Table 1: Key issues to inform the impact assessment process

The Agency asks that federal authorities guide expert advice on the Agency's approach to project specific tailoring, if the Agency is in the opinion that an impact assessment is required. This approach aims to focus the assessment on the Project's key issues, with an emphasis on the prevention of adverse environmental effects in areas of federal jurisdiction. In determining key issues, federal authorities should be mindful of the Project's context (size, scope, location), Indigenous knowledge and perspectives, and public concerns.

Potential effects that are considered minor, or that can be mitigated through clear measures, existing guidance or other regulatory processes, may be subject to simplified information requests or be disregarded. Advice from federal authorities on key issues and solutions - and on the scope and detail of the studies and information requested - will enable the Agency to focus the analysis on those issues that are important for the impact assessment process.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
Please present comments by organization and comment number *e.g.: IAAC-01*	*If the comment relates to a specific section of the initial project description, please provide the reference.*	*Identify valued component(s) or factor to consider—within the mandate of your department or agency—to which the potential effect or issue applies.*	*Please provide a brief description of the issue and rationale for being a key issue.* *Include, where relevant:* • *the sequence of potential effects;* • *the relevant context that specifies why this is a key issue;* • *key uncertainties that should be addressed in the impact assessment;* • *Indigenous or public concerns or perspective;* • *scientific data or traditional knowledge, including from previous projects, that justifies the inclusion of the key issue in the project assessment.*	*If applicable, please provide brief solutions/advice to address the issue or potential effect, including:* • *studies or information relevant to describing and characterizing the potential effect, including any guidance for data collection or analysis or existing data sources to inform the assessment;* • *any powers your department or agency has that may mitigate, manage or set conditions related to the issue;* • *advice or policies to frame and mitigate the potential effect;* • *standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;* • *Commitments the proponent could make to respond to the issue.*	*For issues to be included in the Summary of Issues, provide a concise, plain language synopsis of the key issue and any questions or directions for the proponent, if applicable.*
ECCC-01	6.6.4.2– Migratory Birds 6.8.2.7 – Light Pollution 6.8.3.2 – Noise and Light Pollution	Migratory Birds and Species at Risk	Quote (page 76) "*However, indirect effects such as noise disturbances and increased light during construction and increased marine traffic can negatively affect the migration, breeding success, foraging patterns, and overall population dynamics of these migratory birds within the vicinity of the Project Area"* Quote (page 108) "*Light pollution can disorient migratory birds, causing them to stray from their traditional*	The following information is missing from the Initial Project Description: • How much light is anticipated as a result of all phases of the Project (i.e., a lighting design plan). • Alternative lighting options to reduce lighting emissions. • A detailed, Project- and location-specific description of the potential impacts of light	1. Provide baseline information on the amount of light pollution expected during all phases of the Project (i.e., lighting design plan) and an alternatives assessment related to light emissions from the Project. 2. Provide a description of the potential effect of light attraction on migratory birds

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			migration pathways, leading to prolonged and more energy-intensive journeys. The bright lights, especially tall buildings and structures, can attract birds, leading them to collide with structures." The Initial Project Description briefly describes the impact that light pollution emissions can have on migratory birds, including migratory birds that are also listed on Schedule 1 of the *Species at Risk Act* or species of conservation concern (SOCC), but does not adequately describe the potential Project-specific effects that may result from the Project, or the amount of light that the Project activities will create at the Project site. There are a number of seabird colonies within Placentia Bay, including the Cape St. Mary's Ecological Reserve that is home to many species of migratory birds including, but not limited to, Northern Gannets, Black-legged Kittiwakes, Common and Thick-billed Murres, Razorbill, and Black Guillemot. These species may become attracted to artificial lighting at the Project site. The proponent has not adequately described the planned lighting design/emissions proposed for the Project and has not discussed alternative options for lighting that will reduce potential attraction of migratory birds and species at risk (SAR) (including species of conservation concern (SOCC)). Additionally, the proponent has not adequately described the potential effect in the context of Project-specific baseline information (i.e., nearby seabird colonies, other sensitivities) or the mitigation and/or monitoring measures that will be implemented to avoid or reduce potential impacts to migratory birds, SAR and SOCC.	attraction on migratory birds and species at risk, including species of conservation concern. • Project-specific mitigation measures and monitoring program(s) that will be implemented to reduce potential impacts of light attraction on migratory birds and species at risk, including species of conservation concern. Due to the propensity of birds to be attracted to light, particularly seabirds from nearby colonies, it is possible that migratory birds may be attracted to and potentially be stranded at the Project site. The proponent should develop and implement a systematic site monitoring plan, particularly during the migratory bird breeding season (mid-April to mid-August for most migratory bird species) as well as the spring and fall migration periods and implemented while floodlights are being used during nighttime hours. A site monitoring plan could include protocols such as dusk and dawn site inspections to look for stranded birds that may have landed on site, and/or inclusion of migratory bird searches into standard occupational health and safety daily inspections, etc. Should birds become stranded on the project site, both during construction and operations phases, the proponent is recommended to adhere to *Procedures for handling and documenting stranded birds encountered on infrastructure offshore Atlantic Canada* (attached; it should be noted that this reference document has been developed for offshore vessels, and may require modification for use on an onshore facility). A seabird handling permit will be required to implement the instructions in this reference document and the proponent must be advised that such a permit would have to be in place prior to the initiation of proposed activities. Please note that MBCA permit	and species at risk (including species of conservation concern) as a result of all phases of the Project. 3. Provide a description of mitigation measures and monitoring program(s) that will be implemented to avoid or minimize the effect of light attraction on migratory birds and species at risk (including species of conservation concern) during all phases of the Project.

