

SPECIFIC COMMENTS

Fisheries and Oceans Canada (DFO)

Section 2.1 Project Name and Location, page 8 - Coordinates are corrected however there is a typo in Table 2.1 and 2.2 in which the 5th set of coordinates are a duplication of the 1st set of coordinates.

STUDY AREA

Idx,	Longitude	Latitude	Length	Total Length	Heading
1,	51° 52' 35.4672" W	51° 25' 50.2717" N	705.78 km		86.0°
2,	41° 43' 12.0790" W	51° 25' 50.2717" N	800.18 km	705.78 km	180.0°
3,	41° 43' 12.0790" W	44° 14' 2.1904" N	810.89 km	1506 km	273.5°
4,	51° 52' 35.4672" W	44° 14' 2.1904" N	800.18 km	2316.8 km	0.0°
5	51° 52' 35.4672" W	51° 25' 50.2717" N	0 m	3117 km	

JEBCO - The 5th set of coordinates was removed from the table.

Section 5.8.2 Marine Mammals, pages 46-47 - The comment does not appear to be addressed - the added text and dates could not be located.

The text from the ENSEA and the revised project EA had read *“Marine mammal species present in the waters of Newfoundland and Labrador belong to the order Cetacea (whales, dolphins, and porpoise) and the order Pinnipedia (seals and walruses). Walruses are not known to be present in the Study Area, as such; pinnipeds will be reported as true seals. This report is not considering marine mammal members of the mustelids (otters, minks, etc.) nor polar bears (Ursus maritimus) because they do not occur within the Study Area.*

Sections 4.2.3.1 and 4.2.3.2 of the ENSEA (2014) provides a summary of marine mammal species and previously available sighting data for the Study Area and adjacent waters. At least twenty-nine species of marine mammals are known to occur in the Study Area including six species of baleen whales (Mysticetes) and, 12 species of toothed whales (Odontocetes) of which six species are dolphins and porpoises. True seals (Phocids) account for five species found in the Study Area. Most marine mammals use the Study Area seasonally, and the region likely represents important foraging areas for many species.”

Figure 5.9 provided by Fisheries and Oceans marine mammal section (Newfoundland) illustrate marine mammal sighting data within the extent of the Study Area.

JEBCO - The text has been corrected in the EA to the following:

“Marine mammal species present in the waters of Newfoundland and Labrador belong to the order Cetacea (whales, dolphins, and porpoise) and the order Pinnipedia (seals and walruses). Walruses are not known to be present in the Study Area, as such; pinnipeds will be reported as true seals. This report

is not considering marine mammal members of the mustelids (otters, minks, etc.) nor polar bears (Ursus maritimus) because they do not occur within the Study Area.

Sections 4.2.3.1 and 4.2.3.2 of the ENSEA (2014) provides a summary of marine mammal species and previously available sighting data for the Study Area and adjacent waters. Marine mammals known to occur in the Study Area include six species of baleen whales (Mysticetes) and 13 species of toothed whales (Odontocetes) of which six species are dolphins and porpoises. Cetacean species that occur and may occur in the study area include: blue whale, fin whale, sei whale, north Atlantic right whale, humpback whale, minke whale, sperm whale, killer whale, northern bottlenose whale, long-finned pilot whale, Sowerby's beaked whale, beluga whale, Atlantic white-sided dolphin, white-beaked dolphin, common bottlenose dolphin, common short-beaked dolphin, Risso's dolphin, striped dolphin and harbor porpoise

True seals (Phocids) account for five species found in the Study Area: harp seal, harbour seal, grey seal, hooded seal and bearded seal. Most marine mammals use the Study Area seasonally, and the region likely represents important foraging areas for many species.

The sighting database provided by Fisheries and Oceans marine mammal section (Newfoundland) in Figure 5.9 illustrates marine mammal occurrence within the extent of the Study Area from 1877 to 2013."

Section 5.8.4 Species at Risk, page 48 - Regarding "*Right whale is corrected.*" It still reads "*North American right whale ...*" which is incorrect.

JEBCO – The correct common name was corrected.

The revised EA text reads.. " Under SARA, a 'recovery strategy' and corresponding 'action plan' must be prepared for endangered, threatened, and extirpated species. Final recovery strategies have been prepared for four species currently designated as either endangered or threatened under Schedule 1 that occur in the Study Area:

- *leatherback sea turtle (ALTRT 2006),*
- *Ivory Gull (Mallory et al 2013);*
- *blue whale – NW Atlantic population (Beauchamp et al. 2009), and*
- *North Atlantic right whale (Brown et al. 2009)."*

Section 5.8.4.1 Marine Mammals, page 48 - The comment does not appear to be addressed - the modified text could not be located.

