

Sabo,Ashley (IAAC/AEIC)

From: Conrad, Aaron (IAAC/AEIC)
Sent: June 1, 2021 3:06 PM
To: Conrad, Aaron (IAAC/AEIC)
Subject: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.
Attachments: MIN 278437 - Incoming Lumsden - May 28, 2021.pdf

From: Atkinson, Mike (IAAC/AEIC)
Sent: June 1, 2021 3:24 PM
To: Regional Operations / Operations regionales (IAAC/AEIC) ; Pottie, Paulette (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC) ; Dieujuste, Nellie (IAAC/AEIC)
Subject: RE: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.

Hi there

Mike

From: Regional Operations / Operations regionales (IAAC/AEIC)
Sent: June 1, 2021 3:12 PM
To: Pottie, Paulette (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC) ; Atkinson, Mike (IAAC/AEIC) ; Regional Operations / Operations regionales (IAAC/AEIC) ; Dieujuste, Nellie (IAAC/AEIC)
Subject: FW: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.

Hi,

Please advise how this incoming will be handled.

Véro's comment to ECBU:
 I can confirm that this is a NEW request for designation.

ECBU tasking/question – review the attached and advise if:

- Request for NEW assessment (will be included in MTM for decision – any correspondent – sector must add to the Excel template to submit with the MTM **AND** the sector must notify ECBU so that we can set up GCDocs accordingly.)

Thank you,
Sumaiya

From: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>

Sent: June 1, 2021 8:36 AM

To: Regional Operations / Operations regionales (IAAC/AEIC) <iaac.regionaloperations-operationsregionales.aeic@canada.ca>

Cc: Dieujuste, Nellie (IAAC/AEIC) <Nellie.Dieujuste@canada.ca>; Landry, Eric (IAAC/AEIC) <Eric.Landry@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC) <Veronique.BoucherLalonde@canada.ca>

Subject: FW: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.

Hi RO,

See below Veronique comments on this one. **pls advise by June 3 how it will be dealt with.** thanks

Carole Giroux
Sector Planning and Financial Management Officer, Vice-President Office
Impact Assessment Agency of Canada / Government of Canada
carole.giroux@canada.ca / Tel: 343 551-3416

Agente, Planification sectorielle et gestion financière, Bureau du vice-president
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
carole.giroux@canada.ca / Tél: 343 551-3416

From: Boucher Lalonde, Véronique (IAAC/AEIC) <Veronique.BoucherLalonde@canada.ca>

Sent: June 1, 2021 10:06 AM

To: McCann, Stephanie (IAAC/AEIC) <Stephanie.McCann@canada.ca>; Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>

Cc: Hamilton, Johane (IAAC/AEIC) <Johane.Hamilton@canada.ca>; Executive Coordination and Briefing Unit - Coordination exécutive et unité de breffage (IAAC/AEIC) <iaac.executivecoordinationandbriefingunit-coordinationexecutiveetunitedebreffage.aeic@canada.ca>

Subject: RE: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.

Hi ECBU,
I can confirm that this is a NEW request for designation.

Vero

From: McCann, Stephanie (IAAC/AEIC) <Stephanie.McCann@canada.ca>

Sent: Monday, May 31, 2021 3:51 PM

To: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC)

<Veronique.BoucherLalonde@canada.ca>

Cc: Hamilton, Johane (IAAC/AEIC) <Johane.Hamilton@canada.ca>; Executive Coordination and Briefing Unit - Coordination exécutive et unité de breffage (IAAC/AEIC) <iaac.executivecoordinationandbriefingunit-coordinationexecutiveetunitedebreffage.aeic@canada.ca>

Subject: For Advice – Possible Request For Assessment –MIN 278437 – ORG – Action Against Canso Spaceport (ACCS) Writes To Submit Request For Designation Of The Maritime Launch Services' Canso Spaceport Project (NS) For Federal Impact Assessment.

Hello OPS,

Please note that this tasking follows the new RA procedures.

Respond to ECBU by Wednesday, June 3, 2021.

Please see attached incoming and confirm that this:

- Request for NEW assessment (will be included in MTM for decision – any correspondent – sector must add to the Excel template to submit with the MTM **AND** the sector must notify ECBU so that we can set up GCDocs accordingly.)
- Related to an ONGOING request for assessment (no reply required – GP – sector must add to the Excel template to submit with the MTM)
- Related to an ONGOING request for assessment (reply will be included in the MTM – VIP/ORG – sector must add to the Excel template to submit with the MTM)
- NOT a new request for assessment nor related to an ongoing request for assessment – no reply required (GP – sector must add to the Excel template to submit with the MTM)
- NOT a new request for assessment nor related to an ongoing request for assessment – reply required (VIP/ORG – sector must send their decision back to ECBU to ensure the file is properly processed.)

Thank you / Merci!

NOTE:

- *For any questions you have about processes and procedures, please consult the ECBU's GUIDE. It is an indexed, fully searchable document. Link: [GUIDE – Executive Coordination and Briefing Unit](#).*
- *Si vous avez des questions au sujet des processus et procédures, veuillez consulter le guide de l'UCEB. Le document est entièrement indexé donc vous pouvez y faire des recherches. Lien : [GUIDE de l'Unité de coordination exécutive et de breffage](#).*

Stephanie McCann

Correspondence and Briefing Officer
Executive Coordination and Briefing Unit
Impact Assessment Agency of Canada / Government of Canada
Stephanie.McCann@canada.ca / Tel: 613-698-0873

Coordination exécutive et unité de breffage
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Stephanie.McCann@canada.ca / Tél: 613-698-0873

Sabo,Ashley (IAAC/AEIC)

From: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>
Sent: June 1, 2021 2:02 PM
To: Benjamin, Cheryl (IAAC/AEIC); Croteau, Jean-Philippe (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC)
Subject: RE: searching for a legal opinion

Hi All

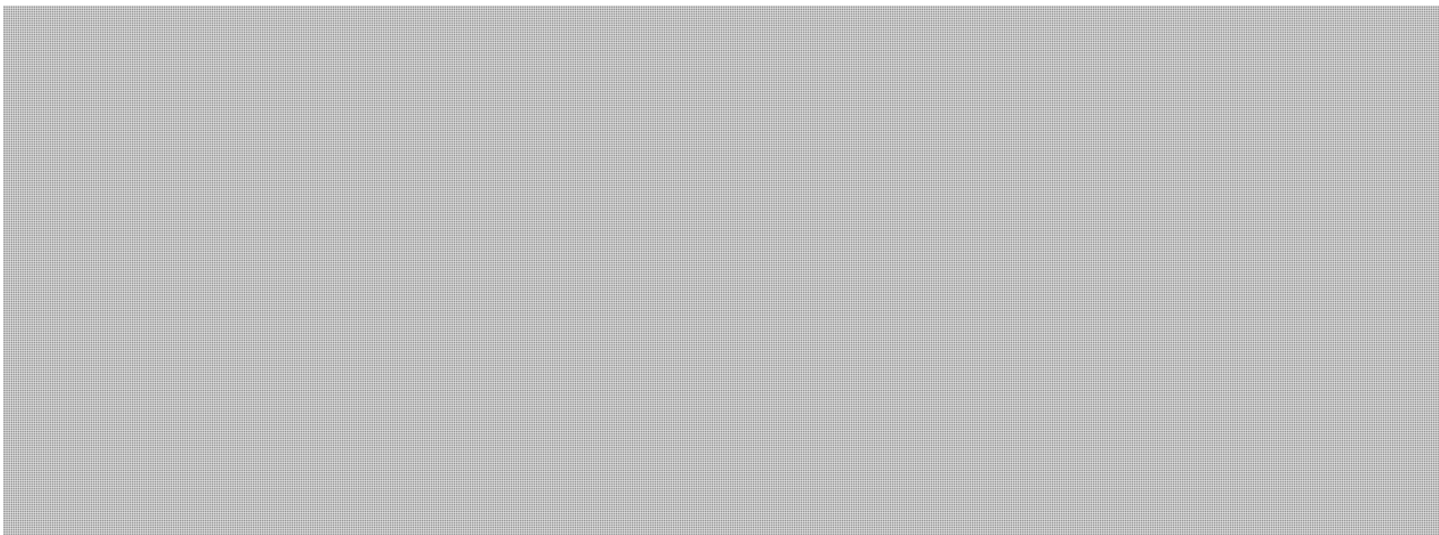
Here's an article from May 12. [Canso spaceport secures \\$10.5M, aims for first launch next year | CBC News](#)



Mike

From: Benjamin, Cheryl (IAAC/AEIC) <cheryl.benjamin@canada.ca>
Sent: June 1, 2021 1:37 PM
To: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>; Croteau, Jean-Philippe (IAAC/AEIC) <jean-philippe.croteau@canada.ca>
Cc: Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>
Subject: FW: searching for a legal opinion

Mike, I just got it about 30 minutes ago from LSU (see attached).



From: Bazinet, Lucie (IAAC/AEIC) <lucie.bazinet@canada.ca>
Sent: June 1, 2021 12:49 PM
To: Benjamin, Cheryl (IAAC/AEIC) <cheryl.benjamin@canada.ca>

Cc: Wilson, Paula (IAAC/AEIC) <paula.wilson@canada.ca>

Subject: RE: searching for a legal opinion

Hello Cheryl,

Hoping it's the legal advice you are looking for. Please confirm

Thanks!

