Environnement et Changement climatique Canada | Environment and Climate Change Canada

Table 1 : ECCC's comments[1] on the draft potential conditions document under the Canadian Environmental Assessment Act, 2012, for the Témiscamingue Dam-Bridge Replacement Project in Quebec.

Comment reference number	Reference in the potential conditions report	Text of the potential condition	Proposed amendment to the text of the draft report	Environment and Climate Change Canada (ECCC) Comments
ECCC-01	Section 3 Fish and fish habitat	N/A	N/A	The management of excavated sediments and dewatering water in a sealed basin prior to their discharge into the aquatic environment, or their management at an authorized facility, should be subject to a condition to prevent contamination of the aquatic environment if the sediments are contaminated.
ECCC-02	Section 3 Fish and fish habitat Condition 3.1	The Proponent shall implement and maintain, during construction, measures to control **sedimentation**, runoff and erosion when carrying out activities in or near fish-bearing waterbodies, while taking into account the *Canadian Water Quality Guidelines: Protection of Aquatic Life* – ***Total Particulate Matter*** of the Canadian Council of Ministers of the Environment. In doing so, the Proponent shall:	The Proponent shall implement and maintain, during construction, measures to control the input of suspended solids ~~sedimentation,~~ and other contaminants through runoff and erosion when carrying out activities in or near fish-bearing waterbodies, while taking into account the *Canadian Water Quality Guidelines: Protection of Aquatic Life* – ~~*Total Particulate Matter*~~ of the Canadian Council of Ministers of the Environment. In doing so, the Proponent shall:	ECCC recommends including other contaminants in addition to suspended solids. We suggest removing the specific reference to "Total Particulate Matter" in order to account for all potential contaminants. ECCC has identified a discrepancy between the French and English versions of this condition ("sedimentation" vs. "matières en suspension").
ECCC-03	Section 3 Fish and fish habitat Condition 3.1	The Proponent shall implement and maintain, during construction, measures to control sedimentation, runoff and erosion when carrying out activities in or near fish-bearing waterbodies, while taking into account the *Canadian Water Quality Guidelines: Protection of Aquatic Life – Total Particulate Matter* of the Canadian Council of Ministers of the Environment. In doing so, the Proponent shall:	N/A	The water quality monitoring program should include water from within the cofferdam (suspended solids and petroleum hydrocarbons), water in contact with concrete (pH and suspended solids), and water from the sediment dewatering basin (suspended solids and other contaminants identified during sediment characterization, where applicable). This water should be treated as necessary before being discharged into the environment.
ECCC-04	Section 3 Fish and fish habitat Condition 3.1	The Proponent shall implement and maintain, during construction, measures to control sedimentation, runoff and erosion when carrying out activities in or near fish-bearing waterbodies, while **taking into account** the *Canadian Water Quality Guidelines: Protection of Aquatic Life – Total Particulate Matter* of the Canadian Council of Ministers of the Environment. In doing so, the Proponent shall:	The Proponent shall implement and maintain, during construction, measures to control sedimentation, runoff and erosion when carrying out activities in or near fish-bearing waterbodies, while taking into account the *Canadian Water Quality Guidelines: Protection of Aquatic Life – Total Particulate Matter* of the Canadian Council of Ministers of the Environment, as well as surface water quality criteria for the protection of aquatic life, such as those set out by the MELCCFP for contaminants not covered by CCME recommendations. In doing so, the Proponent shall:	We recommend that surface water quality criteria for the protection of aquatic life (MELCCFP) be taken into account for contaminants for which there are no CCME recommendations.

[1] ECCC's comments were originally drafted in French. In the event of any discrepancy between the French and English versions, the French version shall prevail.

