

ANNEX 1: Advice to the Agency

Table 1: Please use the table below to provide advice for the Agency’s consideration in its recommendation to the Minister of Environment and Climate Change and preparation of draft conditions

Questions	Responses/Comments
<ul style="list-style-type: none"> Has the proponent described all project components and activities in sufficient detail to understand all relevant project-environment interactions? If not, identify what additional information is needed. 	No, the proponent has provided very little information on potential impacts on landbirds that might be impacted by the facility. Please see ECCC-001 in Annex 2 for further details.
<ul style="list-style-type: none"> Were the study areas sufficient to predict potential effects from all relevant project-environment interactions, and to consider the effects within a local and regional context? Is the baseline information sufficient to characterize the existing environment, predict potential effects and obtain monitoring objectives? If not, identify what additional information is needed. 	Yes
Alternatives Assessment	
<ul style="list-style-type: none"> Has the proponent adequately described the criteria it used to determine the technically and economically feasible alternative means? Has the proponent listed the potential effects to valued components (VCs) within your mandate that could be affected by the technically and economically feasible alternative means? Has the proponent adequately described why it chose each preferred alternative means? Are there other alternative means that could have been presented? If so, please describe. 	Yes
Environmental Effects Assessment	
<ul style="list-style-type: none"> Has the proponent clearly described all relevant pathways of effects to be taken into account under section 5 of CEEA 2012? Has the proponent identified all potential effects to VCs, including species at risk, within your mandate? Were all potential receptors considered? 	Yes
<ul style="list-style-type: none"> Were the methodologies used by the proponent appropriate to collect baseline data and predict effects, why or why not? Has the proponent explicitly addressed the degree of scientific uncertainty related to the data and methods used within the assessment? If there are unaccounted for scientific uncertainties, describe them and indicate the options for increasing certainty in the predictions? 	Yes

Questions	Responses/Comments
<ul style="list-style-type: none"> Are the predicted effects described in objective and reasonable terms (e.g. beneficial or adverse, temporary or permanent, reversible or irreversible)? 	Yes
<ul style="list-style-type: none"> Has the proponent adequately assessed the potential cumulative environmental effects, including using appropriate temporal and spatial boundaries, examining physical activities that have been and will be carried out, and proposing mitigation and follow-up program requirements? Provide rationale. 	Yes
<ul style="list-style-type: none"> Has the proponent adequately described the potential for environmental effects caused by accidents and malfunctions, including the types of accidents and malfunctions, their likelihood and severity and the associated potential environmental effects? If not, identify what additional information is needed. 	Yes
<ul style="list-style-type: none"> Are you satisfied with the proponent's assessment of effects of the environment on the Project? Has the proponent characterized the likelihood and severity appropriately? Provide rationale. 	Yes
<ul style="list-style-type: none"> Has the proponent sufficiently described and characterized the project activities and components as they relate to federal decisions within your mandate? If not, identify what additional information is needed. Are changes to the environment, as they relate to federal decisions within your mandate, sufficiently described? If not, identify what additional information is needed. 	Yes
Mitigation	
<ul style="list-style-type: none"> Has the degree of uncertainty regarding the effectiveness of the proposed mitigation measures been described? If not, identify what information is needed. Is it clear how each proposed mitigation measure links to each potential pathway of effect? 	Yes
<ul style="list-style-type: none"> Would you propose different or additional mitigation measures? If so, provide a description of the mitigation measure(s), with rationale. 	Yes, ECCC proposes the development of a GHG Management Plan. (see "additional comments" at the bottom of Annex 1 for details)
<ul style="list-style-type: none"> Which of the proposed mitigation measures and/or project design elements do you consider to be necessary to reduce the likelihood of significant adverse environmental effects? Provide rationale. 	
Residual Adverse Environmental Effects	

Questions	Responses/Comments
<ul style="list-style-type: none"> Are the identification and documentation of residual environmental effects described by the proponent adequate? If not, what are the aspects for which there is uncertainty and, where possible, indicate how these residual effects can be best described. If there is uncertainty, what are the options for increasing certainty? 	Yes
<ul style="list-style-type: none"> Did the proponent provide a sufficiently precise, ideally quantitative, description of the residual environmental effects related to your mandate? Identify any areas that are insufficient. 	Yes
Determination of Significance	
<ul style="list-style-type: none"> Are the conclusions on significance in the EIS supported by the analysis that is provided? Are the proponent's proposed criteria for assessing significance appropriate? This includes how the criteria were characterized, ranked, and weighted. Provide rationale. Where the proponent has not used one of the Agency's recommended key criteria (magnitude, geographic extent, duration, frequency, reversibility, and social/ecological context), has a rationale been provided? 	Yes
<ul style="list-style-type: none"> Were appropriate methodologies used in developing the conclusions on significance? 	Yes
<ul style="list-style-type: none"> Do you agree with the proponent's analysis and conclusions on significance? Provide rationale. 	
Monitoring and Follow-up	
<ul style="list-style-type: none"> Does the proposed monitoring and follow-up program verify the predictions of the environmental assessment as they relate to section 5? Please explain additional monitoring or follow-up needed to address uncertainty in the effects assessment. 	Yes
<ul style="list-style-type: none"> Does the proposed monitoring and follow-up program verify the effectiveness of proposed mitigations as they relate to section 5? Please explain additional monitoring or follow-up needed to address uncertainty in the proposed mitigation. 	Yes
<ul style="list-style-type: none"> Is the objective of the follow-up program clear and measurable? Does the follow-up program include sufficient detail, and technical merit, for the Agency to achieve the stated objective through a condition (e.g. sufficient baseline dataset, monitoring plans, acceptable thresholds of change, contingency procedures)? 	Yes
<ul style="list-style-type: none"> Are you aware of any federal or provincial authorizations or regulations that will achieve the same follow-up program objective(s)? If so, how do these achieve the objective(s)? 	No
Additional comments, views, advice	
<ul style="list-style-type: none"> Provide any other comments. 	With greater emphasis on GHG emissions and climate change during project reviews, ECCC recommends a