Lucie Bazinet

Executive Legal Assistant and Administrative Coordinator, Legal Services
Impact Assessment Agency of Canada / Government of Canada
lucie.bazinet@canada.ca / Tel: 613-716-9964 / Fax. : 613-957-0942

Coordinatrice administrative et adjointe exécutive des Services juridiques
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
lucie.bazinet@canada.ca / Tel: 613-716-9964 / Téléc. : 613-957-0942

Sabo,Ashley (IAAC/AEIC)

From: Conrad, Aaron (IAAC/AEIC)
Sent: June 9, 2021 9:07 AM
To: Conrad, Aaron (IAAC/AEIC)
Subject: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia
Attachments: MIN 278632 - Incoming McKendry - June 4, 2021.pdf; Correspondence Procedures_05-26-2021.docx; Template_Correspondence Tracking For MTM Decisionsn.xlsx

From: Adams, Jill (IAAC/AEIC)
Sent: June 8, 2021 8:11 AM
To: Atkinson, Mike (IAAC/AEIC) ; Regional Operations / Operations regionales (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Pottie, Paulette (IAAC/AEIC)
Subject: RE: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia

Hi there,

[REDACTED] This is actually related to an ongoing request for designation by another NGO. The Ecology Action Centre is supporting their request. As Mike indicated below, [REDACTED]
[REDACTED]

Thanks,
Jill

From: Atkinson, Mike (IAAC/AEIC)
Sent: June 7, 2021 3:08 PM
To: Regional Operations / Operations regionales (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Pottie, Paulette (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC)
Subject: RE: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia

Hi Nellie

[REDACTED]
[REDACTED]

Mike

From: Regional Operations / Operations regionales (IAAC/AEIC)
Sent: June 7, 2021 2:59 PM
To: Basha, Samantha (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Pottie, Paulette (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC) ; Atkinson, Mike (IAAC/AEIC) ; Regional Operations / Operations regionales (IAAC/AEIC)
Subject: FW: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia

Good day ATL,

As per VPO's request below, please review attached incomings and **advise VPO by June 8** if it is choice 1 or 5 below (ECBU email below) (also attached the new procedure and Excel template, if needed), all other options only need to be added to the spreadsheet.

Thank you,

Nellie

From: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>

Sent: June 7, 2021 1:18 PM

To: Regional Operations / Operations regionales (IAAC/AEIC) <iaac.regionaloperations-operationsregionales.aeic@canada.ca>

Cc: Dieujuste, Nellie (IAAC/AEIC) <Nellie.Dieujuste@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC) <Veronique.BoucherLalonde@canada.ca>

Subject: FW: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia

Please review attached incomings and **advise VPO by June 8** if it is choice 1 or 5 below (ECBU email below) (also attached the new procedure and Excel template, if needed), all other options only need to be added to the spreadsheet.

Carole Giroux

Sector Planning and Financial Management Officer, Vice-President Office

Impact Assessment Agency of Canada / Government of Canada

Carole.Giroux@canada.ca / Tel: 343 551-3416

Agente, Planification sectorielle et gestion financière, Bureau du vice-president

Agence d'évaluation d'impact du Canada / Gouvernement du Canada

Carole.Giroux@canada.ca / Tél: 343 551-3416

From: McCann, Stephanie (IAAC/AEIC) <Stephanie.McCann@canada.ca>

Sent: June 7, 2021 11:57 AM

To: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC)

<Veronique.BoucherLalonde@canada.ca>

Cc: Hamilton, Johane (IAAC/AEIC) <Johane.Hamilton@canada.ca>; Executive Coordination and Briefing Unit - Coordination exécutive et unité de breffage (IAAC/AEIC) <iaac.executivecoordinationandbriefingunit-coordinationexecutiveetunitedebreffage.aeic@canada.ca>

Subject: Possible Request For Assessment – MIN 278632 – ORG - Ecology Action Centre Writes To Request A Federal Impact Assessment For The Canso Spaceport Facility Project In Nova Scotia

Hello OPS,

NOTE: If you are experiencing difficulty opening attachments in the incoming correspondence, ensure you are using Kofax Power PDF and not Adobe Reader.

REMARQUE : Si vous éprouvez de la difficulté à ouvrir les pièces jointes dans la correspondance reçue, assurez-vous que vous utilisez Kofax Power et pas PDF Adobe Reader.

ECBU WILL NOT FOLLOW-UP ON THIS FILE.

It is your responsibility to notify your VPO if options 1 OR 5 apply:

Please see attached incoming and confirm that this is:

1. REQUEST FOR NEW ASSESSMENT (included in MTM for decision – any correspondent: add to [Template-corr tracking for MTM](#) on the tab #1 to submit with the MTM. Notify VPO asap that this will be a new MTM.)
2. Related to an ONGOING request for assessment (to be included in MTM – VIP/ORG/FYI: add to [Template-corr tracking for MTM](#) on the tab #2 to submit with the MTM)
3. Related to an ONGOING request for assessment (no reply required – GP: add to [Template-corr tracking for MTM](#) on the tab #3 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres. Files CLOSED in CCM. No close form needed.)
4. NOT a new request for assessment nor related to an ongoing request for assessment – no reply required (GP – may add to [Template-corr tracking for MTM](#) on the tab #4 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres AND are not regarding the MTM subject. Files CLOSED in CCM. No close form needed. These were erroneously lumped in with the request for assessment.)
5. NOT a new request for assessment nor related to an ongoing request for assessment – reply required (VIP/ORG – may add to [Template-corr tracking for MTM](#) on the tab #5 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres AND are not regarding the MTM subject. These were erroneously lumped in with the request for assessment.)

Thank you / Merci!

NOTE:

- *For any questions you have about processes and procedures, please consult the ECBU's GUIDE. It is an indexed, fully searchable document. Link: [GUIDE – Executive Coordination and Briefing Unit](#).*
- *Si vous avez des questions au sujet des processus et procédures, veuillez consulter le guide de l'UCEB. Le document est entièrement indexé donc vous pouvez y faire des recherches. Lien : [GUIDE de l'Unité de coordination exécutive et de breffage](#).*

Stephanie McCann

Correspondence and Briefing Officer
Executive Coordination and Briefing Unit
Impact Assessment Agency of Canada / Government of Canada
Stephanie.McCann@canada.ca / Tel: 613-698-0873

Coordination exécutive et unité de breffage
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Stephanie.McCann@canada.ca / Tél: 613-698-0873

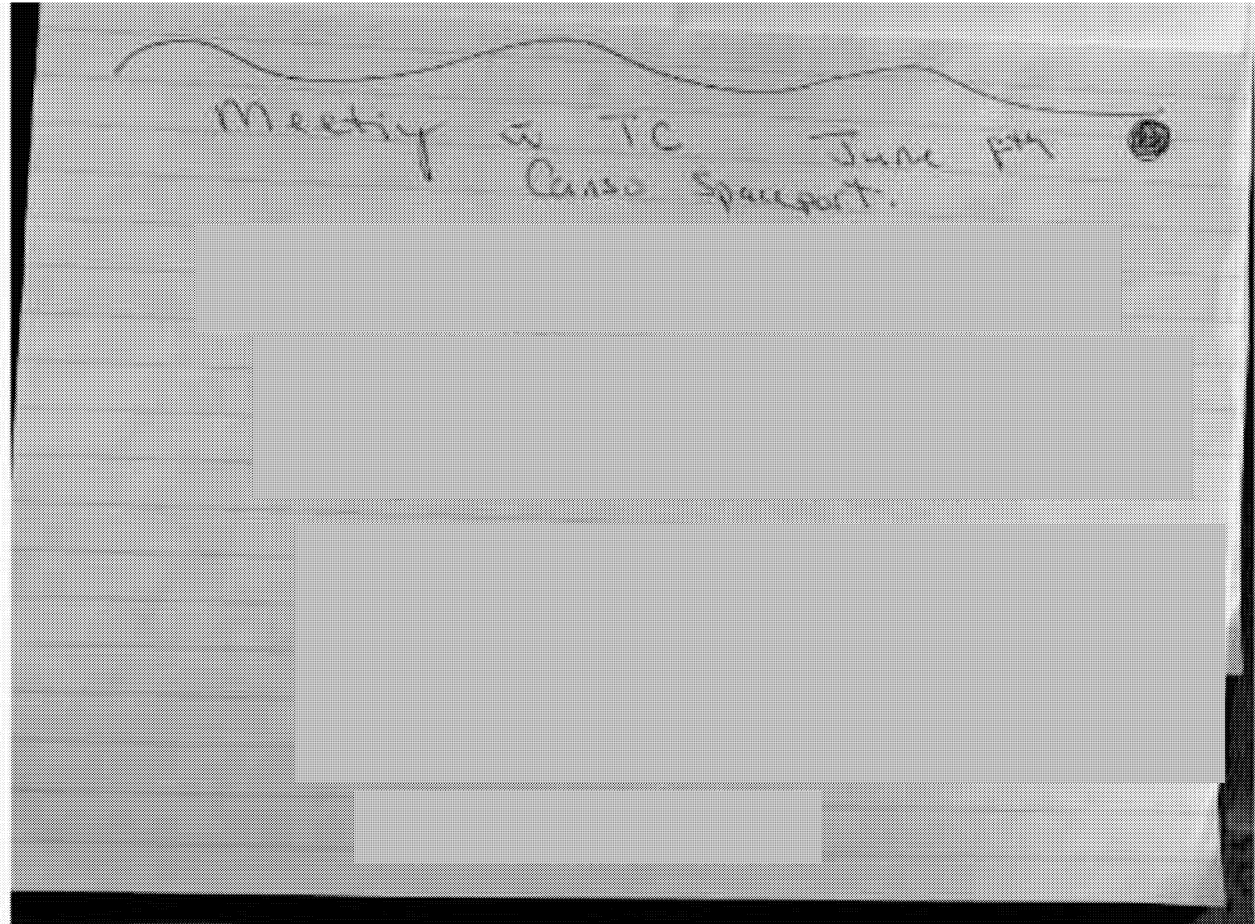
s.21(1)(b)

s.21(1)(c)

s.23

s.69(1)(g) re (c)

