCC also recommends that the province be contacted for technical expertise on species at risk under their jurisdiction (e.g., bats, reptiles, amphibians, land-mammals, insects, plants, lichen, and birds not protected by the MBCA, such as raptors). <u>Notification and Identification of Effects (SARA s.79(1)(2))</u> Subsection 79(2) of SARA establishes a requirement to avoid and lessen **all (direct and indirect)** adverse effects of a project on listed wildlife species and critical habitat, regardless of the significance of those effects. Thus, in developing mitigation measures for listed wildlife species, the approach should be systematic and rigorous. The	vegetation should be completed outside the migratory bird breeding season. • Keep all construction equipment and vehicles in good working order, and loud machinery should be muffled if possible. <u>Sensory Disturbance from Lighting</u> The proponent should consider the following mitigation measures when designing the Project's Lighting Plan: • Use the minimum amount of aviation safety warning and obstruction lighting needed on tall structures. Warning lights should flash and completely turn off between flashes; • Use the fewest number of site illuminating lights possible in the project area. Only use strobe lights at night, at the lowest intensity and the smallest number of flashes per minute allowable by Transport Canada; • Reduce lighting levels during inclement weather events that may force migratory birds to land, or fly at lower altitudes, to prevent birds from landing in areas that would cause collisions; • Avoid or restrict the time of operation of exterior decorative lights such as spotlights and floodlights whose function is to highlight features of buildings or to illuminate an entire building. These lights, especially during periods of inclement weather, can draw birds from far away. Turn off these lights during migration season when the risk to birds is highest, and during periods when birds are dispersing from their nests to colonies; • Shield safety lighting so that the illumination shines down. Only install safety lighting where it is needed, without compromising safety; • Shield street and parking lot lighting so that little escapes into the sky, and it falls where it is required. Consider using LED lighting fixtures as they are generally less prone to light trespass;	the requirements of the *Species at Risk Act*. The proponent should also commit to follow-up monitoring to verify predicted effects and mitigation effectiveness, and to implementing adaptive management where adverse effects to species at risk or their critical habitat occur.

				<u>Accidental Release of Hazardous Substances</u> (e.g., hydrocarbons, fuel, etc. from construction equipment) Adverse effects on migratory birds and their habitat could result from the accidental release of hazardous substances. Depending on the nature of the release (e.g., toxicity, volume, exposure pathway(s)), and the location and duration of the release, effects on migratory birds could be acute, chronic, or both. Contamination of the environment through accidental spills can result in the destruction or disturbance of nests and eggs, contamination of feathers, which can be detrimental to waterproofing capabilities, and change in food quantity/quality.	following mitigation sequence should be followed: 1. Avoidance of the adverse effect. 2. Minimization of the adverse effect. 3. Offsetting for the adverse effects (e.g., offsetting/conservation allowances).	• Limit construction activities to the day and avoid illuminating habitat adjacent to the worksite(s); • Develop a Bird Monitoring and Management Plan that describes what measures will take place to avoid incidental take. The Plan should include: o Actions that will be used to prevent incidental take of migratory birds; o A mortality monitoring plan that includes corrections for searcher efficiency, carcass persistence, and searchable area. For further guidance regarding lighting attraction, please see the International Light Pollution Guidelines for Migratory Species. <u>Accidental Releases of Hazardous Substances</u> The proponent must ensure that all precautions are taken by the contractors to prevent fuel leaks from equipment, and that a contingency plan in case of oil spill(s) is prepared. Furthermore, the proponent should ensure that contractors are aware that under the MBCA "*no person shall deposit or permit to be deposited oil, oil wastes or any substance harmful to migratory birds in any waters or any area frequented by migratory birds*". Biodegradable alternatives to petroleum-based chainsaw bar oil and hydraulic for heavy machinery are commonly available from major manufacturers. Such biodegradable fluids should be considered for use in place of petroleum products wherever possible, as a standard for best practices. Fueling and servicing of equipment should not take place within 30-metres of environmentally sensitive areas, including shorelines and wetlands. ECCC recommends incorporating a Wildlife Emergency Response Plan into emergency response contingency plans for scenarios that may impact avifauna directly (injury or mortality, e.g., polluting	