Questions	Responses/Comments
	<p>GHG management plan be included for this project. To inform this plan the proponent should consult the Strategic Assessment of Climate Change (SACC), which outlines the Government of Canada's recommended approach for consideration of climate change throughout federal impact assessments. GHG mitigation measures should be informed by a determination of the best available technologies and best environmental practices (BAT/BEP).</p>

ANNEX 2: Information requirements directed to the proponent

Table 2: Please use the table below to provide your department’s comments and suggestions for information that should be required from the proponent to ensure the information in the EIS is scientifically and technically accurate and is sufficient to make a determination of significance on environmental effects.

ID	Project Effects Link to CEAA 2012	Reference to EIS guidelines	Reference to EIS	Context and Rationale	Specific Question/ Request for Information
ECCC-01	5(1)(a)(iii) Migratory Birds	7.1.4 - Migratory birds and their habitat	6.2.3.3 - Landbirds	<p>Quote (page 6-97) <i>“Nocturnally migrating species are often attracted to artificial lighting on vessels, especially when fog or rain sets in after the night’s nocturnal migration has begun (Gauthreaux and Belser 2006).”</i></p> <p>As per Gjerdrum et al. 2021, in addition to nocturnal seabirds, many landbird species have been reported stranded at coastal and offshore sites in Atlantic Canada during stranded bird surveys.</p> <p>The proponent should update their analysis to include landbird species</p>	ECCC requests that the proponent update their analysis to include an effects assessment on landbirds which may be encountered during project activities.

				<p>that may have overlapping ranges with the Project Area to improve the effects assessment of potential impacts on landbirds.</p> <p>Gjerdrum, C., R.A. Ronconi, K.L Turner, and T.E. Hamer. Bird strandings and bright lights at coastal and offshore industrial sites in Atlantic Canada. <i>Avian Conservation & Ecology</i>. 16(1): 22. https://doi.org/10.5751/A-CE-01860-160122</p> <p>*This IR is related to new research that was published in 2021.</p>	
ECCC-02	5(1)(b) Federal Lands /Transboundary	7.3.8.1 – Air Quality and Greenhouse Gas Emissions	Section 8, Page 19 (8.7 – Follow-up and Monitoring)	<p>In section 8.2.6 of the EIS, the proponent states “<i>As per the CEA Agency guidance, where the GHG emissions are considered to be either “medium” or “high”, a GHG Management Plan must be prepared.</i>”</p> <p>Later on, in sections 8.5-8.7 when determining</p>	ECCC recommends that the proponent prepare a GHG management plan. (see Additional comments at bottom of Annex 1 for further information.)

				<p>significance, the proponent indicates <i>"With the application of proposed mitigation and environmental protection measures, the residual environmental effects of a change in GHGs from Project activities and components, using the magnitude scale of low, medium, and high, as defined in Section 8.2.5, the Project is considered to have a medium (moderate) magnitude."</i></p> <p>However, in the conclusion in section 8.7, the proponent indicates <i>"Based on the information presented in the EIS, and the conclusion of the effects assessment, no specific follow-up or monitoring related to the atmospheric environment is considered necessary in relation to the Project."</i></p>	
ECCC-03		Section 7.1.1, Atmospheric environment	Section 5.2.4, page 5-15	The methodology used for freezing spray is an established methodology and valid. However, the	ECCC recommends using the modified Stallabrass method, which treats waves and winds

				<p>methodology does not treat waves and winds separately in its calculations and on occasion, will overestimate the severity of ice accretion.</p> <p>The current freezing spray climatology may be pessimistic and, for regulatory purposes, be a suitable choice as a conservative method.</p>	<p>separately, to ensure all aspects of risk mitigations are considered.</p>
ECCC-04		Section 7.1.1, Atmospheric environment	Section 5.2.7, page 5-18 & 5-20	<p>There are several instances in the first 3 paragraphs of section 5.2.7 where Tropical Storm, Tropical System, Post-Tropical Storm/Cyclone, and Extra-Tropical Cyclone/Storms are misused. These terms seem to be interchanged inadvertently throughout this section.</p>	<p>Refer to the definitions provided by the National Hurricane Center Glossary of NHC Terms (noaa.gov) and redefine and reword the difference between “Tropical Systems” vs “Tropical Storm” along with “Post-Tropical” vs “Extra-Tropical” in section 5.2.7.</p>
ECCC-05		Section 7.1.2, Marine environment	Section 5.4.1, page 5-43 (footnote 1)	<p>The authors acknowledge that new sea ice climatology <i>will</i></p>	<p>Use the new 30-year CIS Sea Ice Climatic Atlas</p>