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				applications can be obtained from ECCC-CWS via email at Permi.atl@ec.gc.ca. In the event of the mortality of an individual migratory bird species at risk or 10 or more migratory birds in one event ECCC-CWS should be notified within 24 hours via the CWS Main Office at (506) 364-5044 or via email to SCFATLEvaluationImpact-CWSATLImpactAssessment@ec.gc.ca).	
ECCC-02	6.6.4.2 - Migratory Birds Table 24 – Summary of potential Residual Effects during Construction and Operation, and Significance Determination	Migratory Birds	The Initial Project Description briefly describes the pathways of effects and standard mitigations that are expected for migratory birds (protected under the *Migratory Birds Convention Act, 1994* (MBCA)) however, additional information is recommended to understand the impacts of all phases of the Project on individuals, local and regional populations, and their habitat, and potential residual effects after mitigations have been applied.	See Table 2, Comment CWS-2 for additional clarification and information. Migratory birds, the nests of migratory birds and/or their eggs can be inadvertently harmed or disturbed as a result of many activities, including but not limited to clearing trees and other vegetation. This inadvertent harming, killing, disturbance or destruction of migratory birds, nests and eggs is prohibited under the *Migratory Birds Convention Act* (MBCA). Harming individual birds, nests or eggs, can have long-term consequences for migratory bird populations in Canada, especially through the cumulative effects of many different projects or activities. The MBCA and its regulations (*Migratory Bird Regulations* (MBR 2022)) protect migratory birds and prohibit the disturbance or destruction of migratory bird nests when they contain a viable egg or a migratory bird themselves (young or adult). Schedule 1 of MBR 2022 provides year-round nest protection for 18 species that are known to reuse their nests or whose nests are reused by other species. The legislation and regulations apply to all lands and waters in Canada, regardless of ownership.	1. Provide baseline information on migratory birds that are known or have the potential to occur in the Project Area, including information on annual variation, distribution and habitat use. 2. Provide mitigation measures for potential effects to migratory birds and their habitat, including timing restrictions, to address potential impacts from all phases of the Project. 3. Provide information on potential residual effects on migratory birds and their habitat to address potential impacts from all phases of the Project.

