

Federal Authority Advice Record (FAAR)**The FAAR must be submitted to the Registry by April 4, 2024**

Cando Sturgeon Rail Terminal West Expansion Project – Cando Rail and Terminals Ltd.
 Agency File: 87381

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1. a) Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

If yes, specify the Act of Parliament and that power, duty or function.

ECCC does not expect that it will be required to exercise a power or perform a duty or function related to the Project to enable it to proceed. Although once the scope of the Project and of the assessment are established by the Agency, this may change as additional activities or Project components could come into scope.

Please note the following requirements that may apply to the Project:

Species at Risk Act permits

For species listed in Schedule 1 of the *Species at Risk Act* (SARA) as Extirpated, Endangered or Threatened, a permit may be required from ECCC (section 73 of SARA) for activities that affect a listed terrestrial wildlife species, the residents of its individuals or any part of its critical habitats, 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 the species have been considered and the best solution has been adopted; all feasible measures will be taken to minimize the impact of the activity on the species, the residences of its individuals; and if the activity will not jeopardize the survival or recovery of the species.

SARA prohibitions are in place for individuals and residences on federal lands 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* 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 additional prohibitions may come into force in the future through orders in Council for individuals, residences and critical habitat on non-federal lands and / or through ministerial order for critical habitat on federal lands. It is also possible that, over the course of the assessment or after the assessment, 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 or residences;
- Site preparation (clearing, grubbing, site access, staging, blasting);
- Construction and operation of temporary and permanent works and infrastructure;
- Creation of new roads, rail lines, or power lines;
- Infilling of wetlands;
- Any monitoring that requires capture/release of individuals; and
- Sensory disturbance effects (artificial lighting, noise, vibration, human activity, vehicular traffic).

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 land, before ECCC can determine whether a SARA permit is required.

Migratory Birds Convention Act permits

The *Migratory Birds 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 of MBR 2022.

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 a migratory bird.

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

b) Please describe any Indigenous or public consultation that will be undertaken in relation to the exercise of that power, duty or function, including when it would take place.

ECCC does not expect to exercise any powers or perform a duty or function under any Act of Parliament in relation to the Project that will involve public and Indigenous Consultation.

2. [Is your department or agency in possession of specialist or expert information or knowledge in one of your fields of expertise that may be relevant to the conduct of an impact assessment of the Project?](#)

[Specify the specialist or expert information or knowledge.](#)

ECCC has specialist or expert information that may be relevant to the impact assessment in the areas listed below. In each of these subject areas we have expertise related to establishing an adequate baseline, assessing potential effects to biophysical valued components, effectiveness of mitigation measures, methods for monitoring and follow-up, as well as information regarding federal policies, standards, and regulations that may be relevant to the assessment (Note: ECCC does not assess proposed Projects for regulatory compliance, but instead provides technical input to the Agency to inform the assessment). Once the scope of the Project and of the assessment are established by the Agency, this list may change.

Air quality: ambient air quality; sources of emissions; emissions estimation and measurement; atmospheric transport, transformation and dispersion modelling; and follow-up monitoring.

Greenhouse gas emissions and climate change: estimations of greenhouse gas (GHG) emissions (net and upstream); carbon sinks; GHG mitigation measures and determination of Best Available Technologies/Best Environmental practices (BAT/BEP); credible plans to achieve net-zero GHG emissions by 2050; climate change science to inform evaluation of potential changes to the environment and Project resilience to effects of climate change; climate change policies; and national GHG Projections.

Water quality and quantity: surface water quality; contamination sources for surface water and groundwater, including effluent; wastewater; water quality predictions and modelling; seepage and runoff effects; management of contaminated soils or sediments; hydrology (streamflow rates data and modelling, flooding and extreme events management, drainage control, water levels, water balances); geochemistry; cumulative effects and follow-up and monitoring.

Wildlife, species at risk, and habitat: migratory birds, their nests, eggs, and habitat under authority of the *Migratory Birds Convention Act* 1994; species assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC); species at risk under the *Species at Risk Act* 2002, individuals, their residences, habitat and critical habitat including recovery strategies, action plans and management plans under ECCC's mandate; ecological function of wetlands; and ecotoxicology.