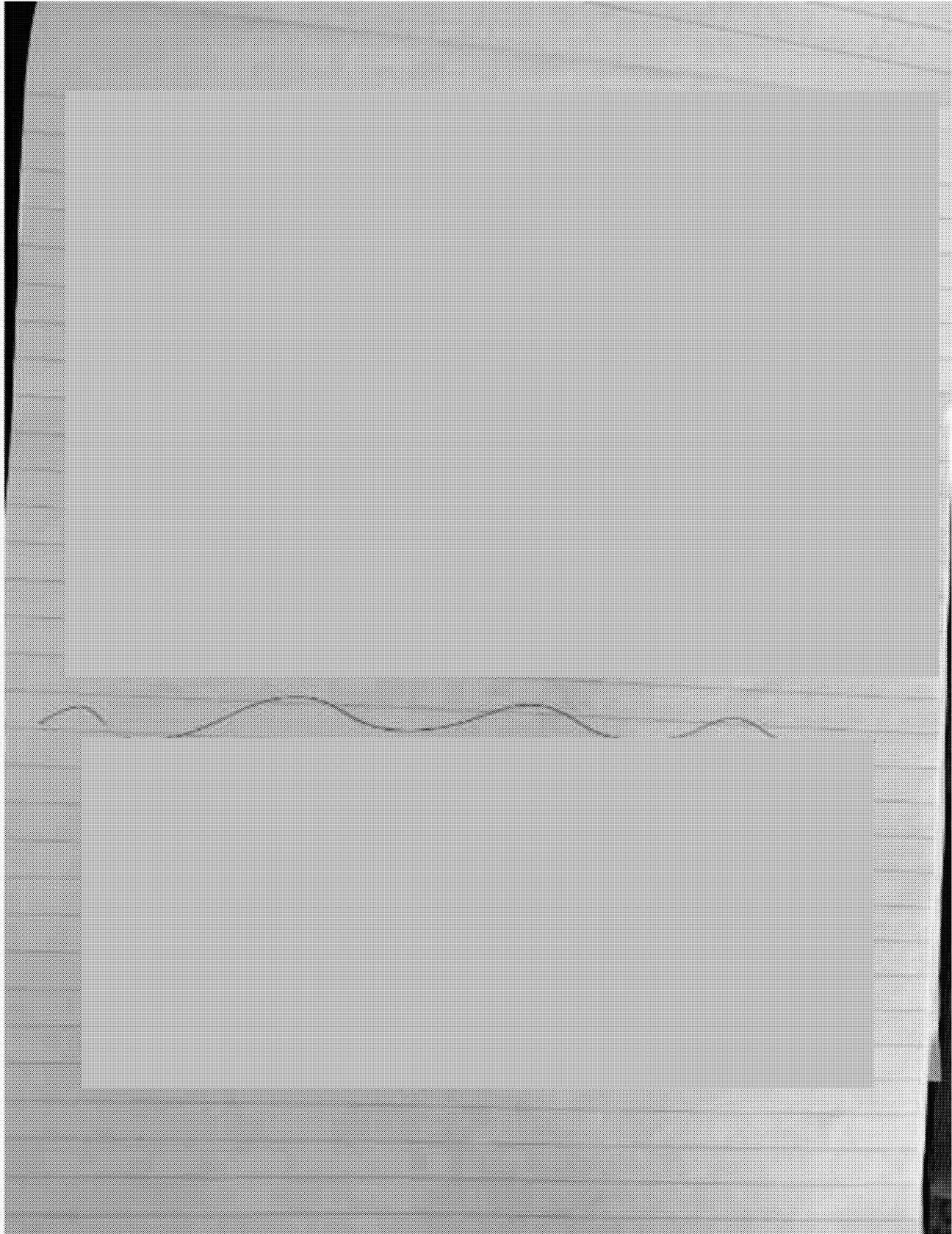
s.69(1)(g) re (f)



s.21(1)(b)

s.21(1)(c)

s.23



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Options for Canso Spaceport

Maritime Launch Services Ltd. (the proponent) plans to construct and operate a private commercial space launch facility located approximately 3 kilometres south of Canso, Nova Scotia.

On May 28, 2021, we received a designation request from Marie Lumsden, on behalf of the Action Against Canso Spaceport. On June 24, 2021, the Ecology Action Centre also requested designation.

There was a previous designation request under CEAA 2012 by the [redacted] on August 3, 2018. On June 28, 2019, the former Minister decided not to designate. This information is not included on the Registry as the decision was made under CEAA 2012.

Option	Description	Pros	Cons
1. [redacted]	<ul style="list-style-type: none"> • [redacted] • [redacted] • [redacted] • [redacted] • [redacted] 	<ul style="list-style-type: none"> • [redacted] • [redacted] • [redacted] • [redacted] 	<ul style="list-style-type: none"> • [redacted] • [redacted] • [redacted] • [redacted]

**Pages 13 to / à 15
are withheld pursuant to sections
sont retenues en vertu des articles**

21(1)(a), 21(1)(b), 23

**of the Access to Information
de la Loi sur l'accès à l'information**

Page 16

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(b)

**of the Access to Information
de la Loi sur l'accès à l'information**

Sabo,Ashley (IAAC/AEIC)



From: Conrad, Aaron (IAAC/AEIC)
Sent: June 15, 2021 8:09 AM
To: Conrad, Aaron (IAAC/AEIC)
Subject: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.
Attachments: MIN 278832 - Incoming Burrill - June 10, 2021.pdf

From: Conrad, Aaron (IAAC/AEIC)
Sent: June 15, 2021 8:51 AM
To: Regional Operations / Operations regionales (IAAC/AEIC)
Cc: Atkinson, Mike (IAAC/AEIC) ; Adams, Jill (IAAC/AEIC) ; Smith, Melanie (IAAC/AEIC) ; Pottie, Paulette (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC) ; Mabrouk, Gehan (IAAC/AEIC)
Subject: FW: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.
 Good morning,

Thanks,

Aaron Conrad

Administrative Assistant - Atlantic Regional Office
 Impact Assessment Agency of Canada - Government of Canada
 Adjoint administratif, Bureau régional de l'Atlantique
 L'Agence d'évaluation d'impact du Canada / Gouvernement du Canada

 **1 (902) 399-8841**  Aaron.Conrad@iaac-aeic.gc.ca

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Le présent message électronique est confidentiel et peut être couvert par le secret professionnel. Il est à l'usage exclusif du destinataire. Si vous recevez ce message par erreur ou si vous n'en êtes pas le destinataire prévu, vous devez détruire le message et toute pièce jointe ou copie et vous êtes tenu de ne pas conserver, distribuer, divulguer ni utiliser tout renseignement qu'il contient. Veuillez nous informer de toute erreur d'envoi en répondant à ce message. Merci de votre collaboration.



Gouvernement
du Canada

Government
of Canada

Canada

From: Adams, Jill (IAAC/AEIC)
Sent: June 15, 2021 8:39 AM
To: Conrad, Aaron (IAAC/AEIC) ; Atkinson, Mike (IAAC/AEIC) ; Smith, Melanie (IAAC/AEIC) ; Mabrouk, Gehan (IAAC/AEIC)
Cc: Pottie, Paulette (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC)
Subject: RE: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.
 Good morning Aaron,

Thanks,
 Jill

From: Conrad, Aaron (IAAC/AEIC)
Sent: June 15, 2021 8:38 AM
To: Atkinson, Mike (IAAC/AEIC) ; Adams, Jill (IAAC/AEIC) ; Smith, Melanie (IAAC/AEIC) ; Mabrouk, Gehan (IAAC/AEIC)
Cc: Pottie, Paulette (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC)
Subject: FW: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.

Good morning,

Can we confirm [REDACTED]

Thanks,

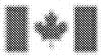
Aaron Conrad

Administrative Assistant - Atlantic Regional Office
Impact Assessment Agency of Canada - Government of Canada
Adjoint administratif, Bureau régional de l'Atlantique
L'Agence d'évaluation d'impact du Canada / Gouvernement du Canada

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Gouvernement
du Canada

Government
of Canada

Canada

From: Regional Operations / Operations regionales (IAAC/AEIC)
Sent: June 14, 2021 8:23 PM
To: Pottie, Paulette (IAAC/AEIC) ; Conrad, Aaron (IAAC/AEIC) ; Basha, Samantha (IAAC/AEIC)
Cc: Adams, Jill (IAAC/AEIC) ; Atkinson, Mike (IAAC/AEIC) ; Regional Operations / Operations regionales (IAAC/AEIC) ; Dieujuste, Nellie (IAAC/AEIC)
Subject: FW: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.