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				More information on the MBR 2022 can be found on the ECCC web site: New Migratory Birds Regulations, 2022 - Canada.ca With respect to disturbance or harm to nesting birds, the principal risk factors are location and time of year. The most sensitive period to consider is the breeding season; the active season for migratory birds in this region is generally from mid-April to mid-August, although some species protected under the MBCA do nest outside of this time period. For further details, please refer to the Avoiding Harm to Migratory Birds website: Guidelines to avoid harm to migratory birds - Canada.ca	
ECCC-03	6.6.4.1 – Species at Risk	Species at Risk	The Initial Project Description briefly describes the pathways of effects and standard mitigations that are expected for species at risk or species of conservation concern; however, the proponent has not provided adequate information to assess the potential effects to species at risk or species of conservation concern, including migratory birds that are also listed on Schedule 1 of the *Species at Risk Act* or assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), including any general or species-specific mitigation measures that will be implemented to avoid or minimize potential effects. The proponent has not adequately described potential residual or cumulative effects of the Project on species at risk.	See Table 2, Comment 3 for more information. Species that are both migratory birds protected under the MBCA and listed on Schedule 1 of SARA as endangered, threatened, or extirpated, receive protections under both MBCA and SARA however, the protection afforded to the species may differ between each Act. For example, under SARA, the protection of residences (e.g., the nests or roosts for most species of migratory birds) may be differently protected under the MBCA. See Protection statement for the habitat to which the Migratory Birds Convention Act, 1994 applies for migratory birds listed under the Species at Risk Act - Document search - Species at risk registry (canada.ca) for more information. Additional information can also be found on the Species at Risk Registry (Species at risk public registry - Canada.ca), particularly more information on residences and other protection requirements.	1. Provide baseline information on species at risk that are known or have the potential to occur in the Project Area, including information on annual variation, distribution and habitat use. 2. Provide mitigation measures for potential effects to species at risk and their habitat, including timing restrictions, to address potential impacts from all phases of the Project. 3. Provide information on potential residual effects on species at risk and their habitat to address potential impacts from all phases of the Project.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
				ECCC advocates the goal of no net loss of biodiversity for all development projects that have the potential to adversely affect biodiversity under their mandate. Conservation allowances or conservation offsets are the final step of the mitigation hierarchy, a three-step approach that first examines options to avoid and minimize potential adverse effects. If the effects on species at risk and their habitat cannot be avoided or the implementation of mitigation measures cannot completely eliminate the impacts, then offsetting should be considered as a last resort. This approach to offsetting is consistent with the application of the mitigation hierarchy to avoid, then minimize, and finally offset for effects that are not mitigated. More information on the mitigation hierarchy can be found here: https://www.canada.ca/en/environment-climate-change/services/sustainable-development/publications/operational-framework-use-conservation-allowances.html	
ECCC-04	6.6 - Project-Valued Component Interactions	Wetlands	Quote (page 73) "*Wetlands and Terrestrial Vegetation: the Project is not anticipated to have any interactions with wetlands or terrestrial vegetation. The Project is located on a heavily industrialized site with no vegetation, and no wetlands are located on or near the Project.*" Quote (page 75) "*Eelgrass, a productive habitat for juvenile fish, was observed in Argentia Harbour and plays a crucial role in supporting various fish species.*" The proposed Project activities occurring in the marine environment, particularly the infilling activities, will likely impact marine eelgrass beds, which are indeed wetlands. Eelgrass beds grow in shallow bays and estuaries and contribute a large amount of nutrients to	The impact assessment should include information on how the proponent intends to avoid, minimize or mitigate potential loss of wetlands. Where avoidance or minimization is not possible, the proponent may need to develop a Wetland Compensation Plan that outlines measures to offset the residual loss of wetland habitat and/or function as a result of the Project. Provide an effects assessment that details how wetlands (eelgrass) may be affected by the Project, including: • Identification of wetlands potentially affected by the project, • A detailed description of potential effects from Project activities,	Provide a description of any potential effects of the Project activities, particularly the infilling, on wetlands (eelgrass beds) and wetland functions as it relates to all phases of the Project, including the amount of wetland loss, if any, and any measures that will be implemented to avoid, mitigate or offset potential effects.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
			coastal and marine habitats and provide food sources for foraging shorebirds and waterbirds. Additional information is recommended to understand the potential effects to wetlands (eelgrass beds) and wetland functions, including mitigations being considered and any residual effects that remain once mitigation measures have been applied.	• Measures to avoid, minimize or mitigate potential effects, and • Follow-up or monitoring plans, including wetland compensation or offsetting to address the residual loss of wetland habitat and/or function as a result of the Project. ECCC advocates the goal of no net loss of biodiversity for all development projects that have the potential to adversely affect biodiversity under their mandate. Conservation allowances or conservation offsets are the final step of the mitigation hierarchy, a three-step approach that first examines options to avoid and minimize potential adverse effects. If the effects on wetlands cannot be avoided or the implementation of mitigation measures cannot completely eliminate the impacts on wetlands, then offsetting should be considered as a last resort. This approach to offsetting is consistent with the application of the mitigation hierarchy to avoid, then minimize, and finally offset for effects that are not mitigated. More information can be found at: Operational Framework for Use of Conservation Allowances (publications.gc.ca)	
ECCC-05	6.8.2 – Potential Environmental Impacts, Accidents and Malfunctions during Construction 6.8.3 – Potential Environmental Impacts, Accidents and	Migratory Birds and Species at Risk	The Project, as proposed, includes construction of a marine terminal expansion, including the development of new infrastructure to expand the dock, wharf and ramps, dredging activities, use of heavy equipment to install concrete caissons, and infilling. The Project also includes the operation of the expanded terminal, which will accommodate up to 400 cargo vessels annually. As a result, there is potential for adverse environmental effects from accidents or malfunctions, including release of hazardous substances from construction equipment or shipping vessels. Adverse effects to wildlife, including migratory birds and species at risk, and their habitat	Describe the potential impacts of accidents and malfunctions on migratory birds and species at risk, and identify mitigations and response plans to address these potential impacts, including information related to the development of a species Wildlife Response Plan. Section 5(1) of the *Migratory Birds Convention Act*, 1994 prohibits the deposit of pollution that could be harmful to migratory birds in waters frequented by migratory birds. See Table 2, Comment 4 for more information.	Provide a description of the Project's environmental risks in relation to accidents and malfunctions, specific to migratory birds and species at risk, and provide information on the measures that will be implemented to prepare and mitigate these impacts.

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	Malfunctions during Operation		could result from the accidental release of hazardous substances (such as hydrocarbons) during Project activities. Potential residual and cumulative effects of accidents and malfunctions (specifically hydrocarbon spills) on migratory birds and species at risk were inadequately described in the Initial Project Description.		
ECCC-06	6.7	Greenhouse gas emissions and climate change	The proponent has provided a GHG emission estimate for the construction phase, but not for the operations or decommissioning phases. The Information and Management of Time Limits Regulations under the IAA set out the information that proponents are required to provide in their initial and detailed Project Descriptions, which includes an estimate of any GHG emissions associated with the project.	The Strategic Assessment of Climate Change (SACC) sets out the information that proponents should provide in the initial and detailed Project Descriptions, including: - estimate of the maximum annual net GHG emissions for **each phase** of the project, including a breakdown of each term of Equation 1 of the Draft Technical Guide Related to the SACC: Guidance on quantification of net GHG emissions, impact on carbon sinks, mitigation measures, net-zero plan and upstream GHG assessment (the Technical Guide); and - the methodology, data, emission factors and assumptions used The Proponent should provide the maximum annual GHG emissions for the construction phase in addition to the total for the whole phase. The Proponent has provided a GHG emission estimate and the methodology, data, emission factors and assumptions used for the **construction phase** only. The GHG emissions for	The Proponent has provided a GHG emission estimate and the methodology, data, emission factors and assumptions used for the **construction phase** total only. The GHG emissions for the operations and decommissioning phases should be provided as well, and the proponent should provide a yearly maximum GHG emissions estimate for the construction phase.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
				the operations and decommissioning phases should be provided as well. More details can be found in section 4.1.1 of the SACC and sections 2.1 and 2.4 of the Technical Guide.	
ECCC-07	6.7		The Proponent has not provided information on the Project's impacts on carbon sinks. ECCC acknowledges that the Proponent stated that since the Project is in the preliminary stages of the design development, detailed information is not available until after the design-build stage of the Project. However, the Information and Management of Time Limits Regulations require project proponents to provide a description of the physical and biological environment of the project's location.	The Strategic Assessment of Climate Change (SACC) sets out the information on carbon sinks that proponents should provide in the initial and detailed Project Descriptions, including: - a description of the activities that would result in an impact on carbon sinks; and - land areas expected to be impacted by the project, by ecosystem type (forests, cropland, grassland, wetlands, built-up land) over the course of the project lifetime, including any areas of restored or reclaimed ecosystems More details can be found in section 4.1.2 of the SACC and section 4.2 of the Technical Guide.	The Proponent has not provided information on the Project's impacts on carbon sinks. As outlined in the Strategic Assessment of Climate Change (SACC), the Proponent should provide the following information to help ECCC understand the potential impacts on carbon sinks: - a description of the activities that would result in an impact on carbon sinks; and - land areas expected to be impacted by the Project, by ecosystem type (forests, cropland, grassland, wetlands, built-up land) over the course of the Project lifetime, including any areas of restored or reclaimed ecosystems.
ECCC-08	6.7		ECCC acknowledges that the Proponent stated that since the Project is in the preliminary stages of the design development, detailed information required for a comprehensive GHG mitigation assessment are not available until after the design-build stage of the Project.	When evaluating alternative means of carrying out the project, the Proponent should discuss the potential impacts of the alternatives on GHG emissions and how GHG emissions were considered as a criterion in the alternatives selection. The Proponent is also encouraged to provide information on the measures being	The Proponent has not provided information on alternative means to carry out the Project, including through the use of best available technologies. In the initial and detailed Project Descriptions the Proponent must list (for