Environmental emergencies: emergency management planning and guidance, including where the release of hazardous substances could affect species at risk and/or migratory birds; atmospheric transport and dispersion modelling of contaminants in air; fate and behaviour; and hydrologic trajectory modelling of contaminants in water.

Climate and meteorology: long-term climate patterns and norms.

Open Science Data Platform (OSDP)

The [Open Science Data Platform \(OSDP\)](https://osdp-psdo.canada.ca/dp/en) 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 those 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)
 - [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:
 - [Facilities that reported release of criteria air contaminants](#)
- Canadian Environmental Sustainability Indicators (CESI), including
 - [Average ambient fine particulate matter concentrations](#)
 - [Peak ambient ozone concentrations](#)
 - [Ambient volatile organic compound concentrations](#)
 - [Average ambient sulphur dioxide concentrations](#)
 - [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 1981-2010](#)
- [Homogenized surface air temperature](#)
- [Homogenized precipitation](#)
- [Strategic Assessment of Climate Change \(publication\)](#)
- Find additional climate-related resources (including publications, datasets and monitoring stations) from ECCC on the OSDP [here](#).

The OSDP also contains resources on topics led by other 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.

3. Has your department or agency exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action that would allow the Project to proceed in whole or in part?

Please specify if applicable.

ECCC has not considered, exercised a power or performed a duty, or taken any course of action as part of the Project.

4. Has your department or agency had previous contact or involvement with the Proponent or other party in relation to the Project (for example: an enquiry about methodology, guidance, or data; introduction to the Project)?

Please provide an overview of the information or advice exchanged.

As indicated by the Proponent in the Initial Project Description, Section 1.3 and based on information readily available, ECCC has not had any direct involvement with the Proponent or other parties that would be relevant to the assessment of this Project. ECCC Prairie and Northern Region (PNR) has not been in contact with the Proponent regarding permitting or authorizations for the Project.

5. Does your department or agency have additional information or knowledge about the Project not specified above, including information about its geographic, environmental, economic or social context (for example, location of protected or sensitive areas, history between local communities and Proponent or similar Projects, local or regional social or economic concerns)?

Please specify if applicable.

Based on information readily available, ECCC Prairie and Northern Region has not had any involvement with the Proponent or other parties that would be relevant to the assessment of this Project.

6. From the standpoint of your department's mandate and expertise, what are the main issues concerning the Project?

For each key issue, please:

- describe the effect or the nature of the issue, including any relevant context;
- provide the rationale and/or evidence for why it is a key issue;
- briefly provide solutions to the issue, including information or studies that, if applicable, should be requested to the Proponent in the Tailored Impact Statement Guidelines, potential mitigation measures, or regulatory requirements relevant to the issues;
- provide a concise, plain-language summary of the issue for inclusion in the Summary of Issues.

The information provided will be taken into consideration by the Agency to formulate an opinion on whether an impact assessment is required and, if applicable, will be taken into account in developing Project-specific Tailored Impact Statement Guidelines in the next steps of the impact assessment process.

Please use Table 1 to answer this question.

7. If applicable, specify any additional information the Proponent could provide in the Detailed Project Description or in its response to the Summary of Issues that:
- would make it possible to verify whether certain minor issues could be addressed and managed by clear measures, existing guidelines, other regulatory processes or other existing tools;
 - help the Agency to provide an opinion if an impact assessment is required, or
 - would support the tailoring of the Impact Statement Guidelines if the Agency is of the opinion that an impact assessment is required.

These clarifications and additional information will be included as specific questions/issues in the Summary of Issues provided to the Proponent.

Please use Table 2 to answer this question.