						incident) or indirectly (collisions causing mortality, stranding due to light attraction). For consideration in emergency response and contingency planning related to accidents and malfunctions, ECCC has prepared *Guidelines for Effective Wildlife Response Plans* (ECCC 2022) available online at: https://www.canada.ca/en/services/environment/wildlife-plants-species/national-wildlife-emergency-framework.html. Plans should include: • Measures to deter migratory birds from coming into contact with the oil or polluting substance; • Measures undertaken if individuals of migratory birds and/or sensitive habitat become contaminated; and • The type, extent of monitoring, and reporting in relation to various spill events. The proponent is responsible for ensuring that all precautions are taken by the contractors to prevent fuel leaks from equipment, and that a contingency plan is prepared in the case of spills. Furthermore, the proponent should ensure that contractors are aware of s.5.1 MBCA prohibitions.	
ECCC-03	Accidents and Malfunctions Potential accidental releases of hazardous substances or unplanned events during construction, operation, maintenance, or decommissioning of the Project could result in adverse effects	The Project consists of marine terminal and port infrastructure components associated with vessel berthing, cargo handling, and supporting upland facilities. Key components and activities relevant to accidents and malfunctions include:	1. Marine spills of fuel or hazardous substances •Accidental releases during refuelling, cargo transfer, or from vessels (e.g., collisions, grounding, hose failure) could result in hydrocarbons or hazardous materials entering the marine environment.	1. Proximity to sensitive marine and coastal environments •Port infrastructure is located directly within or adjacent to aquatic environments, increasing the likelihood that any release will directly enter water and affect fish, fish habitat, and migratory birds. 2. Presence or potential disturbance of contaminated sediments •Existing port or industrial sites may contain legacy contamination; disturbance during construction could remobilize contaminants and increase exposure risks.	Accidents and malfunctions, particularly those involving marine fuel spills, hazardous material releases, cargo loss, and stormwater discharges, could cause non-negligible adverse effects to: • Fish and fish habitat, through contamination, increased turbidity, and physical disturbance of aquatic habitats. • Migratory birds, through exposure to oiled water, contaminated shorelines, or degraded feeding areas.	Mitigation measures and plans will be important during all phases of the project, given that activities during these phases could result in release of hazardous substances to the environment in the event of an accident or malfunction. The proponent has outlined within their initial project description (section 15) a suite of mitigation measures and plans that would reduce the risk of accidents and malfunctions and mitigate the impacts should accidents and malfunctions occur. These include: • Using secondary containment for storage tanks containing hazardous substances to prevent their release completely or minimize the amount that enters the environment in the event of an accident or malfunction. • Keeping appropriately stocked spill kits and spill response equipment on site and available at all	The proponent should commit to implementing all mitigation measures and developing all plans mentioned in the IPD as these will help to reduce the risk accidents and malfunctions as well mitigate environmental impacts should they occur. As project planning advances, the proponent should adopt all relevant industry best-practices regarding prevention, preparedness, response and