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			However, the Information and Management of Time Limits Regulations require project proponents to list (for the initial Project Description) or describe (for the detailed Project Description) the potential alternative means of carrying out the Project that are technically and economically feasible, including through the use of best available technologies. The Proponent has not provided information on the potential impact of alternative means on GHG emissions.	considered to reduce the project's GHG emissions on an ongoing basis. These measures could include technologies and practices to reduce the project's GHG emissions. Since the Project is anticipated to have a lifetime beyond 2050, the Proponent is encouraged to provide an overview of the measures being considered to ensure the Project has net-zero emissions by 2050. More details can be found in section 4.1.3 of the SACC and section 3.3 of the Technical Guide.	the initial) and describe (for the detailed) potential alternative means of carrying out the project that are technically and economically feasible, including through the use of best available technologies. Proponents should discuss potential impacts of the alternatives on GHG emissions, and are encouraged to provide information on measures being considered to reduce the project's GHG emissions on an ongoing basis. Since the Project is anticipated to have a lifetime beyond 2050, the Proponent is encouraged to provide an overview of the measures being considered to ensure the Project has net-zero emissions by 2050.
ECCC-09	6.7.2 Potential Environmental Impacts, Accidents and Malfunctions during Construction and Operation / table 13	Marine and terrestrial environment – construction	The proponent failed to identify the potential hazardous materials expected onsite during the construction phase. It is important to understand the potential hazards that exist during the construction phase and how they may pose a risk to the terrestrial and marine environments.	• Environment Canada encourages proponents to undertake and provide spill trajectory and/or dispersion modelling on water considering all seasons of the year – especially for any projects in close proximity to water bodies or watercourses, and surrounding environment. Model information should include fate and behavior analysis information as well as a description of the methodology utilized, including any assumptions and limitations of the model. • Environment Canada encourages proponents to develop a plan that identifies plausible worst-case scenarios with a consideration for	The proponent should clearly outline the hazardous substances, quantities, storage details expected onsite during the construction phase of the project. Provisions for ensuring applicable up-to-date Material Safety Data Sheets (MSDS), resources and safe handling procedures are readily accessible on site should also be detailed.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
				hazardous materials that will have passage through the marine terminal. • In addition to documenting environmental baseline data in advance of a project, proponents are encouraged to undertake environmental sensitivity mapping, especially in and around nearby water bodies and watercourses that have a potential to be affected by a spill incident. ECCC also encourages pre-SCAT shoreline surveys and mapping be conducted around marine terminals and in strategic areas along major waterways. ECCC's established characterization criteria contained within A Field Guide to Oil Spill Response on Marine Shorelines is a useful guide for this.	
ECCC-10	6.7.2 Potential Environmental Impacts, Accidents and Malfunctions during Construction and Operation / table 13	Marine and terrestrial environment – operation	The proponent failed to identify the potential hazardous materials expected onsite during the operational phase. It is important to understand the potential hazards that exist during the operational phase and how they may pose a risk to the terrestrial and marine environments.	ECCC encourages proponents to undertake and provide trajectory and/or dispersion modelling for water throughout all seasons of the year – especially for any projects in close proximity to water bodies or watercourses, and/or projects having the potential to affect the air quality of nearby populations. Model information should include fate and behaviour analysis information as well as a description of the methodology utilized, including any assumptions and limitations of the model.	The proponent should clearly outline the hazardous substances, quantities, storage details expected onsite during the operational phase of the project. Provisions for ensuring applicable up-to-date Material Safety Data Sheets (MSDS), resources and safe handling procedures are readily accessible on site should also be detailed.
ECCC-11	General	Marine environment	The proponent failed to clearly identify sensitive shoreline near the terminal or shipping routes that may be impacted by an accident or malfunction.	ECCC recommends that proponents should consider conducting shoreline classification and sensitivity mapping in strategic areas near the marine terminal and adjacent to ship transit routes (if this information has not already been collected	ECCC encourages proponents to develop a plan that identifies plausible worst-case scenarios with a consideration for hazardous materials