Environment and Climate Change Canada

Name of department or agency involved

N. John Olyslager

A/Regional Director,
Environmental Protection and Operations Directorate,
Prairie and Northern Region

Speaker title

April 4, 2024

Date

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
<p><i>Please present comments by organization and comment number</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>If the comment relates to a specific section of the initial Project description, please provide the reference.</i></p>	<p><i>Identify valued component(s) or factor to consider—within the mandate of your department or agency—to which the potential effect or issue applies.</i></p>	<p><i>Please provide a brief description of the issue and rationale for being a key issue.</i></p> <p><i>Include, where relevant:</i></p> <ul style="list-style-type: none"> • <i>the sequence of potential effects;</i> • <i>the relevant context that specifies why this is a key issue;</i> • <i>key uncertainties that should be addressed in the impact assessment;</i> • <i>Indigenous or public concerns or perspective;</i> • <i>scientific data or traditional knowledge, including from previous Projects, that justifies the inclusion of the key issue in the Project assessment.</i> 	<p><i>If applicable, please provide brief solutions/advice to address the issue or potential effect, including:</i></p> <ul style="list-style-type: none"> • <i>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;</i> • <i>any powers your department or agency has that may mitigate, manage or set conditions related to the issue;</i> • <i>advice or policies to frame and mitigate the potential effect;</i> • <i>standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;</i> • <i>commitments the Proponent could make to respond to the issue.</i> 	<p><i>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.</i></p>
ECCC-01		Air Quality	The construction, operation, and decommissioning of the Project can result in adverse effects on air quality. Project operations including emissions from off-road vehicles and activities associated with combustion (including transportation) can result in the emission of contaminants such as sulfur oxides (SO _x), nitrogen	<p>If the Project proceeds to an Environmental Impact Statement (EIS) ECCC recommends that the Proponent should:</p> <p>Describe the baseline for air quality in the local and regional area.</p>	Project activities may result in adverse effects on air quality, which may settle out in the surrounding environment. Such deposition may lead to

			<p>oxides (NO_x), volatile organic compounds (VOCs), and particulate matter (PM_{2.5}, PM₁₀ and PM).</p> <p>Activities which cause a physical disturbance to land, such as earth moving, land clearing, blasting, crushing, and transportation, can also introduce particulate matter (e.g., dust and soot) to the surrounding region. The emission of these air contaminants can result in local or regional degradation of ambient air quality, with potential impacts on sensitive ecosystem receptors. Furthermore, emissions of air contaminants as a result of this Project may add cumulatively to the emissions from other activities, contributing to degradation of air quality in the region.</p> <p>When contaminants settle out of the air in the surrounding environment, their deposition may result in adverse impacts to terrestrial and aquatic ecosystems. For example, emissions of NO_x and SO₂ may also lead to acidification and potential exceedance of ecosystems' critical loads. Air contaminant emissions can result in contamination of nearby land and waterbodies and may affect sensitive ecosystem receptors.</p>	<p>Describe potential effects to air quality from Project activities (including construction and operation), noting any land, waterbody or sensitive ecosystem receptors.</p> <p>If there is the potential for any effects, then describe the avoidance and mitigation measures as well as monitoring measures. Provide information on the potential for residual effects after mitigation has been applied.</p> <p>If effects to air quality are not expected, then provide a detailed rationale as to why there are no anticipated effects.</p>	<p>adverse impacts to terrestrial and aquatic ecosystems</p>
ECCC-02		Air Quality	<p>Projects which involve on-road vehicles and mobile off-road machines for construction, operation and decommissioning, or that lead to an increase in road traffic (e.g. hauling of material by truck from mine to shipping terminal), have the potential to adversely affect air quality. More specifically, the combustion of fossil fuels can result in the emission of air contaminants such as sulfur oxides (SO_x), nitrogen oxides (NO_x), volatile organic compounds (VOCs), and fine particulate matter (PM_{2.5}). When some contaminants settle out of the air in the surrounding environment, their deposition may result in acidification and potential exceedance of ecosystems' critical loads. The emission of these air pollutants can result in local or regional degradation of ambient air quality, with potential impacts on sensitive ecosystem receptors.</p> <p>The Proponent states that one of the major sources of atmospheric emissions during construction is expected to be exhaust from the construction equipment used. Table 3-1 lists the construction</p>	<p>The use of equipment with engines that meet Tier 4 emission standards may assist in mitigating the air quality impacts of the Project.</p> <p>ECCC recommends that construction equipment be used with modern and clean engines and best practices, including minimizing idling and keeping equipment in good repair, should be adopted.</p>	<p>Vehicle traffic can adversely affect air quality, Airborne contaminants may settle out in the surrounding environment. Such deposition may lead to adverse impacts to terrestrial and aquatic ecosystems.</p>

