

Attachment 1

Consolidated Application Volume 17, Part A, Section 11 – Marine Terminal Complex (Correct CA PDF Pages)

FIELD SURVEY RESULTS

A total of 34 marine bird species were recorded during the surveys, including detection of one SOMC. During the survey periods, the habitat in the PDA was primarily used by small numbers of feeding and wintering dabbling and diving ducks (primarily black scoter and common eider) and cormorant species, which were present throughout the year.

Gull species, such as herring gull and great black-backed gull were recorded on every survey visit, and are present in the PDA year-round. Iceland gull were recorded foraging in the PDA during the winter and early spring. Several species of shorebirds were observed in low numbers near the PDA, including spotted sandpiper (*Actitis macularius*), killdeer (*Charadrius vociferus*), purple sandpiper, whimbrel (*Numenius phaeopus*), and semipalmated plover. Double-crested cormorant were recorded in small numbers, passing by the PDA during fall migration months (August through November), and using the habitat within the PDA for foraging.

Harlequin duck was the only SOMC recoded during field surveys; this species was observed on five of the 27 surveys completed. This is consistent with past records of small numbers of harlequin ducks observed in the Anthonys Cove to Mispec area.

11.3 Potential Effects**11.3.1 Potential Effects and Measurable Parameters**

Potential effects of the Project on marine wildlife and wildlife habitat were identified and evaluated based on the following:

- The interaction could cause a measurable change in the VC and/or has an identified regulatory threshold that could be exceeded by project development (construction or operations).
- The interaction could affect the persistence and viability of the VC in the RAA.
- The interaction could directly or indirectly affect a SAR whose *population or habitat are provincially or federally managed or protected* (e.g., *Species at Risk Act*, *Migratory Birds Convention Act*, *New Brunswick Species at Risk Act*).
- The interaction has been identified as an effect of concern by regulators and other stakeholders as a key effect on a particular VC, identified as an effect of concern based on the professional judgment of those conducting the assessment, or could be specific to a particular region.

Based on this review and knowledge of the Project and its associated activities, the following project-specific effects on marine wildlife and wildlife habitat including SAR or SOMC are assessed:

- change in marine wildlife behavior – sensory disturbance caused by:
- construction of the marine terminal complex (e.g., pile driving, use of barges and support vessels for installation of the trestle and berth facilities and dredging); or
- the operation of the marine terminal complex and vessel loading/hoteling, could interact with marine wildlife and wildlife habitat
- change in health of marine wildlife – primarily related to sensory disturbance caused by:

- construction of the marine terminal complex (e.g., pile driving, use of barges and support vessels for installation of the trestle and berth facilities and dredging); or
- the operation of the marine terminal complex and vessel loading/hoteling, could interact with marine wildlife and wildlife habitat

To adequately characterize the potential effects of the Project on marine wildlife and wildlife habitat, measurable parameters are used to represent each type of predicted effect. Effective parameters are preferably measurable and quantifiable (e.g., underwater sound level). However, some effects on marine wildlife lack defined parameters to measure effects and are therefore qualitative and rely primarily on professional judgment and past project experience.

Table 11-4 summarizes the potential effects, measurable parameters, and rationale for each selection for the marine wildlife and wildlife habitat VC.

Table 11-4 Potential Effects and Measurable Parameters for Marine Wildlife and Wildlife Habitat

Potential Project Effect	Rationale for Inclusion of the Potential Project Effect in the Assessment	Measurable Parameter(s) for the Effect	Rationale for Selection of the Measurable Parameter
Change in behaviour	Marine terminal complex construction and operation has the potential to affect marine wildlife behavior.	<ul style="list-style-type: none"> • Underwater sound level • Potential for behavioural change due to in air sound or light 	Construction of the marine components of the Project has potential to produce sound and light levels at magnitudes that could trigger behavioural changes to marine wildlife.
Change in health	Marine terminal complex construction and operation has the potential to affect marine wildlife health.	<ul style="list-style-type: none"> • Underwater sound level • Potential for injury or mortality due to in air sound or light 	Construction of the marine components of the Project has potential to produce sound and light levels that could cause physical injury or mortality to marine wildlife.

11.3.2 Effects Assessment

Project activities associated with the marine terminal complex have potential to directly and indirectly affect marine wildlife and wildlife habitat by way of in-air and underwater noise, and night-lighting. Specifically, these Project activities have the potential to result in the following effects:

- change in behaviour
- change in health

Potential interactions between Project activities and marine wildlife and wildlife habitat are presented in Table 11-5. The effects of marine shipping associated with the Project, including berthing, on marine wildlife and wildlife habitat are assessed in Volume 17, Part B, Section 4.3. Effects related to collisions between vessels and marine mammals are addressed with accidents and malfunctions in Volume 19.

Attachment 2

**July 28 Errata Filing
(Revised Table 2)**

Table 2: Energy East Consolidated ESA Errata

Consolidated Application Volume	Section	PDF Pages	NEB Exhibit Number	Explanation of Correction or Update
Volume 17, Part A, Marine Terminal Complex	Section 10	22 of 62	A77025-14	Added figure reference and removed “ERROR! Reference source not found.”
Volume 17, Part A, Marine Terminal Complex	Section 11	30 and 31 of 68	A77025-16	Removed duplication of effects to be assessed.
Volume 17, Part B, Marine Shipping	Table of Contents	9 and 10 of 10	A77025-26	Added new page to Table of Contents for List of Appendices and reference to Appendix 4A, which inserted two pages into the document.
Volume 17, Part B, Marine Shipping	Section 4	31 of 54	A77025-30	Removed “ERROR! Reference source not found.”
Volume 17, Part B, Marine Shipping	Section 4	35 of 54	A77025-30	Corrected spelling error.
Volume 17, Part B, Marine Shipping	Section 4, Appendix 4A	–	A77025-30	Added Appendix 4A – Modelling Underwater Sound Associated with Shipping in the Bay of Fundy, which was included in the fifth supplemental report (December 2015) but was inadvertently omitted from the Consolidated Application.
Volume 19: Accidents and Malfunctions	Table of Contents	8 of 272	A77029-2	Corrected table numbering from Table 4-29 to Table 4-37.
Volume 19: Accidents and Malfunctions	Section 5 Marine Component Assessment	238 to 242 of 272	A77029-2	Added sentence that was inadvertently omitted during development of the Consolidated Application. It was originally in the marine baseline section of Volume 19, Section 5.3.1, Marine Site Interest, and should have been moved to Section 5.4, Tanker Strikes on Marine Mammals.