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				by other stakeholders) in order to prepare for possible vessel collisions, allision or groundings that have the potential to release other fuel types such as marine diesel and Bunker C fuel oil to the near-shore marine environment.	that will have passage through the marine terminal. ECCC recommends that proponents assume that worst-case accident and malfunction scenarios are not only possible, but rather are likely to occur during the lifespan of the project, and that contingency plans and response capabilities be developed accordingly.
ECCC-12		Climate change resilience	In their Initial Project Description (section 3.3.1.7, p. 34), the proponent indicates that: "The anticipated service life of this wharf extension is between 65 to 70 years, a standard duration for such infrastructure". Climate over the lifetime of the project is projected to be different from past and current climate in the project area. Given these projected changes in future climate, climate change considerations are relevant to the Project review. Climate changes in the Project area, such as possible changes in mean and extreme precipitation and temperature and related environmental conditions, may alter baseline conditions, which can have implications for climate sensitive aspects of Project design. The proponent should identify where there is potential for climate change to affect the Project which, in turn, may have impacts on the surrounding environment (e.g. through accidents or malfunctions).	The Strategic Assessment of Climate Change (SACC) (published in 2020) provides guidance related to climate change throughout the impact assessment process. Should the Project be designated under the IAA, the SACC would apply. The SACC outlines information that the Proponent should provide during the impact assessment process related to climate change resilience. If the proponent is required to conduct an Impact Statement, further information would be required through the Tailored Impact Statement Guidelines (TISG) on how the Project is resilient to, and at risk from, both the current and future impacts of a changing climate. More details are provided in the "Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience" published in March 2022. **Links:**	The project's resilience to future climate change should be described and, where relevant, considered in project design.

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				"Strategic Assessment of Climate Change" https://www.strategicassessmentclimatechange.ca/ "Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience" https://www.strategicassessmentclimatechange.ca/28896/widgets/117114/documents/77106	
ECCC-13	6.8.2.2 Dredging and Infilling	Marine sediment and water quality	Dredging and seabed preparation activities may resuspend sediments at the project site with the potential to affect nearby marine sediment and water quality. The proponent acknowledges some potential effects from dredging and infilling in section 6.8.2.2: Dredging and Infilling and general mitigation measures are discussed in Table 24: Summary of Potential Residual Effects during Construction and Operation, and Significance Determination. (e.g. visual monitoring for turbidity, bubble curtain to mitigate Sediment transport, etc) Section 4.2: Project Area discusses "advanced techniques will be employed to prepare the seabed with utmost consideration for the surrounding marine ecosystem". This section also mentions an existing "preliminary sediment chemistry analysis" and states that a "detailed characterization of the underwater habitat within the Project area is set to be undertaken as part of an extensive benthic habitat survey, scheduled for 2024". Section 2.5 discusses Regional and Strategic Assessments, but it is not clear how these would be used in the	More detail is requested on the proposed baseline assessments for marine sediment and marine water quality and on the techniques that may be used for dredging and seabed preparation techniques. These details may be provided in a future phase of the IA process.	Clarify how Regional Strategic Assessments would be used in the characterization of the baseline conditions for water quality and sediment quality for this project. Clarify whether baseline water quality and sediment quality assessments proposed for the future will provide sufficient detail to supplement existing information (e.g. Baseline Marine Sediment Sampling Program conducted by Englobe in 2021 for PSPC, preliminary sediment chemistry analysis, assessment of sediment chemistry associated with the 2023 geotechnical field program, etc) and to quantify potential effects associated with dredging and seabed preparation.

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			characterization of the baseline conditions for water quality and sediment quality for this project. It is not clear if baseline water quality and sediment quality assessments proposed for the future will provide sufficient detail to supplement existing information (e.g. Baseline Marine Sediment Sampling Program conducted by Englobe in 2021 for PSPC, preliminary sediment chemistry analysis, assessment of sediment chemistry associated with the 2023 geotechnical field program, etc) and to quantify potential effects associated with dredging and seabed preparation.		
ECCC-14	Section 6.8 Project-Related Emissions and Wastes	Marine sediment and water quality	Construction activities associated with infilling may release effluent that could affect water and sediment quality. There is insufficient information on the proposed measures to prevent releases of effluent to the marine environment during infilling.	More details are required in order to evaluate the effectiveness of the proposed measures to prevent releases of effluent to the marine environment during infilling.	Provide more details and information on the proposed measures to prevent releases of effluent to the marine environment during infilling.
ECCC-15	6.8.2.2 Dredging and Infilling	Marine sediment and water quality	The placement of potentially contaminated infill material would result in the release, over time, of contaminants that could affect water and sediment quality. The proponent mentions “dredge materials will be disposed of in approved areas, and only approved materials will be used for land expansion.” However, further information on approval criteria is not provided.	The proponent should provide an assessment of the quality of the soil to be used as infill and assess the potential of any contaminants in soil infill to impact the nearby marine sediments and water quality.	Provide an assessment of the quality of the soil to be used as infill and assess the potential of any contaminants in soil infill to impact the nearby marine sediments and water quality.

Please insert additional lines if necessary.