			<p>equipment being used and the associated estimated emissions. There is no reference to the employment of equipment that meets Tier 4 emission standards.</p> <p>Projects which involve an increase in capacity for rail traffic (e.g. intermodal yard expansion) and Projects which will result in an increase in demand for rail traffic as a direct result of the Project (e.g. mining Projects where product will be transported by rail) have the potential to adversely affect air quality. More specifically, the combustion of fossil fuels to power the rail engines can result in the emission of air contaminants such as sulfur oxides (SO_x), nitrogen oxides (NO_x), volatile organic compounds (VOCs), and fine particulate matter (PM_{2.5}). When some contaminants settle out of the air in the surrounding environment, their deposition may result in acidification and potential exceedance of ecosystems' critical loads. The emission of these air contaminants can result in local or regional degradation of ambient air quality, with potential impacts on sensitive ecosystem receptors.</p>		
<p>ECCC-03</p>		<p>Greenhouse Gas Emissions and Climate Change</p>	<p>The construction, operation, and decommissioning of the proposed Project may result in greenhouse gas (GHG) emissions, or impact to carbon sinks, and may hinder or contribute to the Government of Canada's ability to meet its commitments in respect of climate change. Furthermore, the Project has the potential to be affected by future climate change, possibly resulting in impacts to the environment. Climate change may alter the likelihood or magnitude of sudden weather events such as extreme precipitation that can contribute to flooding, as well as contribute to longer-term changes such as sea level rise, permafrost thaw and changes to migration patterns.</p>	<p>The Strategic Assessment of Climate Change (SACC) (published in October 2020) provides guidance related to climate change throughout the impact assessment process. The SACC outlines information that the Proponent should provide during the impact assessment process on GHG emissions, impact of the Project on carbon sinks, impact of the Project on federal emissions reduction efforts and on global GHG emissions, GHG mitigation measures and climate change resilience; the circumstances in which an upstream GHG assessment would be required; and the circumstances in which a credible plan to achieve net-zero emissions by 2050 will be required.</p>	<p>The Project's GHG emissions and climate change impacts should be assessed following the SACC, to ensure that GHG emissions are mitigated, and that there is a plan in place to achieve net-zero emissions by 2050, as it is expected that the Project's lifetime will go beyond 2050.</p>

				<p>More details are provided in the draft Technical Guide Related to the Strategic Assessment of Climate Change: Guidance on quantification of net GHG emissions, impact on carbon sinks, mitigation measures, net-zero plan and upstream GHG assessment published in August 2021.</p>	
ECCC-04		Climate Change Resilience	<p>As climate over the lifetime of a Project is projected to be different from past and current climate in the area, and the lifetime of the proposed Project is at least 50 years, climate change considerations are relevant to the Project review. 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). 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, with implications for climate sensitive aspects of Project design and associated effects on the environment.</p> <p>For example, Project components and activities for which climate change resilience could be important for this Project include those related to water management infrastructure. 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.</p>	<p>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.</p> <p>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.</p> <p>Links: Strategic Assessment of Climate Change Draft technical guide related to the Strategic Assessment of Climate Change: Assessing climate change resilience</p>	<p>The Project’s resilience to future climate change should be described and, where relevant, considered in Project design.</p>
ECCC-05		Water Quality	<p>The activities linked to the construction, operation, and decommissioning of the Project can have adverse effects on the quality of groundwater and surface water, as well as on the hydrological regimes of watercourses and water bodies.</p> <p>Constructing and maintaining rail, bypass and access roads, and excavating or reworking of soils or sediments may cause erosion</p>	<p>Environment and Climate Change Canada (ECCC) is responsible for the administration of subsection 36(3) to (6) of the <i>Fisheries Act</i> which prohibits the deposit of a deleterious substance in waters frequented by fish unless authorized by regulations.</p>	<p>The Project has the potential for impacts to water quality and subsequently fish and fish habitat from the following sources:</p>