Hi,
[REDACTED] Please
respond to RO by June 16, 2021.

Thank you,
Sumaiya

From: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>

Sent: Monday, June 14, 2021 7:44 AM

To: Regional Operations / Operations regionales (IAAC/AEIC) <iaac.regionaloperations-operationsregionales.aeic@canada.ca>

Cc: Dieujuste, Nellie (IAAC/AEIC) <Nellie.Dieujuste@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC) <Veronique.BoucherLalonde@canada.ca>

Subject: FW: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.

Hi RO

See below. pls advise.

Carole Giroux

Sector Planning and Financial Management Officer, Vice-President Office

Impact Assessment Agency of Canada / Government of Canada

Carole.Giroux@canada.ca / Tel: 343 551-3416

Agente, Planification sectorielle et gestion financière, Bureau du vice-president

Agence d'évaluation d'impact du Canada / Gouvernement du Canada

Carole.Giroux@canada.ca / Tél: 343 551-3416

From: McCann, Stephanie (IAAC/AEIC) <Stephanie.McCann@canada.ca>

Sent: June 11, 2021 3:10 PM

To: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <iaac.operationssector-admins-admins-secteurdesoperations.aeic@canada.ca>; Boucher Lalonde, Véronique (IAAC/AEIC) <Veronique.BoucherLalonde@canada.ca>

Cc: Hamilton, Johane (IAAC/AEIC) <Johane.Hamilton@canada.ca>; Executive Coordination and Briefing Unit - Coordination exécutive et unité de breffage (IAAC/AEIC) <iaac.executivecoordinationandbriefingunit-coordinationexecutiveetunitedebreffage.aeic@canada.ca>

Subject: Possible Request For Assessment – MIN 278832 – MP - MLA For Halifax Chebucto/Leader Of Nova Scotia NDP Caucus Sends Request For Designation Of The Maritime Launch Services' Canso Spaceport Project For Impact Assessment.

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Please see attached incoming and confirm that this is:

1. REQUEST FOR NEW ASSESSMENT (included in MTM for decision – any correspondent: add to [Template-corr tracking for MTM](#) on the tab #1 to submit with the MTM. Notify VPO asap that this will be a new MTM.)
2. Related to an ONGOING request for assessment (to be included in MTM – VIP/ORG/FYI: add to [Template-corr tracking for MTM](#) on the tab #2 to submit with the MTM)
3. Related to an ONGOING request for assessment (no reply required – GP: add to [Template-corr tracking for MTM](#) on the tab #3 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres. Files CLOSED in CCM. No close form needed.)
4. NOT a new request for assessment nor related to an ongoing request for assessment – no reply required (GP – may add to [Template-corr tracking for MTM](#) on the tab #4 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres AND are not regarding the MTM subject. Files CLOSED in CCM. No close form needed. These were erroneously lumped in with the request for assessment.)
5. NOT a new request for assessment nor related to an ongoing request for assessment – reply required (VIP/ORG – may add to [Template-corr tracking for MTM](#) on the tab #5 to submit with the MTM. Should include GPs NOT receiving a response from Min or Pres AND are not regarding the MTM subject. These were erroneously lumped in with the request for assessment.)

Thank you / Merci!

NOTE:

- For any questions you have about processes and procedures, please consult the ECBU's GUIDE. It is an indexed, fully searchable document. Link: [GUIDE – Executive Coordination and Briefing Unit](#).
- Si vous avez des questions au sujet des processus et procédures, veuillez consulter le guide de l'UCEB. Le document est entièrement indexé donc vous pouvez y faire des recherches. Lien : [GUIDE de l'Unité de coordination exécutive et de breffage](#).

Stephanie McCann

Correspondence and Briefing Officer
Executive Coordination and Briefing Unit
Impact Assessment Agency of Canada / Government of Canada
Stephanie.McCann@canada.ca / Tel: 613-698-0873

Coordination exécutive et unité de breffage
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Stephanie.McCann@canada.ca / Tél: 613-698-0873

Sabo,Ashley (IAAC/AEIC)

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: June 24, 2021 2:08 PM
To: Atkinson, Mike (IAAC/AEIC)
Cc: Smith, Melanie (IAAC/AEIC); Adams, Jill (IAAC/AEIC); Verwey, Laura
Subject: RE: Canso Spaceport Facility

Hi Mike,

I'm free from 9 to 9:30 tomorrow to chat.

Thx
Eric

From: Atkinson, Mike (IAAC/AEIC) [mailto:mike.atkinson@canada.ca]
Sent: Thursday, June 24, 2021 12:00 PM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hi Eric

I would be happy to speak with you about via MS teams. Would you be available any time between 9-10am tomorrow morning?

Mike

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: June 22, 2021 3:53 PM
To: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hello Mike,



Regards,
Eric

From: Atkinson, Mike (IAAC/AEIC) [mailto:mike.atkinson@canada.ca]
Sent: Friday, June 04, 2021 11:40 AM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>; Cooper,

Adele <adele.cooper@tc.gc.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>

Subject: RE: Canso Spaceport Facility

Hi Eric

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Subject: RE: Canso Spaceport Facility

Hi Mike,

[Redacted]

[Redacted] I relayed this to my colleagues and they suggested a meeting would be the best place to provide an update. It would also provide a good opportunity to discuss [Redacted]
[Redacted] Would you be interested in having a meeting?

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Sent: Thursday, June 03, 2021 2:24 PM

To: Hopkins, Eric <eric.hopkins@tc.gc.ca>

Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>

Subject: Re: Canso Spaceport Facility

Hi Eric

[Redacted]

Mike

Sent from my iPhone

On Jun 3, 2021, at 3:01 PM, Hopkins, Eric <eric.hopkins@tc.gc.ca> wrote:

Hi Mike,

Thx
Eric

From: Atkinson, Mike (IAAC/AEIC) [mailto:mike.atkinson@canada.ca]
Sent: Wednesday, June 02, 2021 12:00 PM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>
Subject: RE: Canso Spaceport Facility

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The timing you propose works well.

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Mike

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Sent: June 2, 2021 11:04 AM
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Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>
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It's been some time since we spoke and I hope you are well.

I not sure if you are the correct person to be asking this to or not.

Our Minister has received another request to designate the Canso Spaceport, but this time under the *Impact Assessment Act* instead of CEAA 2012. [REDACTED]

I appreciate any help you can give me on this.

Thanks

Mike

Mike Atkinson
Regional Director, Atlantic Regional Office
Impact Assessment Agency of Canada / Government of Canada
mike.atkinson@canada.ca / Tel: 902-426-7496 Cel : 902-877-4404

Directeur régional, Bureau régional de l'Atlantique
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
mike.atkinson@canada.ca / Tél. : 902-426-7496 Tél. cell. : 902-877-4404

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: October 9, 2019 5:58 PM
To: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Cliche, Dominic <dominic.cliche@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hello Mike,

I reached out to my Civil Aviation folks. They have provided the following lines.

- On March 6, 2019, the Government of Canada announced a national space strategy that recognizes the strategic value of space and space exploration for Canada. The Strategy positions Canada's space industry to take full advantage of the growing global space economy and focuses investments on satellite communications technologies, space as an enabler of service delivery, funding for lunar science, and leveraging data from Canada's space-based assets for business and science.

- To further advance the Strategy's objectives, Transport Canada, the Canadian Space Agency and other relevant departments are currently working together to enable commercial space launch in Canada.
- Transport Canada has the authority through the *Aeronautics Act* to regulate rockets destined for space in Canada, the use of domestic Canadian airspace and the certification of aerodromes. As commercial space launch is an emerging industry in Canada, Transport Canada and other government departments and agencies are looking at ways to exercise relevant authorities to ensure safe and efficient space launch activities.
- Transport Canada and the Canadian Space Agency have met with Maritime Launch Services (MLS) regarding the construction of their spaceport in Canso, Nova Scotia, and are closely monitoring the project's development. The Government of Canada will continue to work with MLS and other interested commercial space launch proponents to ensure the safety and advancement of this growing industry in Canada.

Please let me know if you have any questions/concerns.

Regards,
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I continue to field a number of calls from the public in relation to the Canso Spaceport. Is there anyone in TC can speak knowledgably about the potential regulation of this project?

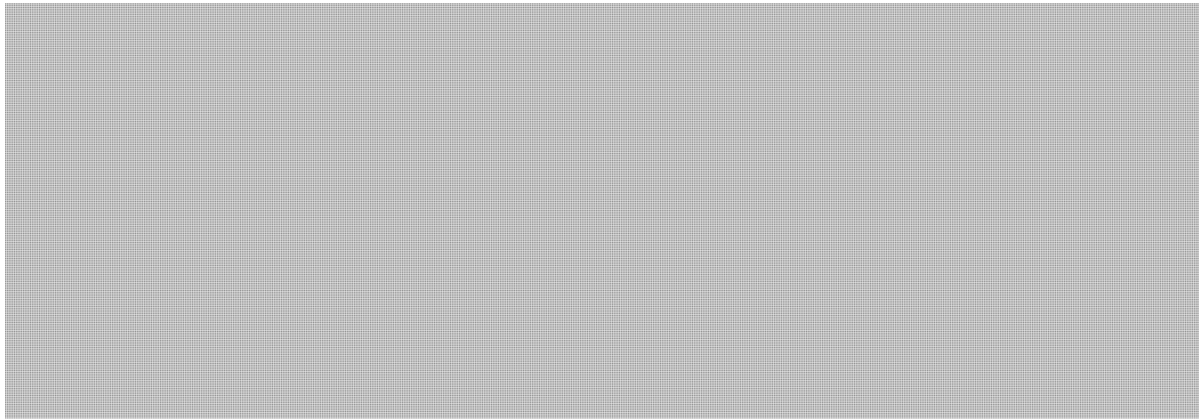
Any help appreciated.

