



Ecosystems Management
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August 30, 2022

Your file *Votre référence*

Our file *Notre référence*

18-HMAR-00523

Lachlan MacLean
Project Manager, Boat Harbour Remediation Project
Impact Assessment Agency of Canada
Suite 201 - 1801 Hollis St.
Halifax, NS
B3J 3N4

Subject: Boat Harbour Remediation Project – Technical Review of Consolidated Round 1 IRs

Dear Mr. MacLean:

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) has completed a technical review of the consolidated Round 1 IRs for the Boat Harbour Remediation Project (dated July 28, 2022) received on August 8, 2022. Please note that our review only focused on sections related to DFO's mandate. Given the limited timeline for DFO to complete our review, and the complexities and challenges of cross-referencing an EIS that is not presented in a succinct manner as the reader must refer to multiple EIS sections as well as multiple Appendices, which are often not referred to in the EIS, to get a complete overview of the project assessment. Furthermore, DFO may have additional comments in the future related to the Boat Harbour Remediation Project (the Project) as there are important baseline data gaps for the Estuary as well as the Marine Environment labelled Pictou Road which must be filled prior an adequate effects assessment being conducted.

Based on the Program's review of the IRs as well as the EIS, DFO has concerns about the potential effects on fish and fish habitat from the Project. In order for DFO to provide detailed advice to the Impact Assessment Agency of Canada (the Agency) on the potential for adverse effects to fish and fish habitat, additional information is required.

Missing Baseline Information – Estuarine and Marine Environment

As stated in previous letters, the proponent has not provided sufficient baseline information related to the marine and estuarine environment within the Project Study Areas. Baseline habitat information is missing for both the Estuary and the Marine Environment immediately outside of the mouth of Boat Harbour. Details related to benthic habitat (spatial extent and type of vegetation and substrate), marine species present (fish, mammals, benthic invertebrates), and water quality (salinity profiles, dissolved oxygen profiles, temperature profiles, etc.) have not been provided. Without this information, DFO cannot provide detailed advice to the Agency related to adverse effects for the Surface Water, Marine Environment, and Fish and Aquatic Habitat Valued Components of the EIS.

Coastal Hydraulic Modeling Report (WSP 2020 and 2021) and Potential for Adverse Effects to Fish and Fish Habitat the Project Study Areas

The results of the coastal hydraulic modeling reports (WSP 2020 and WSP 2021) indicate a very large amount of sediment leaving Boat Harbour once tidal connectivity has been restored (approximately 45,000 tonnes), yet this information has not been reliably incorporated into the proponent's effects assessment in the EIS or the IRs. Given the potential for effects to fish and fish habitat as a result of the very large quantity of suspended sediment released into the water column and associated sediment deposition, the proponent is requested to expand the model's domain to gain a better understanding of the final destination and fate of the sediment and to use this information, along with the additional baseline information outlined above, to predict and assess potential impacts to fish and fish habitat.

The additional baseline information and modelling outlined above, and a revised effects assessment with this information, is required for DFO to provide advice to the Agency on potential adverse effects from the Project on fish and fish habitat and aquatic species at risk. This information is also required for DFO to complete a regulatory review under the Fish and Fish Habitat Protection Provisions of the Fisheries Act and under the Species at Risk Act.

If you have any questions with the content of this letter, please contact Sean Wilson at our Dartmouth office at (902) 499-6397 or by email at Sean.Wilson@dfo-mpo.gc.ca.

Yours sincerely,

<original signed by>

Sean Wilson
A/Senior Regulatory Reviews Biologist
Regulatory Reviews-Ecosystems Management, DFO Maritimes

Attachment (1):

- Annexes 1, 2, and 3 – Technical Review of the Environmental Impact Statement for the Boat Harbour Remediation Project (November 2020)

Attachment (2):

- Detailed comments on IAAC-14