	on marine and coastal water quality, fish and fish habitat, migratory birds, species at risk, and changes to the environment that may impact Indigenous Peoples of Canada.	1. Marine terminal and berth infrastructure • Construction, rehabilitation, and/or operation of wharves, berths, piles, dolphins, and associated marine structures. • Vessel berthing, mooring, and loading/unloading activities involving bulk or general cargo. 2. Cargo handling and storage (upland and marine interface) • Handling, transfer, and temporary storage of cargo (e.g., bulk materials, containers, or other commodities). • Use of conveyors, cranes, loaders, and other material handling equipment. • Potential presence of cargoes that may pose environmental risks if released (e.g., concentrates, fuels, or other hazardous substances).	•These releases could affect water quality, shoreline habitats, fish and fish habitat, and migratory birds. 2. Releases associated with cargo handling and storage •Loss of containment of cargo (e.g., bulk materials, concentrates, or other commodities) during loading/unloading or storage could result in deposition into the marine environment or adjacent habitats. •Wind dispersion, runoff, or direct spillage could lead to contamination of sediments and water. 3. Resuspension or release of contaminated sediments • Dredging, pile installation, or seabed disturbance may resuspend sediments potentially containing legacy contaminants (e.g., metals, hydrocarbons).	3. Increased vessel traffic and associated spill risk •Project-related vessel movements increase the likelihood of marine incidents and associated fuel or cargo spills. 4. Handling and storage of hazardous substances near water •Fuels, lubricants, and potentially hazardous cargoes stored or transferred near the marine interface present a high consequence risk if containment measures fail. 5. Reliance on management plans and future design details •At the IPD stage, detailed design information for drainage systems, spill prevention systems, and emergency response infrastructure is typically limited. •Information on accident scenarios, system capacities (e.g., stormwater design events), and response capabilities is often not yet provided. ECCC provides environmental emergency management planning advice and guidance related to potential accidents and malfunctions involving unplanned or uncontrolled releases or spills of hazardous substances into the environment, including scenarios where such releases could result in non-negligeable adverse environmental effects within ECCC's mandate. These effects include impacts to air quality, water quality, species at risk, fish and fish habitat, migratory birds, or changes to the environment resulting in non-negligible adverse impacts to Indigenous Peoples of Canada. Additionally, ECCC	• Indigenous Peoples, whose rights and traditional practices (e.g., fishing, harvesting, marine use) depend on affected water bodies and coastal environments. • Marine users and coastal communities, who may rely on the area for navigation, fisheries, or recreation.	locations where spills could occur (including on mobile equipment), enabling rapid containment and clean-up of any hazardous substance that enters the environment. • Locating fuel storage areas, refuelling, and equipment maintenance a minimum of 30 m from watercourses, wetlands, and groundwater features • Carrying out regular inspections of equipment. • Developing comprehensive plans, including a spill prevention and response plan, emergency response plan, and fire prevention and evacuation plan, which will outline procedures and practices to reduce the risk of accidents and malfunctions and equip responders with the knowledge and information necessary to rapidly and effectively respond if they occur. Part 8 of the *Canadian Environmental Protection Act, 1999* on environmental emergencies (sections 193 to 205) addresses the prevention of, preparedness for, response to, and recovery from environmental emergencies caused by uncontrolled, unplanned, or accidental releases. It also addresses the reduction of any foreseeable likelihood of releases of toxic or other hazardous substances listed in Schedule 1 of the *Environmental Emergency Regulations, 2019*. This act may apply if Schedule 1 substances onsite meet or exceed the threshold to be regulated under the *Canadian Environmental Protection Act, 1999*. Technical Guidelines for the *Environmental Emergency Regulations, 2019* may be found at: https://www.canada.ca/en/environment-climate-change/services/environmental-emergencies-program/regulations/technical-guidelines.html	recovery in the context of spills resulting from accidents and malfunctions.

		3. Fuel and hazardous material storage and transfer • Storage and use of fuels, lubricants, and other hazardous materials required for construction and operation. • Refuelling of land-based equipment. • Transfer of fuels or liquid products via pipelines, hoses, or tanker operations (if applicable). 4. Vessel traffic and marine operations • Increased vessel traffic associated with cargo transport. • Interaction between project-related vessels and existing marine users. 5. Stormwater and site water management • Management of runoff from upland areas (e.g., laydown areas, traffic surfaces, cargo storage zones). • Implementation of drainage infrastructure and	• This may increase exposure of aquatic organisms and affect water and sediment quality. 4. Stormwater runoff and drainage failures • Failure or exceedance of stormwater control systems (e.g., during heavy precipitation events) could result in untreated runoff containing suspended solids or contaminants entering receiving waters. • This may increase turbidity and contaminant loading in marine or freshwater environments. 5. Vessel-related accidents and navigation incidents • Collisions, allisions, or grounding events could result in structural damage, cargo loss, or fuel spills. • These incidents may have localized or broader impacts depending on location and conditions	coordinates expert review of atmospheric transport and dispersion modelling of airborne contaminants, fate and behaviour of contaminants, and hydrologic trajectory modelling of contaminants in water.			