Mike

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: April 30, 2019 4:07 PM
To: Atkinson, Mike (CEAA/ACEE) <mike.atkinson@canada.ca>
Cc: Smith, Melanie (CEAA/ACEE) <melanie.smith@canada.ca>; Croteau, Jean-Philippe (CEAA/ACEE) <jean-philippe.croteau@canada.ca>; Saxe, Jennifer (CEAA/ACEE) <jennifer.saxe@canada.ca>
Subject: RE: Canso Spaceport Facility

Hello Mike,

I've consulted with Civ Av and they have provided the following response. I hope this addresses your question/concerns.



Regards,




Eric Hopkins

Manager - Environmental Assessment, Stewardship and Sustainable Transportation Programs
Transport Canada / Government of Canada
Eric.hopkins@tc.gc.ca / Tel: 613-286-4148

Gestionnaire d'évaluation environnementale, Programmes de gestion et de transport durable
Transport Canada / Gouvernement du Canada
Eric.hopkins@tc.gc.ca / Tél: 613-286-4148

From: Atkinson, Mike (CEAA/ACEE) [<mailto:mike.atkinson@canada.ca>]
Sent: Tuesday, April 30, 2019 10:25 AM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith, Melanie (CEAA/ACEE) <melanie.smith@canada.ca>; Croteau, Jean-Philippe (CEAA/ACEE) <jean-philippe.croteau@canada.ca>; Saxe, Jennifer (CEAA/ACEE) <jennifer.saxe@canada.ca>
Subject: Canso Spaceport Facility

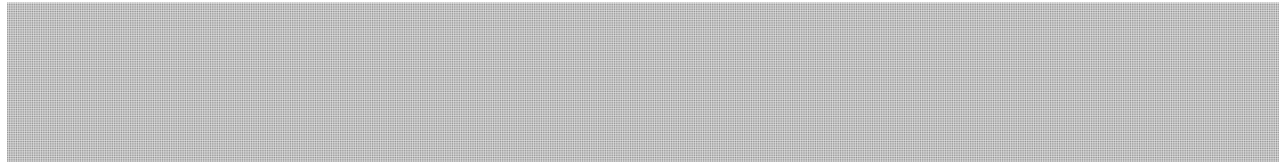
Hi Eric

Further to our discussion yesterday, at the end of this email I have pasted the text from the last submission from TC (email November 13, 2018) in relation to the proposed Canso Spaceport. To summarize, it states that there is no legislative or regulatory framework to ensure Canada complies with international treaties related to launches and their potential impacts in another state. 



In the Agency's letter to TC of August 2018, we asked the following:

Identify any additional potential adverse environmental effects of the Project that are not described in the provincial EA registration document and their linkage to components of the environment under federal jurisdiction (as defined under section 5 of CEAA 2012).

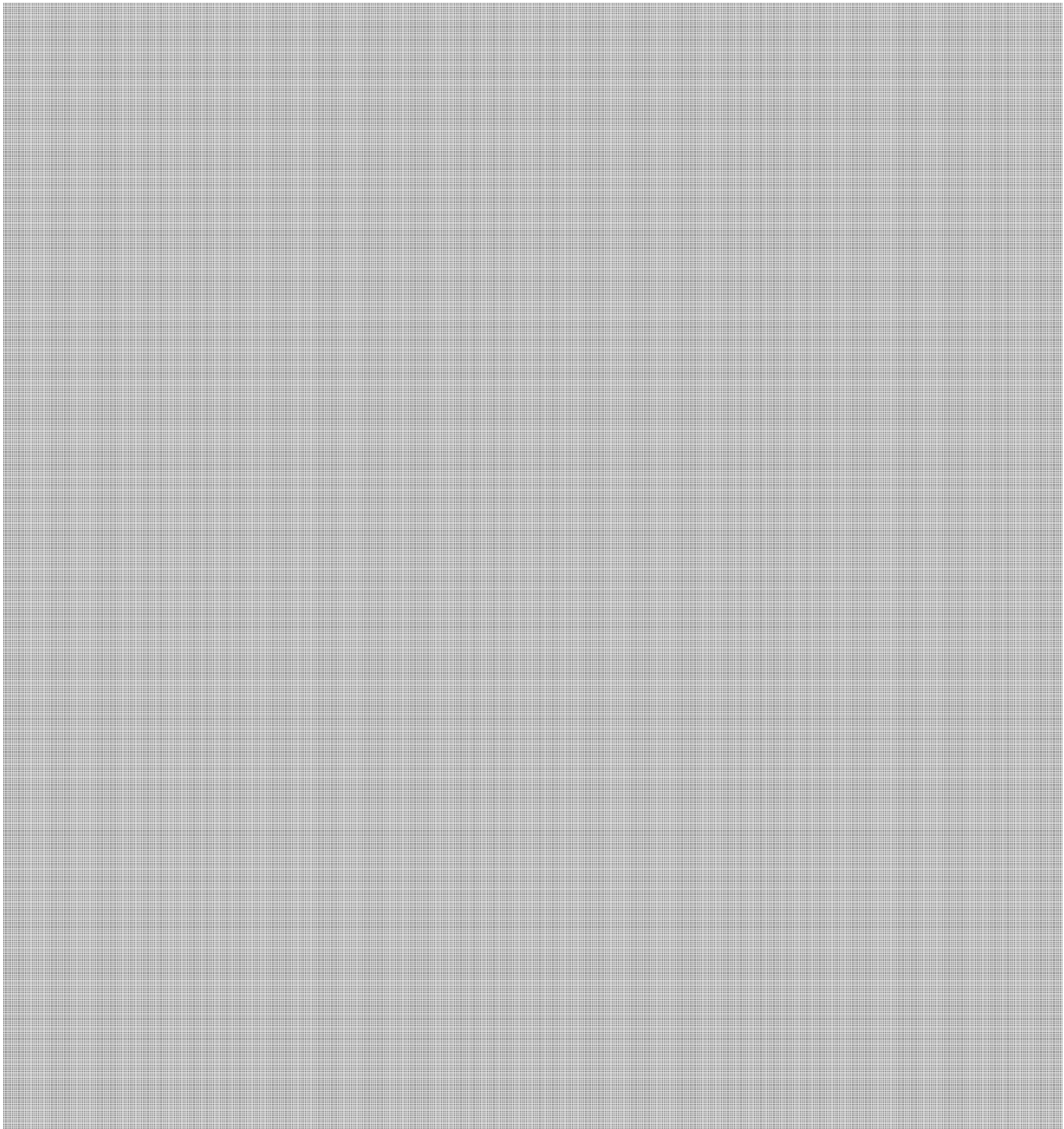
- a. *Identify whether any potential adverse environmental effects are likely to be significant in nature; and*
- b. *Comment on whether any potential adverse effects identified could be managed by existing regulatory processes.*



I hope this helps clarify what the Agency is looking for at this time. I am happy to discuss this further.

Regards

Mike Atkinson
Regional Director-Atlantic



Page 28

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(b)

**of the Access to Information
de la Loi sur l'accès à l'information**

Sabo,Ashley (IAAC/AEIC)

From: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>
Sent: June 30, 2021 4:10 PM
To: 'Stephen Matier'
Cc: Adams, Jill (IAAC/AEIC)
Subject: RE: Canso Spaceport

Thank you Steve.

Mike

From: Stephen Matier <steve.matier@maritimelaunch.com>
Sent: June 30, 2021 4:04 PM
To: Atkinson, Mike (IAAC/AEIC) <mike.atkinson@canada.ca>
Cc: Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>
Subject: Re: Canso Spaceport

Hi Mike,

In short, there has not been any material change whatsoever with our project. There are not any new project components or activities.

Best regards,

Steve

Steve Matier
President & CEO

steve.matier@maritimelaunch.com
505.553.0822



CANADA'S FIRST COMMERCIAL SPACEPORT

The information in this email is confidential. It is intended solely for the addressee. If you are not the intended recipient, please notify us immediately and delete this email from your system. Any unauthorized use, disclosure or reproduction of this email is prohibited.

From: "Atkinson, Mike (IAAC/AEIC)" <mike.atkinson@canada.ca>
Date: Wednesday, June 30, 2021 at 3:46 PM
To: "steve.matier@maritimelaunch.com" <steve.matier@maritimelaunch.com>
Cc: "Adams, Jill (IAAC/AEIC)" <jill.adams@canada.ca>
Subject: Canso Spaceport

Hi Steve

As discussed this afternoon, in June 2019 the former Minister decided not to designate the Canso Spaceport Facility Project for federal impact assessment under the *Canadian Environmental Assessment Act 2012*.