Table 2. Details or additional information the proponent could include in the Detailed Project Description or in the response to Summary of Issues

Comment ID	Relevant section of the Initial Project Description	Description of the Issue, Concern or Uncertainty	Clarifications or additional information	Plain-language summary for inclusion in Summary of Issues
Please identify comments by organization and comment number. *e.g. AEIC-01*	*If the comment is related to a specific section of the Initial Project Description, please provide a reference.* *You may also choose to copy the relevant text here.*	*Provide a description of the issue, concern or uncertainty that the proponent could include in its Detailed Project Description, which could be framed and managed by clear measures, existing guidelines, regulatory processes or other existing tools, and thus be the subject of a simplified information request in the guidelines, or simply be disregarded.*	*Specify what additional information the proponent could provide in the Detailed Project Description to address the issue, concern or uncertainty, for example:* • *Clarifications to elements of Project Description (e.g. components, activities, locations or alternatives);* • *Proposals on Project design changes that could avoid effects;* • *Evidence that could demonstrate that the effects will be negligible;* • *Evidence that standard mitigation measures will reduce or eliminate potential effects;* • *Commitments the proponent could make to respond to the question/issue, including the implementation of federal operational policies or guidance documents.*	*For issues to be included in the Summary of Issues, provide a concise, plain-language synopsis of the issue and any questions or instructions for the proponent, if applicable.*
ECCC-16	Section 3.2	This section states: *The subsequent phases include infilling behind the expanded dock and new wharf face, placement of armour stone for shoreline protection, further infilling adjacent to the Ro-Ro ramp for storage purposes, and site grading and finishing work.* Additional information is necessary to determine the applicability of the *Canadian Environmental Protection Act* (CEPA) administered by Environment and Climate Change Canada (ECCC).	The proponent should provide further information on the proposed activities to determine the applicability of the CEPA, and note that CEPA may be applicable to both placement and disposal.	The proponent should provide further information on the proposed activities to determine the applicability of CEPA, and note that CEPA may be applicable to both placement and disposal.
ECCC-17	Section 3.3.1.3	This section states: *Overall infill and dredging activities planning will be carried out in collaboration with various stakeholders, including both the Environmental Assessment Division and Water Resources Divisions of the NLDECC, IAAC, TC, and Fisheries and Oceans Canada (DFO).*	Include ECCC in the list of stakeholders It is possible that ECCC will need to determine whether some of the proposed in-water activities (ie. infilling, dredging and disposal and placement) are captured under CEPA.	Include ECCC in this list of stakeholders. It is possible that ECCC will need to determine whether some of the proposed in-water activities (ie. infilling, dredging and disposal and placement) are captured under CEPA.

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		The above-mentioned stakeholders should include ECCC, which may have an interest in in-water activities including dredging and infilling activities and disposal at sea.		
ECCC-18	Section 3.3.1.3	This section states: *Proposed dreading area outlined in Figure 7 estimates three areas covering approximately 5 ha total within the project development area (PDA). Typical dredging procedures include removal of fill materials by use of mechanical equipment, such as an excavator grab bucket, or hydraulic dredging, which includes the use of a cutter head and suction pipe. Large dredging operations are generally completed using equipment called dredges that are supported on barges. Once the required materials have been dredged from the ocean floor, they will be disposed of at an approved location.* More details are needed with regard to the method of dredging and fate of dredged materials in order to determine the applicability of CEPA.	Dreading is a typographical error and should be replaced with“dredging”. It is unclear whether dredging will be completed from floating barges or from the land. It is also unclear what is the approved location for the disposal of the dredged material.	Consult ECCC – Marine Programs and provide details on the method used for dredging and the fate of dredged materials. This will facilitate the determination whether the proposed activities are captured under CEPA.
ECCC-19	Section 3.3.1.3	This section states: *Infilling operations for the project are expected to take place once dredging operations are completed and caissons have been installed. As depicted in Figure 8, the infill area is estimated to be 10.3 ha. It is anticipated that not all caissons will need to be installed for infilling operations to take place. The caissons will need to be installed completely along the fleet dock expansion side or the new wharf face side of the project so that the fill can remain in place once infilling operations have started. If infilling starts before all caissons for the entire project are installed, caution will have to be taken to ensure that the fill materials are protected from being washed away by the open water areas and imposed wave action. The infill for the project will be placed in lifts behind the newly installed concrete caissons and compacted to the required percentage as determined from the final design requirements. The areas behind the new caissons will be infilled until the design grade is achieved. Once completed, final site grading and finishing will take place in accordance with the requirements of the final design.*	Clarify the method for infilling and fill material. Confirm whether this infilling be completed from above the high water mark, and whether the caissons will form an impermeable barrier. If the fill is being “washed away” than it is likely that the requirement for a disposal at sea permit may be triggered. ECCC has specific analytical requirements for material that is proposed to be disposed at sea. Testing may be required for additional chemicals of concern on a site-specific basis.	Clarify the method for infilling and the fill material. Confirm whether this infilling be completed from above the high water mark, and whether the caissons will form an impermeable barrier. If the fill is being “washed away” than CEPA may be triggered and a disposal at sea permit may be necessary.