			<p>and result in the deposit of soils and sediments to watercourses and water bodies, resulting in adverse effects on water quality.</p> <p>Contaminants may be introduced into waterbodies through storm water discharge, groundwater resurgence, or spills resulting in adverse effects on water quality.</p> <p>The deposition of airborne particulate matter generated by the Project could also be a source of surface water contamination.</p> <p>Water management (for example, storm water management pond) and disturbances to the natural flow of surface water (for example, diversions through ditches) could have effects on the quantity, availability and hydrological regimes of watercourses and waterbodies.</p> <p>Adverse effects to water quality could, in turn, result in adverse effects to sensitive ecosystem receptors.</p>		<ul style="list-style-type: none"> erosion and sedimentation, resulting in deposition of sediments in surface water; overall management of stormwater, groundwater, fuels, chemicals, and other wastes; and spills.
<p>ECCC-06</p>	<p>5.1.2 Species at Risk Act: Aquatic Species/Marine Plants</p>	<p>Species at Risk and their habitat</p>	<p>The activities linked to the construction, operation, and decommissioning of the Project and associated infrastructure could have negative effects on terrestrial wildlife, including migratory birds and species at risk (amphibians, arthropods, birds, lichens, terrestrial mammals, mosses, reptiles, and vascular plants) listed on the <i>Species at Risk Act</i> (SARA), their habitat (e.g., wetlands) and critical habitat.</p> <p>The nature of effects to wildlife and habitat (including 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); 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 behavioral adaptability, presence and interaction with the species limiting factor (e.g., habitat supporting staging, nesting, roosting or foraging) and population resilience.</p>	<p>There is always the possibility that species assessed by COSEWIC may be added to Schedule 1 of SARA with potential critical habitat identified. As best practice it is recommended to also consider species assessed by COSEWIC to implement measures to lessen or avoid impacts and to monitor them.</p> <p>Tiger Salamander: ECCC recommends the Proponent undertake timely and non-lethal surveys for Tiger Salamander species at the more permanent wetlands that will be affected by the Project. It is recommended that any salamanders that are found be salvaged and relocated to similar suitable nearby wetlands.</p> <p>Myotis species:</p>	<p>The Proponent should identify all species at risk listed on Schedule 1 of the <i>Species at Risk Act</i> and any critical habitat that may interact with the Project and describe how SAR may be adversely affected by the Project. The Proponent should describe what measures will be taken to avoid or lessen the effects for each Project activity and Project stage, and how these effects will be monitored to ensure they are avoided or minimized.</p>