The Minister has now received a number of requests to designate the project under the *Impact Assessment Act* (2019). Consequently, I would like to know if there have been any material changes in the project since the 2019 decision.

Specifically, are there any new project components or activities that would have not previously been considered by the Agency in its advice to the Minister in 2019.

Your help and prompt response is much appreciated.

Regards

Mike Atkinson
Regional Director, Atlantic Regional Office
Impact Assessment Agency of Canada / Government of Canada
mike.atkinson@canada.ca / Tel: 902-426-7496 Cel : 902-877-4404

Directeur régional, Bureau régional de l'Atlantique
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
mike.atkinson@canada.ca / Tél. : 902-426-7496 Tél. cell. : 902-877-4404

This email has come from outside your organization. Only open attachments from this sender if you are confident in their identity.

Sabo,Ashley (IAAC/AEIC)

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: August 5, 2021 4:50 PM
To: Atkinson,Mike (IAAC/AEIC)
Subject: RE: Canso Spaceport Facility

Thanks Mike.

Eric

From: Atkinson,Mike (IAAC/AEIC) [mailto:Mike.Atkinson@iaac-aeic.gc.ca]
Sent: Thursday, August 05, 2021 3:30 PM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith,Melanie (IAAC/AEIC) <Melanie.Smith@iaac-aeic.gc.ca>; Adams,Jill (IAAC/AEIC) <Jill.Adams@iaac-aeic.gc.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hi Eric

[REDACTED] If I hear anything I'll let you know.

Mike

From: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Sent: August 5, 2021 4:27 PM
To: Atkinson,Mike (IAAC/AEIC) <Mike.Atkinson@iaac-aeic.gc.ca>
Cc: Smith,Melanie (IAAC/AEIC) <Melanie.Smith@iaac-aeic.gc.ca>; Adams,Jill (IAAC/AEIC) <Jill.Adams@iaac-aeic.gc.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hi Mike,

[REDACTED] Our Regional Office has been invited to some meetings with the province and the proponent so I just want to give them an update.

Thx
Eric

From: Atkinson, Mike (IAAC/AEIC) [mailto:mike.atkinson@canada.ca]
Sent: Thursday, June 24, 2021 12:00 PM
To: Hopkins, Eric <eric.hopkins@tc.gc.ca>
Cc: Smith, Melanie (IAAC/AEIC) <melanie.smith@canada.ca>; Adams, Jill (IAAC/AEIC) <jill.adams@canada.ca>; Verwey, Laura <laura.verwey@tc.gc.ca>
Subject: RE: Canso Spaceport Facility

Hi Eric

I would be happy to speak with you about via MS teams. Would you be available any time between 9-10am tomorrow morning?

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Subject: RE: Canso Spaceport Facility

Hi Mike,

[Redacted]

[Redacted]

I relayed this to my colleagues and they suggested a meeting would be the best place to provide an update. It

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Subject: Re: Canso Spaceport Facility

Hi Eric

[REDACTED]

Mike

Sent from my iPhone

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The timing you propose works well.

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I appreciate any help you can give me on this.

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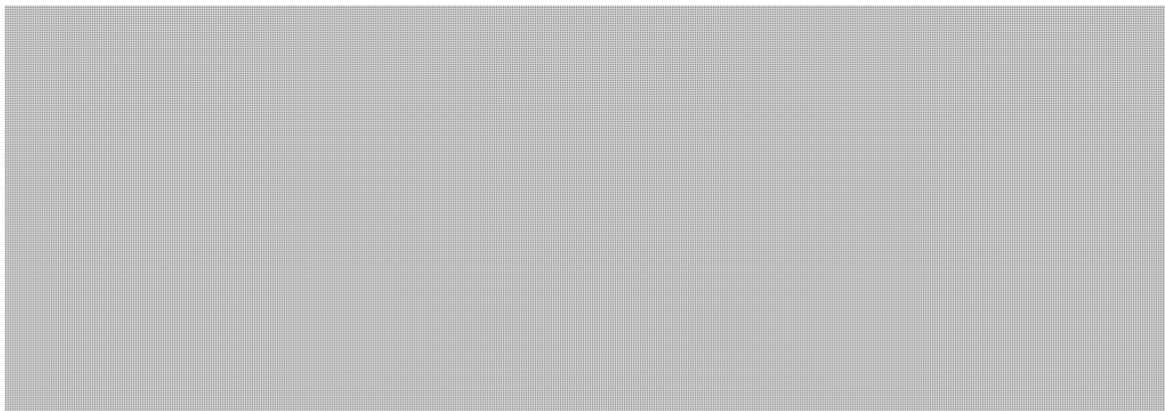
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Transport Canada / Government of Canada

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Gestionnaire d'évaluation environnementale, Programmes de gérance et de transport durable

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Subject: Canso Spaceport Facility

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In the Agency's letter to TC of August 2018, we asked the following:

Identify any additional potential adverse environmental effects of the Project that are not described in the provincial EA registration document and their linkage to components of the environment under federal jurisdiction (as defined under section 5 of CEAA 2012).

- a. *Identify whether any potential adverse environmental effects are likely to be significant in nature; and*
- b. ***Comment on whether any potential adverse effects identified could be managed by existing regulatory processes.***

I hope this helps clarify what the Agency is looking for at this time. I am happy to discuss this further.

Regards

Mike Atkinson
Regional Director-Atlantic

Page 38

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(b)

**of the Access to Information
de la Loi sur l'accès à l'information**

Sabo,Ashley (IAAC/AEIC)

From: Marie Lumsden [REDACTED]
Sent: August 27, 2021 3:09 PM
To: Adams,Jill (IAAC/AEIC)
Subject: RE: Federal Impact Assessment Request May 28 2021

Hello Jill;

Thanks very much for getting back to me. Looking forward to further correspondence.

Regards,
Marie

Sent from [REDACTED] on Android

On Fri, 27 Aug 2021 at 1:57 PM, Adams,Jill (IAAC/AEIC)
<Jill.Adams@iaac-aeic.gc.ca> wrote:

Good afternoon Marie,

Thank you for your inquiry on the status of your request to have the Canso Spaceport undergo a federal impact assessment.

Designation is an exceptional measure that is typically granted when a project has the potential to cause adverse effects in areas of federal jurisdiction and/or when there are no other regulatory processes to address these effects.

The request to have this project designated is currently being reviewed by the Impact Assessment Agency of Canada and you will be notified when a decision is made.

Regards,

Jill

Jill Adams

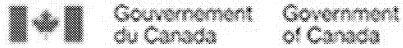
A/Regional Director, Atlantic Regional Office

Impact Assessment Agency of Canada / Government of Canada

Jill.adams@iaac-aeic.gc.ca / Tel: 709-330-6297

Directrice régionale/l, Bureau régional de l'Atlantique

Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Jill.adams@iaac-aeic.gc.ca / Tél: 709-330-6297



Canada

From: Basha, Samantha (IAAC/AEIC) <Samantha.Basha@iaac-aeic.gc.ca>
Sent: Friday, August 27, 2021 9:01 AM
To: Adams, Jill (IAAC/AEIC) <Jill.Adams@iaac-aeic.gc.ca>
Cc: Pottie, Paulette (IAAC/AEIC) <paulette.pottie@iaac-aeic.gc.ca>; Conrad, Aaron (IAAC/AEIC) <Aaron.Conrad@iaac-aeic.gc.ca>
Subject: FW: Federal Impact Assessment Request May 28 2021

Hi Jill. Please see below and action accordingly.

Thanks

Samantha

From: Information (IAAC/AEIC) <information@iaac-aeic.gc.ca>
Sent: August 27, 2021 8:37 AM
To: Pottie, Paulette (IAAC/AEIC) <paulette.pottie@iaac-aeic.gc.ca>; Conrad, Aaron (IAAC/AEIC) <Aaron.Conrad@iaac-aeic.gc.ca>; Basha, Samantha (IAAC/AEIC) <Samantha.Basha@iaac-aeic.gc.ca>
Subject: TR: Federal Impact Assessment Request May 28 2021

Good morning,

Could someone from your team please provide a response to the inquiry below. Thank you so much!

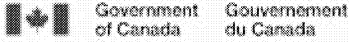
Kind regards,

Catherine Cadieux-Fredette

Impact Assessment Agency of Canada | Agence d'évaluation d'impact du Canada

160 Elgin St, 22nd Floor, Ottawa, ON K1A 0H3 | 160, rue Elgin, 22e étage, Ottawa (Ontario) K1A 0H3

information@iaac-aeic.gc.ca | 613-957-0700 | 1-866-582-1884



De : Marie Lumsden [redacted]
Envoyé : 27 août 2021 07:04
À : Ministre / Minister (EC) <jonathan.wilkinson@ec.gc.ca>
Cc : Information (IAAC/AEIC) <information@iaac-aeic.gc.ca>
Objet : Federal Impact Assessment Request May 28 2021

Good morning;

On May 28, 2021, I emailed a letter to Minister Wilkinson and the CEAA requesting a Federal Impact Assessment on the Canso Spaceport Project. Other than an automatic response on the same date I have not received correspondence from your office. Could you please send an update on the progress of our designation request?