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		ECCC has specific analytical requirements for material that is proposed to be disposed at sea. Testing may be required for additional chemicals of concern on a site-specific basis. More information is needed with regard to infilling activities in order to determine the applicability of CEPA and the potential for a Disposal at Sea Permit. It is also unclear what is meant by “fill”.		
ECCC-20	Section 4.2	This section states: *A preliminary sediment chemistry analysis (Appendix D) has been conducted; samples taken from the proposed dredge area for the Project revealed that only one sample (BH-23 CC-1A) exceeded the acceptable threshold for benzo(a)pyrene, as defined by the Atlantic PIRI Ecological Tier I Environmental Quality Standards (EQS) for sediment (Atlantic RBCA 2022). The concentrations of the other parameters analyzed in the sediment samples were either below the applicable Atlantic PIRI Eco Tier I EQS or below the laboratory reporting detection limits, which were also lower than the Atlantic PIRI Eco Tier I EQS. Overall, apart from the elevated level of benzo(a)pyrene and silver, the majority of the analyzed sediment samples met the required standards and guidelines (Dillon 2023). This information, along with the remaining sample results, will be used to determine the most effective management options for handling excess marine sediment dredged from the Project area.* The samples described are likely incomplete (as per DAS criteria) and at least ones sample exceeds 1 or more DAS screening criteria such as Cd. Also, there is no reference to DAS screening criteria, which are different than the EQ’s referenced.	Clarify whether these samples are representative of the entire area to be dredged. Clarify the fate of this dredged material.	Clarify whether these samples are representative of the entire area to be dredged. Clarify the fate of this dredged material.
ECCC-21	Table 11. Federal Powers, Duties, or Functions of Federal Authorities	Canadian Environmental Protection Act – Disposal at Sea Authorization The correct terminology is Disposal at Sea Permit, not Authorization. This is the first time it is mentioned in the document that a disposal at sea permit is being considered.	Consult ECCC DAS officer for guidance on DAS matters. ECCC should review the proposed dredging, infilling and placement activities in order to determine whether the proposed activities are captured under CEPA.	Consult ECCC – Marine Programs for guidance on disposal at sea. ECCC should review the proposed dredging, infilling and placement to determine whether the proposed activities are captured under CEPA.

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ECCC-22	Section 6.8.2.2	This section states: *Additionally, dredge materials will be disposed of in approved areas, and only approved materials will be used for land expansion.* ECCC would like clarification on the infilling and the "approved area" for disposal of dredge material.	Provide details on the infilling and the "approved area" for disposal of dredge material.	Provide details on the infilling and the "approved area" for disposal of dredge material.
ECCC-23	6.8.2.12 Potential Causes of Resource Conflicts	This section states: *Fill material from an existing northland stockpile or the bund wall materials from the adjacent Husky Graving Dock Project (Stantec 2019), may be considered. However, if the POA decides to utilize bund wall material in Cooper Cove as a potential marine infill option the POA will consider the implications for Husky Energy's commitments and regulatory requirements related to infilling "the pond" (Stantec 2019). The POA will assess these implications with Husky Energy and engage the province on how diverting the bund wall material from The Pond may impact its future beneficial use. This assessment will help determine the potential effects on Husky Energy's commitments and the regulatory obligations associated with infilling activities.* It is unclear with regard to the method of infilling, the source of the infill material and whether the bund wall material is still being considered.	Clarify the method for infilling. Confirm whether this infilling be completed from above the high water mark, and whether an impermeable barrier will be put in place before infilling commences. Specify the material to be used for infilling. Specify the source of the existing stockpile fill material, and the fill material for the caissons. Confirm whether the bund wall material still being considered.	Clarify the method for infilling. Confirm whether this infilling be completed from above the high water mark, and whether an impermeable barrier will be put in place before infilling commences. Specify the material to be used for infilling. Specify the source of the existing stockpile fill material, and the fill material for the caissons. Confirm whether the bund wall material is still being considered.
ECCC-24	Table 24	This section states: *Dredge spoils will be disposed of in approved areas and as outlined in the EPP and approved by appropriate regulatory authorities.* *Only clean fill material from a provincially approved source will be used to develop the land level expansion*. More details should be provided on the fate of the dredged spoils.	Clarify whether disposal at sea is being considered and confirm whether dredged material will be used for infilling.	ECCC – Marine Programs staff should be consulted for guidance on disposal at sea and characterization requirements, if disposal at sea is being considered.
ECCC-25	6.6 - Project-Valued Component Interactions 6.6.4.1 - Species at Risk	Quote (page 73) "*Wetlands and Terrestrial Vegetation: the Project is not anticipated to have any interactions with wetlands or terrestrial vegetation. The Project is located on a heavily industrialized site with no vegetation, and no wetlands are located on or near the Project."*	Provide an effects assessment that details how wetlands (eelgrass) may be affected by the Project, including: • Identification of wetlands potentially affected by the project,	1. Provide baseline information about wetlands in the Project footprint, including the marine environment.

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		Quote (page 75) "*Eelgrass, a productive habitat for juvenile fish, was observed in Argentia Harbour and plays a crucial role in supporting various fish species.*" The proposed Project activities occurring in the marine environment, particularly the infilling activities, will likely impact eelgrass beds. Eelgrass beds grow in shallow bays and estuaries and contribute a large amount of nutrients to coastal and marine habitats and provide food sources for foraging shorebirds and waterbirds. The effects assessment should include how the proponent intends to avoid, minimize or mitigate potential loss of wetlands. Where avoidance or minimization is not possible, the proponent may need to develop a Wetland Compensation Plan that outlines measures to offset the residual loss of wetland habitat and/or function as a result of the Project.	• A detailed description of potential effects from Project activities, • Measures to avoid, minimize or mitigate potential effects, and • Follow-up or monitoring plans, including wetland compensation or offsetting to address the residual loss of wetland habitat and/or function as a result of the Project.	2. Describe potential direct and indirect effects on wetlands and wetland functions as it relates to all phases of the project. 3. Provide information on mitigation and/or offsetting measures for potential effects to wetlands and wetland functions as it relates to all phases of the project. 4. Provide information on the residual and cumulative effects on wetland functions as it relates to all phases of the project.
ECCC-26	6.6.4.2 - Migratory Birds	The Project has the potential to directly or indirectly affect migratory birds that use the Project Area for breeding, staging, nesting, roosting, foraging and/or migration. Project activities that may impact migratory birds include but are not limited to: • Direct or indirect habitat loss caused by construction and operation activities • Reduction in habitat quality/attractiveness caused by sensory disturbance (e.g., noise, light and dust emissions) • Increased exposure to contaminants, accidental release of harmful substances (e.g., hydrocarbons, etc.) caused by construction and operation activities. • Increased vessel traffic leading to increased risk of bird-vessel collisions, attraction to vessels, release of harmful substances Based on the general Project Area (Placentia Bay) and information provided in the Initial Project description, ECCC anticipates that migratory birds, particularly colonial seabirds, waterbirds, ground-nesting landbirds, and waterfowl (including sea ducks), and their habitat, may be impacted during all phases of the Project.	Provide recent information on the potential occurrence of migratory birds in the Project Area, such as a list of species known to occur or with the potential to occur within the Study Area. Each of the following bird groups should receive a separate description of potential effects and relevant mitigation measures to avoid or minimize these effects: • Seabirds • Waterbirds (including shorebirds) • Waterfowl (including sea ducks) • Landbirds (including ground-nesters) Describe potential effects (even if minimal) related to the project on individuals, residences, and habitat or provide a detailed rationale as to why there are no anticipated effects.	1. Provide baseline information on migratory birds known to or with the potential to occur in the Project Area, including seasonal and annual variation, distribution and habitat use. 2. Provide a description of the potential Project effects on migratory birds for all phases of the Project. 3. Provide mitigation measures for the Project's potential effects on migratory birds and their habitat. 4. Provide information on the Project's potential residual and cumulative effects on migratory birds and their habitat.