			<p>Section 5.1.2 states that there were no federally listed species at risk identified during the biophysical or desktop assessment. The Project will affect wetlands and these wetlands could have the potential for a negative effect on Tiger Salamander, SARA listed as Special Concern, since these wetlands may provide suitable habitat for this species. In addition, the Proponent indicates that there will be demolition of existing structures as part of the land preparation and building structures have the potential to contain Myotis maternity roosts. Little Brown and Northern Myotis are both listed on SARA Schedule 1 as Endangered.</p>	<p>ECCC recommends the Proponent undertake surveys for potential Myotis maternity roosts. If bats are found in the buildings, then building removal should be delayed until the fall, and one-way exist doors be installed on the roosts in September to ensure all bats have existed the structures before removing.</p>	<p>To understand the potential effects of the Project to species at risk, surveys for Species at Risk should be undertaken. Including:</p> <ul style="list-style-type: none"> • Non-lethal surveys for Tiger Salamander at wetlands. • Surveys for potential Myotis maternity roosts.
<p>ECCC-07</p>	<p>3.2.3 Wildlife and Wildlife Habitat 5.1.3 Migratory Birds</p>	<p>Migratory birds and their habitat</p>	<p>Individual mortality and the destruction of nests and eggs or any other structure necessary for the reproduction and survival of migratory birds could occur during all Project phases, particularly during site preparation, right-of-way maintenance and Project dismantling. Mortality in migratory birds and species at risk could also occur because of collisions with vehicles or infrastructure related to the Project.</p> <p>Migratory birds and species at risk could be affected by sensory disturbances during the construction, operation, and decommissioning of the Project. Some examples of potential sources of sensory disturbance include noise from various Project activities, lights, vibrations from excavation and blasting work and the operation of machinery, as well as the presence of workers. The amount, duration, frequency, and timing of noise are important to understand potential effects. Sensory disturbance may make adjacent habitats unsuitable for use by wildlife and cause avoidance effects in many species.</p>	<p>ECCC recommends the Proponent implement the mortality mitigation measures it has identified in the IPD for migratory birds (below):</p> <p>“Trees within the footprint of the Project will be cleared outside of the breeding bird window and grasses will be mowed to prevent ground nesting birds. Additional mitigation measures can be implemented if there is the presence of migratory birds noted at the time of construction. These include adjusting the construction schedule by postponing activities near occupied nests, implementing a barrier between the occupied nest and the activity, moving equipment daily, relocating nests or wildlife, and monitoring the nest to determine if the inhabitant is showing signs of stress. With the primary mitigation measures in place, it is unlikely that an issue to migratory birds would occur during construction/operation but if an occupied nest is observed and there is any potential to harm migratory birds additional mitigations will be put in place.”</p>	<p>It is the Proponent’s responsibility to be aware of its obligations under the <i>Migratory Birds Convention Act</i> and its regulations</p>

				<p>Migratory Birds Convention Act:</p> <ul style="list-style-type: none"> • 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 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, results 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. <p>ECCC notes that if the Proponent is moving nests, then a permit under the <i>Migratory Birds Regulations, 2022</i> (MBR) may be required.</p>	
<p>ECCC-08</p>	<p>3.2.3 Wildlife and Wildlife Habitat</p> <p>5.1.3 Migratory Birds</p>	<p>Migratory birds and their habitat</p>	<p>Accidental oil or chemical spills could also have adverse effects if these substances make their way into the habitats frequented by migratory birds and species at risk. There is a higher risk that these effects would be more severe for migratory birds that are also species at risk and species where habitat is sensitive to disturbance (e.g., wetlands) or where there is already a high degree of cumulative effects to habitat or individuals.</p>	<p>ECCC recommends the Proponent implement the following mitigation measures it has identified in the IPD for migratory birds:</p> <p>“The stormwater pond may become a desirable place for birds and wildlife. As the quality of the water may not be suitable for animal consumption and poses a drowning risk. The pond should be maintained to avoiding plant growth which can be desirable habitat and regularly remove the water from the pond.</p>	<p>The Proponent should fully implement the proposed mitigation measures,</p>