				<p>be available in 2022 but have elected to use the old climatology for 1981-2010. New sea ice climatology has been accomplished by the Canadian Ice Services (CIS) and has been available since last summer.</p>	<p>climatology, which covers the 1991-2020 climate reference period.</p>
ECCC-06		Section 7.1.2, Marine environment	Section 17.1.3, page 17-6	<p>In section 17.1.3, the word “ice” has been omitted in the first sentence of the second paragraph:</p> <p>“Large variations in sea extent in the Project Area are common from year to year, as well as in any given year, on time scales of days to weeks and over comparatively small geographic scales.”</p>	<p>Add the word “ice” to the first sentence of the second paragraph in section 17.1.3:</p> <p>“Large variations in sea ice extent in the Project Area are common from year to year, as well as in any given year, on time scales of days to weeks and over comparatively small geographic scales.”</p>

ANNEX 3: Advice to the proponent

Table 3: Additional advice to the proponent, such as guidance or standard advice related to your departmental mandate

ID	Reference to EIS	Context and Rationale	Advice to the Proponent
ECCC-07	7.1.4 - Migratory birds and their habitats	<p>As per the <i>Regulations Respecting Excluded Physical Activities (Newfoundland and Labrador Offshore Exploratory Drilling Wells)</i> Condition 7b, monitoring is required from the drilling installation and support vessels throughout the day for the presence of stranded migratory birds.</p> <p>Systematic deck searches for stranded birds undertaken by trained observers are more effective as mitigation than opportunistic searches. These systematic searches should occur at least daily (preferably at dawn), with search efforts documented and observations recorded (including notes of efforts when no birds are found). ECCC has expertise in this area and is available to be consulted in the development of systematic monitoring protocols.</p>	<p>ECCC-CWS has developed new guidance to assist operators with the development of site-specific protocols for systematic stranded bird surveys. <i>ECCC-CWS Guidance for Developing Systematic Stranded Bird Survey Protocols for Vessels and Platforms</i> has been attached for the proponent's consideration.</p> <ul style="list-style-type: none"> a) ECCC-CWS Guidance for developing systematic stranded bird survey protocols for vessels and platforms b) Appendix 1 – Stranded Bird Encounter Datasheet (fillable PDF – superseded by Excel datasheet) c) Appendix 2 – Infographic and Reference Card – <i>What to do when you find a stranded bird?</i> d) Appendix 3 – Seabird Identification Photo Card e) <i>Procedures for handling and documenting stranded birds encountered on infrastructure offshore Atlantic Canada</i> f) NEW – Microsoft Excel fillable datasheet for stranded bird data (required)
ECCC-08	16.4 - Contingency Planning and Spill Response	All emergency incidents can potentially affect wildlife. During these incidents ECCC acts as a Resource Agency, which sets	The proponent should consult ECCC when developing Wildlife Emergency Response

		<p>wildlife emergency response standards and guidelines related to Migratory Birds and Species at Risk under its jurisdiction. As such, Wildlife Response requires a Wildlife Emergency Response Plan (WERP), which is a component of the Incident Command System (ICS) for pollution incidents affecting wildlife, and should address all of the various procedures and strategies required to mount an effective wildlife response. At minimum, a WERP must include the following information:</p> <ol style="list-style-type: none"> 1. Information on the wildlife potentially at risk in the area; 2. Mitigation measure to deter non-affected areas; 3. Mitigation and response measures to be undertaken if wildlife and/or sensitive habitats become contaminated by the incident (including treatment of oil-affected wildlife), and <p>The type and extent of wildlife monitoring that would be conducted during and following a pollution incident.</p>	<p>Plans (WERPs). ECCC is available to review WERPs prior to their implementation. Even during an emergency situation, it is also important to note that permits issued by ECCC may be required prior to deterring or relocating Migratory Birds and/or Species at Risk.</p> <p>Guidance materials including “Guidelines for Developing Wildlife Response Plans” (ECCC, 2022) are available online at National Wildlife Emergency Response Framework - Canada.ca</p>
ECCC-09	5.7 Climate Change	<p>In the EIS the proponent provides some brief discussion of climate change and indicates that: “given that the temporal scope of the exploration drilling program on EL 1161 extends to 2029, it is unlikely that the physical environment in the Project Area will experience substantial climate change impacts beyond what are presently found in recent trends and interannual variability”.</p>	<p>ECCC notes that, for short-term projects the recent historical record (if up-to-date and properly characterized) may suffice to characterize the range of likely climate variability for the project area over its lifetime. The proponent is referred to the “Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience” for additional guidance (https://www.strategicassessmentclimatech</p>

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