ECCC-05	Section 3 Fish and fish habitat Condition 3.1.4	treat waters originating from within the cofferdam enclosure before they are returned to the aquatic environment to limit sediment **input**;	treat waters originating from within the cofferdam enclosure before they are returned to the aquatic environment to limit sediment and petroleum hydrocarbons input;	The proponent has also committed to limiting the input of petroleum hydrocarbons. We recommend adding this clarification to the condition.
ECCC-06	Section 3 Fish and fish habitat Condition 3.1.6	locate any mobile concrete plant and concrete truck washout station at a minimum distance of 60 metres from the high-water mark of the Ottawa River, unless not technically or economically feasible. If washing of concrete trucks must take place within this distance, the Proponent shall implement measures to prevent wash water from entering the aquatic environment.	N/A	The condition should include the treatment of contact water that comes into contact with concrete in order to limit the input of suspended solids (TSS) and the increase in pH. The 60-metre distance does not guarantee compliance with discharge criteria, and this water must be verified before being released.
ECCC-07	Section 3 Fish and fish habitat Condition 3.9.2.1	identify, **prior to the start of construction**, contaminants of potential concern to be monitored, including **mercury**, as well as the locations where these contaminants are to be monitored;	identifies, 4–6 months prior to the start of construction, the baseline concentrations of contaminants of potential concern to be monitored, including the three forms of mercury (total mercury, inorganic mercury, and methylmercury), as well as the locations where these contaminants are to be monitored;	The proponent has committed to initiating water quality monitoring 4 to 6 months prior to the start of the works to establish baseline conditions, and to extending the monitoring period for an additional 4 to 6 months following the demolition activities to capture the return to baseline conditions (IAAC-1-100). This clarification should be reflected in the condition. ECCC recommends adding 'their baseline concentration' to the wording of the condition. Baseline concentrations of the contaminants should be identified to allow verification of the return to pre-project conditions following the works. We also recommend specifying the three forms of mercury (total mercury, inorganic mercury, and methylmercury) to reflect the proponent's commitment regarding mercury monitoring in surface water and to address concerns raised by Indigenous groups.
ECCC-08	Section 3 Fish and fish habitat Condition 3.9.2.2	monitor, during construction and operation, surface water quality, including **turbidity**, pH and the contaminants identified in accordance with condition 3.9.2.1;	monitor, during construction and operation, surface water quality, including Total Suspended Solids (TSS) ~~turbidity~~, pH and the contaminants identified in accordance with condition 3.9.2.1;	Although TSS concentrations are derived from turbidity measurements, it would be more appropriate to refer explicitly to 'TSS' since the monitoring is conducted on this parameter and the applicable criteria are based on TSS.
ECCC-09	Section 3 Fish and fish habitat Condition 3.9.2.4	if the results of the monitoring referred to in condition 3.9.2.2 exceed the thresholds established in the Canadian Council of Ministers of the Environment's *Canadian Water Quality Guidelines for the Protection of Aquatic Life*, implement modified or additional mitigation measures;	if the results of the monitoring referred to in condition 3.9.2.2 exceed the thresholds established in the Canadian Council of Ministers of the Environment's *Canadian Water Quality Guidelines for the Protection of Aquatic Life*, or the surface water quality criteria for the protection of aquatic life established by the MELCCFP for contaminants not covered by CCME recommendations, the proponent implements modified or additional mitigation measures;	We also recommend adding the MELCCFP surface water quality criteria for the protection of aquatic life for contaminants that are not covered by CCME guideline values. As part of this monitoring, the Proponent has committed to verifying both the CCME criteria and those established by the MELCCFP.
ECCC-10	Section 4 Birds (including migratory birds) condition 4.3	The Proponent shall establish, under the direction of a qualified individual, setback distances around any nest(s) and residence(s) whose presence or likely presence is determined pursuant to condition 4.2. within which that activity shall not occur while these nests are protected under *the Migratory Birds Convention Act, 1994* and its regulations or the *Species at Risk Act* or both. When establishing setback distances, the Proponent shall take	N/A	We recommend adding a monitoring component to this condition. Once the protective buffer distance has been established, ECCC is of the view that it is important to conduct monitoring to confirm that the defined zone is indeed sufficient to prevent any disturbance to the nests. The determination of the buffer distance should not remain a theoretical concept; it must be validated in the field to ensure its effectiveness. The