				If the water in the pond is suspected of having been affected by a deleterious substance it should be tested promptly and disposed of properly by a qualified professional to avoid interactions with wildlife.”	
ECCC-09		Wetlands	The activities linked to the construction, operation, and decommissioning of a linear disturbance could have negative effects on wetlands and their ecological functions. Carrying out the Project, particularly the activities related to construction, is likely to alter the existing hydrological regimes essential for maintaining wetlands and thus affect the quality or availability of habitat for migratory birds and other wildlife. The destruction and modification of wetlands is likely to cause negative effects on or harm migratory birds and species at risk that use these areas for breeding and migration, as well as for foraging or resting areas. The spread of invasive species may pose a threat to wetlands.	ECCC notes that the Proponent has submitted an application to Alberta Environment and Protected Areas (AEPA) to provide compensation for loss of wetlands and that the Proponent has acknowledged the Wetland Mitigation Hierarchy approach to wetland impacts. ECCC recommends that compensation wetlands be located some distance away from the railyard, where feasible, such that they are less subject to sensory disturbances.	The Proponent should provide additional information on what mitigation measures will be taken to offset permanent wetland loss due to the construction of the Project.
ECCC-10	Table 2-1: Proposed New Infrastructure for the expansion rail terminal and Table 2-4: Potential Infrastructure Development	Environmental Emergencies	The proposed rail expansion terminal Project includes the construction of roads, water management infrastructure, various rail yards, rail connection, offices, and corresponding infrastructure to provide rail services such as storage, marshalling, assembly, transloading, repair and servicing of railcars containing hazardous and non-hazardous materials. Railcars containing hazardous materials such as dry bulk, aggregates biodiesel, refined fuels, liquefied petroleum products (LPG) are anticipated to be handled within the new expansion. Additionally, the Proponent states that the following above ground storage tanks could be necessary for the activities of the proposed Project: diesel fuel, gasoline, nitrogen, recovery tank, used oil tank and glycol. As such, there is potential for adverse environmental effects from accidents and malfunctions. Adverse effects to air quality, water quality, wildlife and wildlife habitat could result from the accidental release of toxic or flammable substances from pressurized	Optimized prevention, preparedness, and response measures and systems are crucial, especially considering the risks of spills of hazardous substances to water bodies, the terrestrial environment, and uncontrolled releases of explosive gases. The EIS should provide adequate analyses of accidents and malfunctions to understand their potential geographical extent, risks, potential consequences, and proposed mitigation measures aimed at minimizing their impact. It is expected that reliable modelling for any contaminants released into the air, spilled on land, and discharged in water will underpin the analysis of each type of incident.	Proactive spill prevention mitigations should be incorporated into all aspects of the Project (i.e., design, construction, operations and decommissioning).

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			containers and from the release of contaminants to surrounding waters, and terrestrial environment.	Part 8 of <i>Canadian Environmental Protection Act</i> (CEPA 1999) may apply if Schedule 1 substances onsite meet or exceed the regulated threshold.	
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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
<p><i>Please identify comments by organization and comment number.</i></p> <p><i>e.g. AEIC-01</i></p>	<p><i>If the comment is related to a specific section of the Initial Project Description, please provide a reference.</i></p> <p><i>You may also choose to copy the relevant text here.</i></p>	<p><i>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.</i></p>	<p><i>Specify what additional information the Proponent could provide in the Detailed Project Description to address the issue, concern or uncertainty, for example:</i></p> <ul style="list-style-type: none"> <i>• Clarifications to elements of Project Description (e.g. components, activities, locations or alternatives);</i> <i>• Proposals on Project design changes that could avoid effects;</i> <i>• Evidence that could demonstrate that the effects will be negligible;</i> <i>• Evidence that standard mitigation measures will reduce or eliminate potential effects;</i> <i>• Commitments the Proponent could make to respond to the question/issue, including the implementation of federal operational policies or guidance documents.</i> 	<p><i>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.</i></p>
<p>ECCC-01</p>	<p>Appendix E, Section 6.2, Table 6.2</p>	<p>The Proponent presents the total Project area for expansion as 130 ha. The GHG emissions from land use change consider 25 ha of forest land and 7.5 ha of wetlands removed. The Proponent did not provide GHG emissions from land use change for the remaining 97.5 ha of land.</p> <p>ECCC notes that crop land removal will also have impacts on the land use change emissions.</p> <p>The Proponent did not break down the land use change GHG emissions by year, instead presenting it as one value.</p>	<p>ECCC requests the Proponent include information on the portion of land(s) not included in the 25 ha of forest land and 7.5 ha of wetlands removed. ECCC notes that if any of the existing land use is cropland, this would also result in GHG emissions and should be included in the estimate.</p> <p>ECCC requests the Proponent break down the GHG emissions for land use change by year, similar to the emissions for Mobile Diesel Combustion in Table 5-1.</p>	<p>Include information on the remaining land use types not included in the 25 ha of forest land and 7.5 ha of wetlands. If this remaining land is cropland, the GHG emissions should be included.</p> <p>Separate the land use change emissions by year.</p>