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		The effects assessment should include baseline information on all species of migratory birds that may be impacted by the Project year-round (breeding, fall and spring migration), based on species known to occur in the area (i.e., through desktop/literature reviews and/or survey results), or that are likely to be present in the area based on the habitat types within the Project footprint. The baseline information should be adequately comprehensive to account for seasonal and annual variation.	If there is the potential for any effects, describe avoidance and mitigation measures to lessen the effects as well as monitoring measures. Provide information on the potential for residual effects after mitigation has been applied.	
ECCC-27	6.6.4.1 – Species at Risk	The Project has the potential to directly or indirectly affect species at risk or species of conservation concern, including migratory birds that are also listed on Schedule 1 of the *Species at Risk Act* or assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), that use the Project Area for breeding, staging, nesting, roosting, foraging and/or migration, and their habitat. Project activities that may impact species at risk and their habitat include but are not limited to: • Direct or indirect habitat loss caused by construction and operation activities • Reduction in habitat quality/attractiveness caused by sensory disturbance (e.g., noise, light and dust emissions) • Increased exposure to contaminants, accidental release of harmful substances (e.g., hydrocarbons, etc.) caused by construction and operation activities. • Increased vessel traffic leading to increased risk of bird-vessel collisions, attraction to vessels, release of harmful substances Based on the general Project Area (Placentia Bay) and information provided in the Initial Project description, ECCC anticipates that the following species at risk (SAR) or species of conservation concern (SOCC) may occur within or near the Project Area: Short-eared owl, Harlequin Duck, American Golden Plover, Black-bellied Plover, Horned Lark, Northern Harrier, Lesser Yellowlegs, Greater Yellowlegs, Sanderling, Rusty Blackbird, Red Crossbill, Barrow's Goldeneye, and Boreal Felt Lichen. Each SAR or SOCC that may be present in the Project Area and/or impacted by the Project should be considered as a separate Valued Component (VC).	Provide recent information on the potential occurrence of species at risk (SAR) and species of conservation concern (SOCC) in the Project Area, such as a list of species known to occur or with the potential to occur within the Study Area. Describe potential effects (even if minimal) related to the project on individuals, residences, and habitat or provide a detailed rationale as to why there are no anticipated effects. If there is the potential for any effects, describe avoidance and mitigation measures to lessen the effects as well as monitoring measures. Provide information on the potential for residual effects after mitigation has been applied.	1. Provide baseline information on species at risk or species of conservation concern known to or with the potential to occur in the Project Area, including seasonal and annual variation, distribution and habitat use. 2. Provide a description of the potential Project effects on species at risk or species of conservation concern for all phases of the Project. 3. Provide mitigation measures for the Project's potential effects on species at risk or species of conservation concern and their habitat. 4. Provide information on the Project's potential residual and cumulative effects on species at risk or species of conservation concern and their habitat.

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		The effects assessment should include baseline information on all species of migratory birds that may be impacted by the Project year-round (breeding, fall and spring migration), based on species known to occur in the area (i.e., through desktop/literature reviews and/or survey results), or that are likely to be present in the area based on the habitat types within the Project footprint. The baseline information should be adequately comprehensive to account for seasonal and annual variation.		
ECCC-28	6.8.2 – Potential Environmental Impacts, Accidents and Malfunctions during Construction 6.8.3 – Potential Environmental Impacts, Accidents and Malfunctions during Operation	Migratory birds and species at risk may be particularly vulnerable to accidental releases of hazardous substances (such as hydrocarbons). While the proponent has committed to developing an Environmental Protection Plan (EPP), the Initial Project Description lacks information on the potential impacts of accidents and malfunctions on the valued components, particularly migratory birds and species at risk, during construction and operation phases.	ECCC recommends that the proponent include a section in the Detailed Project Description on the potential impacts of accidents and malfunctions on the valued components, with information on proposed mitigation measures, relevant management plans, including Wildlife Response Plans, and residual effects, during all phases of the project.	1. Provide information on the potential effects of accidents and malfunctions on the valued components and include detailed information on the measures to prepare for, prevent and minimize these effects. 2. Provide information on emergency response plans, including considerations for Wildlife Response.