Thank you

Marie Lumsden

Sent from [redacted] on Android

Sabo,Ashley (IAAC/AEIC)

From: Adams,Jill (IAAC/AEIC)
Sent: August 30, 2021 7:49 AM
To: Regional Operations / Operations regionales (IAAC/AEIC)
Cc: Pottie,Paulette (IAAC/AEIC); Basha,Samantha (IAAC/AEIC); [REDACTED]
 Atkinson,Mike (IAAC/AEIC)
Subject: RE: MIN 278437 - New incoming
Attachments: RE: Federal Impact Assessment Request May 28 2021

Good morning.

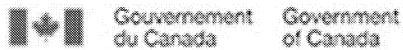
This came to me on Friday as an email and I have already responded to Ms. Lumsden, please see attached email.

Thanks,
 Jill

Jill Adams

A/Regional Director, Atlantic Regional Office
 Impact Assessment Agency of Canada / Government of Canada
Jill.adams@iaac-aeic.gc.ca / Tel: 709-330-6297

Directrice régionale/I, Bureau régional de l'Atlantique
 Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Jill.adams@iaac-aeic.gc.ca / Tél: 709-330-6297



Canada

From: Regional Operations / Operations regionales (IAAC/AEIC) <regionaloperations-operationsregionales@iaac-aeic.gc.ca>
Sent: Monday, August 30, 2021 9:15 AM
To: Adams,Jill (IAAC/AEIC) <Jill.Adams@iaac-aeic.gc.ca>
Cc: Pottie,Paulette (IAAC/AEIC) <paulette.pottie@iaac-aeic.gc.ca>; Basha,Samantha (IAAC/AEIC) <Samantha.Basha@iaac-aeic.gc.ca>; [REDACTED] Regional Operations / Operations regionales (IAAC/AEIC) <regionaloperations-operationsregionales@iaac-aeic.gc.ca>; Atkinson,Mike (IAAC/AEIC) <Mike.Atkinson@iaac-aeic.gc.ca>
Subject: FW: MIN 278437 - New incoming

Good morning,

Please see attached. Note this original incoming is part of 17266441 MTM for Decision & Signature – Canso Spaceport Project – Response on Designation.

Cheers,

Aaron Conrad

Administrative Assistant - Atlantic Regional Office
 Impact Assessment Agency of Canada - Government of Canada

Adjoint administratif, Bureau régional de l'Atlantique
L'Agence d'évaluation d'impact du Canada / Gouvernement du Canada

☎ 1 (902) 399-8841 ✉ Aaron.Conrad@iaac-aeic.gc.ca

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Gouvernement
du Canada

Government
of Canada

Canada

From: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <operationssector-admins-admins-secteurdesoperations@iaac-aeic.gc.ca>

Sent: August 27, 2021 6:15 PM

To: Regional Operations / Operations regionales (IAAC/AEIC) <regionaloperations-operationsregionales@iaac-aeic.gc.ca>

Cc: Dieujuste,Nellie (IAAC/AEIC) <Nellie.Dieujuste@iaac-aeic.gc.ca>

Subject: FW: MIN 278437 - New incoming

Hello,

The original incoming is part of 17266441 MTM for Decision & Signature - Canso Spaceport Project - Response on designation.

Thanks,

Heidi Brown

Executive Assistant / Adjointe exécutive

Vice-President's Office, Operations / Bureau du vice-président, Opérations

Impact Assessment Agency of Canada / l'Agence d'évaluation d'impact du Canada

Heidi.Brown@iaac-aeic.gc.ca / Tél. : 343-573-3211

From: McCann,Stephanie (IAAC/AEIC) <Stephanie.McCann@iaac-aeic.gc.ca>

Sent: Friday, August 27, 2021 3:50 PM

To: Operations Sector - Admins / Admins - Secteur des Operations (IAAC/AEIC) <operationssector-admins-admins-secteurdesoperations@iaac-aeic.gc.ca>; Brown,Heidi (IAAC/AEIC) <Heidi.Brown@iaac-aeic.gc.ca>

Cc: Hamilton,Johane (IAAC/AEIC) <Johane.Hamilton@iaac-aeic.gc.ca>; Executive Coordination and Briefing Unit - Coordination exécutive et unité de breffage (IAAC/AEIC) <executivecoordinationandbriefingunit-coordinationexecutiveetunitedebreffage@iaac-aeic.gc.ca>

Subject: MIN 278437 - New incoming

Hello OPS,

Please take note of the new incoming attached.

The incoming has been saved in the GCDocs folder: [17232898](#)

Thank you,

Stephanie McCann

Correspondence and Briefing Officer
Executive Coordination and Briefing Unit
Impact Assessment Agency of Canada / Government of Canada
Stephanie.McCann@canada.ca / Tel: 613-698-0873

Coordination exécutive et unité de breffage
Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Stephanie.McCann@canada.ca / Tél: 613-698-0873

Sabo,Ashley (IAAC/AEIC)

From: Adams,Jill (IAAC/AEIC)
Sent: August 31, 2021 8:43 AM
To: 'Marie Lumsden'
Subject: RE: Federal Impact Assessment Request re Canso Spaceport Project May 28 2021

Hi Marie,

The Agency understands the public is interested in this project which is why it is making every effort to provide a timely decision. A decision will be made as soon as it can.

We will keep you informed and appreciate your patience. Should you have any further questions or wish to discuss, please give me a call at the number below.

Regards,
 Jill

Jill Adams

A/Regional Director, Atlantic Regional Office
 Impact Assessment Agency of Canada / Government of Canada
Jill.adams@iaac-aeic.gc.ca / Tel: 709-330-6297

Directrice régionale/I, Bureau régional de l'Atlantique
 Agence d'évaluation d'impact du Canada / Gouvernement du Canada
Jill.adams@iaac-aeic.gc.ca / Tél: 709-330-6297



Canada

From: Marie Lumsden [REDACTED]
Sent: Monday, August 30, 2021 11:37 AM
To: Adams,Jill (IAAC/AEIC) <Jill.Adams@iaac-aeic.gc.ca>
Subject: Federal Impact Assessment Request re Canso Spaceport Project May 28 2021

Hello Jill;

Further to our correspondence on the 27th, I understand the limit to receive an answer from your office as laid out in the Impact Assessment Act is 90 days. Could you tell me please why a decision has not been made to meet this timeline?

Many thanks

Marie

Sent from [REDACTED] on Android



160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

PROTECTED B

17266441

MEMORANDUM TO PRESIDENT

CANSO SPACEPORT PROJECT – RESPONSE ON DESIGNATION
(For Decision and Signature)

TIMELINE

Your signature is requested by **October 20, 2021 (internal)** to provide a timely response to correspondence regarding the Canso Spaceport Project (the Project).

PURPOSE

To seek your concurrence outlining reasons why the correspondence received for the Project are not being considered pursuant to subsection 9(1) of the *Impact Assessment Act* (IAA), and provide an expedited reply.

SUMMARY

- Maritime Launch Services Ltd. (the Proponent) plans to construct and operate a private commercial space launch facility approximately three kilometres south of Canso, Nova Scotia.
- On August 3, 2018, [REDACTED] asked that the former Minister of Environment and Climate Change designate the Project under subsection 14(2) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) (Annex I).
- The former Minister decided not to designate the Project (Annex II).
- On May 28, 2021, the Minister of Environment and Climate Change (the Minister) received a letter from Marie Lumsden, on behalf of the Action against Canso Spaceport (Annex III) requesting that the Minister designate the Project under section 9 of the IAA. Two subsequent letters requesting designation have been received (Annexes IV and V).
- [REDACTED]
- The Impact Assessment Agency of Canada (the Agency) notes that there has been no material change to the Project or to the available information that would warrant revisiting the former Minister's response to the designation request.
- Should you concur with the recommendation, letters will be transmitted upon your signature (Attachments I, II, and III).



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17266441

CONTEXT AND CURRENT STATUS

The Proponent proposes to construct and operate a commercial rocket launch facility that would transport clients' satellites into orbit. The Proponent is anticipating eight launches per year. The facility would be comprised of a launch control centre, horizontal integration facility, and vertical launch area. The project footprint would be approximately 20 hectares on land owned by the Sable Wind Farm and the Nova Scotia Government (undeveloped provincial Crown land). Based on this information, the Project is not a designated project as described in the *Physical Activities Regulations*.

A Class I provincial environmental assessment under the *Nova Scotia Environment Act* was required for the Project since the undertaking disrupts two hectares or more of wetlands. On June 4, 2019, the provincial Minister of Environment approved the undertaking subject to conditions.

On August 3, 2018, the former Minister of Environment and Climate Change received a request for designation under subsection 14(2) of CEAA 2012 from [REDACTED]

[REDACTED] The Canadian Environmental Assessment Agency (now the Impact Assessment Agency of Canada) had conducted an analysis and provided a recommendation to the former Minister (Annex VI).

In July 2019, the former Minister determined not to designate the Project based on information provided by the province and Indigenous groups, the scientific advice provided by federal expert departments, the fact that a provincial Class I environmental assessment had been conducted, and that there were both provincial and federal regulatory mechanisms in place to manage potential adverse environmental effects. This determination was not publicly posted.