ECCC-02	Section 5.5.1	In the sections related to carbon sinks, the Proponent references the same methods as the land use change calculation. In the Strategic Assessment of Climate Change (SACC) and the <u>draft Technical Guide Related to the Strategic Assessment of Climate Change: Guidance on quantification of net GHG emissions, impact on carbon sinks, mitigation measures, net-zero plan and upstream GHG assessment</u> (Draft Technical Guide), the methods for the carbon sink impact is different from the land use change calculation.	As outlined in the SACC, the Proponent should provide the following information on the potential impacts on carbon sinks: <ul style="list-style-type: none"> • a description of the activities that would result in an impact on carbon sinks; and • land areas expected to be impacted by the Project, separated 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. <p>ECCC recommends the Proponent use the methods outlined in the Draft Technical Guide for carbon sink impacts (including presenting the results as tonnes of C instead of tonnes of CO₂eq) and land-use change emissions (in CO₂eq).</p>	Provide a carbon sink assessment according to guidance in Section 4.1.2 of the SACC. Provide the carbon sink impact in tonnes of carbon (t C) instead of t CO ₂ eq.
ECCC-03	Section 5.5.2	The Proponent has a section titled Carbon Sinks Mitigation Measures. Here it is stated that the Proponent will provide compensation for the affected wetlands but does not expand on how exactly it will mitigate the carbon sink impact.	It is recommended that the Proponent provides more details on the mitigation measure for carbon sinks, including how wetland compensation will mitigate the carbon sink impact.	Provide more details on the mitigation measure for carbon sinks, including how wetland compensation will mitigate the carbon sink impact.
ECCC-04	Section 5.4	The Proponent provided a GHG emission estimate for the construction and operations phase, but not for the decommissioning phase.	It is recommended that the Proponent provides an emissions estimate for the decommissioning phase, as done with the construction and the operation phase. Further information is available on the SACC Technical Guide.	Provide an emissions estimate for the decommissioning phase.
ECCC-05	Section 2.3.3 Project Activities, p.28 and Appendix B: Cando Sturgeon West Rail Terminal Stormwater Management Plan	ECCC suggests including a description of the role of the local surface water runoff diversion systems and the stormwater management facility, particularly in terms of their expected behavior during an accident or malfunction. In the event of an uncontrolled large spill of liquid hazardous material, such as one resulting from the complete loss of containment of a railcar (approximately 100,000 L), it is important to assess whether the	ECCC suggests clarifying the role of the stormwater management facility within the context of an accident or malfunction, particularly regarding how the release of liquid hazardous materials will behave. It is important to determine if the stormwater management facility is engineered to handle the release of hazardous	Clarify the role of the stormwater ponds and stormwater management facility within the context of an accident or malfunction.

		hazardous material is expected to collect in the stormwater ponds or the stormwater management facility.	materials and if it is considered a mitigation measure for terrestrial spills.	
ECCC-06	Table 2-4: Potential Infrastructure Development, p.33 and Table 3-6: Water Risks and Mitigations, p.49	The Proponent indicates in Table 2-4 that a “ <i>mobile transload services to move product between railcars and trucks</i> ” will be offered for various commodities. In Table 3-6, the Proponent states “ <i>Complete high-risk activities, including refueling, in a designated area, potentially with berms separating the area from the rest of the on-site drainage.</i> ” The Proponent does not indicate whether transloading operations are considered high-risk activities or how such activities are planned to be conducted. It is important to determine if transloading operations are considered high-risk activities, and are they planned to be conducted in a designated area designed with a bermed area, secondary containment, or other mitigation measures to minimize the impact of these activities on environmental receptors?	ECCC suggests clarifying the environmental mitigation measures for the proposed mobile transload services in the Detailed Project Description.	Clarify the environmental mitigation measures for the proposed mobile transload services in the Detailed Project Description.

Please insert additional lines if necessary.