		water quality control systems.					
ECCC-04	Fish and Fish Habitat Water Quality	The project activities include in-water works and require localized seabed preparation to support marine structures, pile driving, concrete placement in the marine environment, and potential limited dredging. These activities have the potential to impact fish and fish habitat through the re-suspension of sediment or other deleterious substances. The IPD notes the existing seabed conditions reflect long-standing industrial use	Accidental spills can release contaminants to watercourses and waterbodies. Disturbance of pre-existing contamination can affect the marine environment. Increased sediment concentrations and transport in surface water due to construction activities on the project footprint can enter the marine environment.	ECCC provides expertise on water quality to help support the assessment of potential impacts on water quality on nearby Indigenous Communities. ECCC is responsible for the administration of subsection 36(3) to (6) of the Fisheries Act which prohibits the deposit of a deleterious substance in waters frequented by fish unless authorized by regulations. Deleterious substances include any substance that, if added to water, would degrade, alter or form part of a process of degradation or alteration of the quality of water so that it is rendered deleterious to fish or fish habitat or to the use of fish by humans. Further information on the pollution prevention provisions of the Fisheries Act can be found at: https://www.canada.ca/en/environment-climate-change/services/managing-pollution/fisheries act-registry/frequently-asked-questions.html.	Any potential effect within federal jurisdiction would be related to the release of contaminants into watercourses and waterbodies that could lead to effects on fish or fish habitat or of migratory birds as well as nearby Indigenous Communities.	Standard mitigation measures can be implemented to ensure water quality beyond the immediate project site is not significantly impacted. The Proponent has proposed mitigation measures including sediment and erosion control measures, visual monitoring of turbidity, and adaptive work practices if excessive sedimentation is observed. An Environmental Protection Plan, including environmental management plans/best management practices procedures are anticipated to describe sediment and erosion controls, and spill prevention/response measures appropriate to the construction methods and site conditions.	The proponent should commit to implementing all mitigation measures and developing all plans mentioned in the IPD. Baseline water quality and sediment quality assessments will help to quantify potential effects from seabed preparation. ECCC recommends assessing the risks of impacts to water quality from metals, PCBs and hydrocarbons that could occur during in-water construction activities as well as identify and implement mitigation measures to limit sediment resuspension, including isolation methods.
ECCC-05	Greenhouse Gas Emissions Assessment	GHG emissions and climate change. The construction, operation, and decommissioning of the proposed Project will result in GHG emissions and may impact carbon sinks.	N/A	The assessment of the impact on carbon sinks and GHG emissions (including upstream emissions) from this project would be relevant in considering the extent to which the effects of the designated project hinder or contribute to the Government of Canada's ability to meet its environmental obligations and its commitments in respect of climate change (IAA s.22(i) factor to be considered). Should the Project be subject to an impact assessment under the Impact Assessment Act (IAA), the Strategic Assessment of Climate Change (SACC) would apply	Designated projects that require an Impact Assessment (IA) under the *Impact Assessment Act* (IAA), regardless of whether they are federally or provincially regulated, must consider the Project's GHG emissions in terms of the Projects' contribution to Canada's ability to meet its environmental obligations and its commitments in respect of climate change. Application of the Strategic Assessment of Climate Change (SACC), as determined by IAAC, would generate the information to determine if the Project will contribute to Canada's climate change objectives and will	The Strategic Assessment of Climate Change (SACC) was published in 2020 and works in conjunction with the Impact Assessment Act to provide guidance on how to consider climate change throughout federal impact assessments. Proponents may find the technical guidance of the SACC helpful in assessing the impacts to climate change and in ensuring consistent, predictable, efficient and transparent consideration of impacts to climate change. Information typically requested for the project description is outlined in the SACC (including section 4.1) and the draft Technical Guide (including sections 2.4, 3.3, and 4.2). Should IAAC determine an IA under the IAA is required for the Project, the SACC would apply, as circumstances warrant, to determine the extent to which the effects of the Project contribute to the Government of Canada's ability to meet its	ECCC recommends the Project's GHG emissions and climate change impacts be assessed and mitigated consistent with guidance in the SACC. Technical guidance on the SACC can be found here: Strategic Assessment of Climate Change

					inform the federal Minister's IA decision for the Project.	environmental obligations and its commitments in respect of climate change.	

Please insert additional rows as necessary.