		into account Environment and Climate Change Canada's *Guidelines to Avoid Harm to Migratory Birds*.		validation (monitoring) of the effectiveness of this protective measure is essential and should be explicitly reflected in the conditions.
ECCC-11	Section 4 Birds (including migratory birds) condition 4.5	The Proponent shall develop, in consultation with Environment and Climate Change Canada, and implement, prior to the start of the nesting period that immediately precedes preceding the start of the deconstruction of the existing dam-bridge structure and until the end of that deconstruction, measures to prevent birds from accessing the structure, including the installation and maintenance of exclusion netting.	N/A	We recommend adding a monitoring component to this condition. ECCC recommends specifying that regular monitoring of the measures must be carried out to ensure that they remain in place and function properly for the entire period during which they are required. For example, a failure in the exclusion devices could result in birds becoming entangled and dying, or being trapped on the wrong side of the devices. In the event of a failure, corrective actions must be implemented without delay, which highlights the importance of conducting regular monitoring.
ECCC-12	Section 5 Special status species Condition 5.1.2.1	install exclusion netting on the existing dam-bridge structure **at the end of autumn** and at least one year prior to the start of deconstruction of the existing dam-bridge structure, and maintain it until the end of deconstruction; and	N/A	Given that the presence of a maternity roost or hibernaculum has not yet been confirmed, ECCC recommends consulting the MELCCFP to determine the most appropriate time of year to install the exclusion nets.
ECCC-13	Section 5 Special status species Condition 5.2.1	install, **during construction**, exclusion devices to prevent access by the blanding's turtle (*Emydoidea blandingii*), the snapping turtle (*Chelydra serpentina*) and the eastern painted yurtle (*Chrysemys picta picta*) to the Designated Project area and to discourage nesting within the Designated Project area	install, before construction, exclusion devices to prevent access by the blanding's turtle (*Emydoidea blandingii*), the snapping turtle (*Chelydra serpentina*) and the eastern painted turtle (*Chrysemys picta picta*) to the Designated Project area and to discourage nesting within the Designated Project area	To be effective, the exclusion devices should be installed prior to construction and before the turtle nesting period. ECCC recommends revising the wording accordingly.
ECCC-14	Section 5 Special status species Condition 5.2.4	capture and **relocate the turtle**, under the direction of a qualified individual, as soon as technically feasible, before resuming work.	capture and relocate the turtle, to suitable habitat and an area free from threats, under the direction of a qualified individual, as soon as technically feasible, before resuming work.	ECCC recommends adding: "to suitable habitat and an area free from threats."
ECCC-15	Section 11 Accidents and malfunctions Condition 11.1.2	limit the refueling and maintenance of vehicles and equipment to **designated areas**;	limit the refueling and maintenance of vehicles and equipment to designated areas, which shall be located outside environmentally sensitive areas and at a minimum distance of 30 m from the shoreline, unless this is not technically or economically feasible, and shall be designed in a manner that prevents spills;	We recommend adding the following clarification: "which shall be located outside environmentally sensitive areas and at a minimum distance of 30 m from the shoreline, unless this is not technically or economically feasible, and shall be designed in a manner that prevents spills;" Riparian areas constitute sensitive environments that can increase the complexity of emergency response, remediation measures, and the magnitude of environmental effects associated with accidents and malfunctions. A minimum setback of 30 m from the high-water mark is recognized as a best management practice for handling hazardous substances.
ECCC-16	Section 11 Accidents and malfunctions Condition 11.2	The Proponent shall develop, prior to each phase of the Designated Project and in consultation with Indigenous groups and relevant authorities, and implement, during the phase to which they pertain, an accidents and malfunctions response plan in relation to each phase of the Designated Project. The accidents and malfunctions response plan shall include:	The Proponent shall develop, prior to each phase of the Designated Project and in consultation with Indigenous groups and relevant authorities, and implement, during the phase to which they pertain, an accidents and malfunctions response plan in relation to each phase of the Designated Project. The plan considers accidents	We recommend adding the following clarification: "The plan considers accidents and malfunctions that may arise both from project-related activities and from environmental conditions that could affect the designated project." It is important that the effects of the environment on the Project be explicitly considered, as they may contribute to the occurrence or

			and malfunctions that may arise both from project-related activities and from environmental conditions that could affect the designated project. The accidents and malfunctions response plan shall include:	exacerbation of accidents and malfunctions. The proposed wording clearly reinforces this requirement."
ECCC-17	Section 11 Accidents and malfunctions Condition 11.2.1	a description of the potential types of accidents and malfunctions that may cause adverse environmental effects during any phase of the Designated Project, including severe structural failure, major spill, fire in fuel storage areas and extreme weather events;	a description of the potential types of accidents and malfunctions that may cause adverse environmental effects during any phase of the Designated Project, including the most likely scenarios and the worst credible scenarios, notably severe structural failure, major spill, fire in fuel storage areas and extreme weather events;	We recommend adding the following: " the most likely scenarios and the worst credible scenarios, notably " Although a worst-case scenario is unlikely to occur, it is essential that it be considered in the development of emergency response plans, as it is one of the elements required to ensure comprehensive and appropriate management of emergency situations resulting from accidents or malfunctions. This concept is also reflected in the assessment report.
ECCC-18	Section 11 Accidents and malfunctions Condition 11.4.2	notify, as soon as feasible and pursuant to the communication plan referred to in condition 11.5, Indigenous groups of the accident or malfunction, and notify the Agency in writing no later than 48 hours following the accident or malfunction, of any accident and malfunction referred to in condition 11.2.1 included in each of these notifications, the Proponent shall specify	N/A	Comment pertains to the French version only.