The text for the revised Project EA reads "There is no change in the number or species of marine mammals listed in Schedule 1 of the SARA in the Study Area as described in § 4.2.3.5 of the ENSEA (2014). Four currently designated species of marine mammals include:

- *blue whale - Atlantic population;*
- *North Atlantic right whale;*
- *Sowerby's beaked whale; and*
- *fin whale - Atlantic population.*

The main reason for the original decline of most marine mammal species includes commercial whaling mortality, and life history characteristics have been preventing full recovery.

The Grand Banks has been identified as critical habitat for the many marine mammals, including those, which are classified as at-risk. DFO has identified several key ecologically and biologically significant areas (EBSAs) on the banks, of which the Northeast Shelf and Slope EBSA, Lilly Canyon – Carson Canyon EBSA, Virgin Rocks EBSA and Southeast Shoal EBSA are found within or near the Study Area (DFO 2013). These EBSAs have been specifically identified as important feeding habitat for many cetacean and pinniped species (CPAWS 2009). At-risk marine mammals in the Grand Banks include the blue, North Atlantic right, fin, sei, humpback, killer, and northern bottlenose whales, and harbour porpoise (CPAWS 2009).

JEBCO - Text of the EA addressing CNLOPB comments reads *“There is no change in the number or species of marine mammals listed in Schedule 1 of the SARA in the Study Area as described in § 4.2.3.5 of the ENSEA (2014). Four currently designated species of marine mammals include:*

- *blue whale - Atlantic population;*
- *North Atlantic right whale;*
- *Sowerby’s beaked whale; and*
- *fin whale - Atlantic population.*

The main reason for the original decline of most marine mammal species includes commercial whaling mortality, and life history characteristics have been preventing full recovery.

DFO has identified several key ecologically and biologically significant areas (EBSAs) on the banks, of which the Northeast Shelf and Slope EBSA, Lilly Canyon – Carson Canyon EBSA, Virgin Rocks EBSA and Southeast Shoal EBSA are found within or near the Study Area (DFO 2007, 2013). These EBSAs have been specifically identified as important feeding habitat for many cetacean and pinniped species (CPAWS 2009). Marine mammals in the Grand Banks EBSAs include the blue, North Atlantic right, fin, sei, humpback, minke, long-finned pilot, killer, northern bottlenose whales; harbour porpoise; white-beaked dolphin, Atlantic white-sided dolphin; and hooded, harbour, ringed, grey, and harp seals (CPAWS 2009).

Text was revised to focus on the SARA Schedule 1 species and the EBSA.

Section 5.8.4.2 Sea Turtles, page 49 - The comment does not appear to be addressed, *i.e.*

Loggerhead Turtle is not listed on Schedule 1 of SARA and should be corrected - the modified text could not be located.

The revised Project EA text read *“There are no newly listed species of sea turtles occurring in the Study Area since the production of the ENSEA (2014) (§4.2.3.4). Both the leatherback and loggerhead sea turtles are still considered Species at Risk under Schedule 1 of SARA.*

JEBCO - revised text EA now reads *“There are no newly listed species or change in status of sea turtles occurring in the Study Area since the production of the ENSEA (2014) (§4.2.3.4).*

Section 6.4 Species at Risk, page 83 - The comment does not appear to be addressed. It is recommended to identify the population designatable unit and clarify which species are listed as Species at Risk under Schedule 1 of SARA and those that are assessed by COSEWIC.

Section 5.8.4 describes the Schedule 1 species at risk and provides the designatable/population unit. There has been no change in the species at risk designations or categorizations by either SARA or COSEWIC in the time period between submission of the JEBCO Project EA and the release of the CNLOPB NESEA. The CNLOPB scoping document states “The EA report should provide only summary descriptions of those biological and physical parameters. However, where new information is available, (*e.g.*, fisheries data) for any of the following factors, the new data and/or information should be provided. If information is not updated, justification must be provided. Where information is summarized from existing EA reports, it should be properly referenced; with specific reference to those sections of the existing EA report summarized.”

JEBCO - The newly released C-NLOPB NESEA describes in detail the species at risk information and is referred to, to avoid duplication and extensive EAs. Section 5.8.4 provide a summary of those speices listed on Schedule 1, deemed the most critical to provide some text on the topic. Section 6.4 provides a recap using the generic term “species at risk”. To be reiterative to the NESEA, designatable units for the species at risk are listed below:

- North Atlantic right whale (Atlantic population)
- Blue whale (Atlantic population)
- Fin Whale (Atlantic population)
- Sowerby’s beaked whale (Atlantic population)
- Northern bottlenose whale (Scotian Shelf population)
- Harbour porpoise (Northwest Atlantic population)
- Killer whale (Northwest Atlantic/Eastern Arctic population)
- Leatherback sea turtle (Pacific and Atlantic populations)
- Loggerhead sea turtle (Pacific and Atlantic populations)