On May 28, 2021, the Minister of Environment and Climate Change received a designation request from Marie Lumsden, on behalf of the Action Against Canso Spaceport, to designate the Project under section 9 of the IAA (Annex III). Concerns expressed include that the Project will cause severe adverse effects within federal jurisdiction and incidental environmental effects in the environmentally sensitive areas around the community of Canso. The request cites the potential for impacts to fish and fish habitat, fisheries, migratory birds, as well as potential transboundary effects. It also notes public concerns from community members and provincial citizens that warrant federal impact assessment, specifically that this is a new industry for Canada and the group is of the view that the provincial government is ill-equipped to navigate the complexities of aeronautics, space travel, and rocket launches.

On June 4, 2021, the Ecology Action Centre sent a request for designation in support of the Action Against Canso Spaceport.

On June 10, 2021, Gary Burrill, MLA for Halifax Chebucto, Leader, NS NDP, NSNDP Spokesperson for Environment and Climate Change, sent a letter requesting that the Project undergo an assessment.

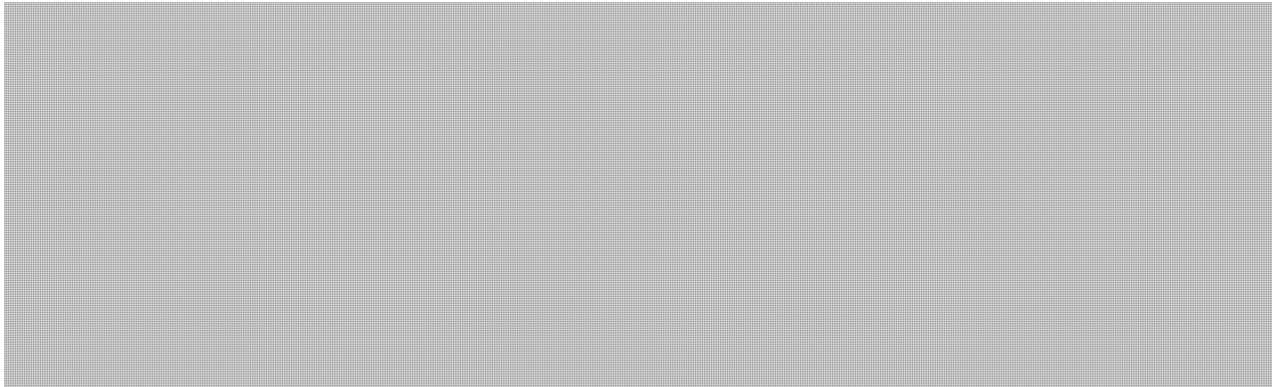
PROTECTED B
17266441

CONSIDERATIONS

Legislative requirements

The IAA provides the Minister of Environment and Climate Change with the authority to designate projects under subsection 9(1) if either the carrying out of that physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects, or public concerns related to those effects warrant designation.

Limitations



RECOMMENDATION

The Agency recommends that, given the previous decision not to designate the Project under CEAA 2012 and the fact that there has been no substantial material changes related to the Project or potential effects, there is no basis for the Minister to revisit the former Minister’s determination.

NEXT STEPS

Should you concur with this recommendation, the Agency requests you sign the letters to the requesters, indicating that there is no basis for the Minister to revisit the former Minister’s determination (Attachments I, II, and III).

Landry, Eric Digitally signed by Landry, Eric
Date: 2021.09.25 08:06:36 -04'00'

Eric Landry
Director General, Regional Operations Directorate

I concur

**Hubbard,
Terence**

Digitally signed by: Hubbard, Terence
DN: CN = Hubbard, Terence
C = CA O = GC OU = EC-EC
Date: 2021.11.02 11:51:16 -04'00'

I do not concur

Terence Hubbard
Acting President

PROTECTED B

17266441

Attachments (9):

- *Attachment I – Response letter from President to Marie Lumsden, on behalf of the Action Against Canso Spaceport regarding the incoming letter received January 4, 2021*
- *Attachment II – Response letter from President to Karen McKendry, Wilderness Outreach Coordinator, Ecology Action Centre*
- *Attachment III – Response letter from President to Gary Burrill, Leader NS NDP*
- *Annex I – Previous Request for Designation by [REDACTED]*
- *Annex II – Signed Memo to Minister for previous designation request under CEAA 2012*
- *Annex III - Request for Designation by the Action Against Canso Spaceport*
- *Annex IV – Request for Designation by Ecology Action Centre*
- *Annex V – Request for Impact Assessment by Gary Burrill, Leader NSNDP*
- *Annex VI – Previous Analysis of Request to Designate the Canso Spaceport Facility Project under CEAA 2012*

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17266441

Drafting Officer's Name: Eric Landry
Directorate/Branch: Director General, Regional Operations Directorate
Phone No: 613-618-0214
Date Drafted: September 21, 2021



Impact Assessment
Agency of Canada

President

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

Agence d'évaluation
d'impact du Canada

Président

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

November 2, 2021

Marie Lumsden
Action Against Canso Spaceport

Marie Lumsden:

The Honourable Steven Guilbeault, Minister of Environment and Climate Change, asked me to respond to your letter of May 28, 2021, concerning the proposed Canso Spaceport Project (the Project) by Maritime Launch Services (the Proponent), requesting that the Project be designated for impact assessment pursuant to subsection 9(1) of the *Impact Assessment Act* (the IAA).

The IAA and its regulations establish the legal framework for federal impact assessments. Federal impact assessment is a key element of a larger regulatory system for addressing project effects. It works in a complementary fashion alongside other regulatory processes at the federal, provincial, and territorial levels.

The *Physical Activities Regulations* (Regulations) identify the types of projects that are subject to the IAA. These projects are referred to as designated projects. The Regulations focus on projects with the greatest potential for adverse effects that are related to the environment and that are within federal jurisdiction.

Based on information provided by the Proponent, the Impact Assessment Agency of Canada (the Agency) has advised that the Regulations do not apply to the Project.

The IAA does allow the Minister of Environment and Climate Change to designate a physical activity that is not prescribed in the Regulations.

.../2



- 2 -

However, it has been brought to my attention that, on August 3, 2018, [REDACTED] requested that the former Minister of Environment and Climate Change designate the Project under subsection 14(2) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). In July 2019, the former Minister decided not to designate the Project based on information provided by the province and Indigenous groups, the scientific advice provided by federal expert departments, the fact that a provincial Class I environmental assessment had been conducted, and that there were both provincial and federal regulatory mechanisms in place to manage potential adverse environmental effects.

Since there has been no material changes to the Project, there is no basis for the Minister of Environment and Climate Change to revisit the former Minister's determination.

Given that the Project deals with matters that fall under the responsibility of Transport Canada, I am forwarding copies of our correspondence to the Deputy Minister of Transport.

Should you have any further questions, please contact Mike Atkinson, Regional Director, Atlantic Region, via email at mike.atkinson@iaac-aeic.gc.ca or by telephone at 902-877-4404.

I trust that you will find this information helpful.

Sincerely,



Terence Hubbard
Acting President

c.c.: Michael Keenan, Deputy Minister, Transport Canada



Impact Assessment
Agency of Canada

President

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

Agence d'évaluation
d'impact du Canada

Président

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

November 2, 2021

Karen McKendry
Ecology Action Centre
Kjipuktuk, Unceded Mi'kmaw Territory
karenmckendry@ecologyaction.ca

Karen McKendry:

The Honourable Steven Guilbeault, Minister of Environment and Climate Change, asked me to respond to your letter of June 4, 2021, concerning the proposed Canso Spaceport Project (the Project) by Maritime Launch Services (the Proponent), requesting that the Project be designated for impact assessment pursuant to subsection 9(1) of the *Impact Assessment Act* (the IAA).

The IAA and its regulations establish the legal framework for federal impact assessments. Federal impact assessment is a key element of a larger regulatory system for addressing project effects. It works in a complementary fashion alongside other regulatory processes at the federal, provincial, and territorial levels.

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.../2



- 2 -

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Should you have any further questions, please contact Mike Atkinson, Regional Director, Atlantic Region, by email at mike.atkinson@iaac-aeic.gc.ca or by telephone at 902-877-4404.

I trust that you will find this information helpful.

Sincerely,



Terence Hubbard
Acting President

c.c.: Michael Keenan, Deputy Minister, Transport Canada



Impact Assessment
Agency of Canada

President

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

Agence d'évaluation
d'impact du Canada

Président

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

November 2, 2021

Gary Burrill
MLA, Halifax Chebucto and Leader, NS NDP
garyburrillmla@gmail.com

Gary Burrill:

The Honourable Steven Guilbeault, Minister of Environment and Climate Change, asked me to respond to your letter of June 10, 2021, concerning the proposed Canso Spaceport Project (the Project) by Maritime Launch Services (the Proponent), requesting that the Project be designated for impact assessment pursuant to subsection 9(1) of the *Impact Assessment Act* (the IAA).

The IAA and its regulations establish the legal framework for federal impact assessments. Federal impact assessment is a key element of a larger regulatory system for addressing project effects. It works in a complementary fashion alongside other regulatory processes at the federal, provincial, and territorial levels.

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.../2



- 2 -

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Since there has been no material changes to the Project, there is no basis for the Minister of Environment and Climate Change to revisit the former Minister's determination.

Given that the Project deals with matters that fall under the responsibility of Transport Canada, I am forwarding a copy of our correspondence to the Deputy Minister of Transport.

Should you have any further questions, please contact Mike Atkinson, Regional Director, Atlantic Region, by email at mike.atkinson@iaac-aeic.gc.ca or by telephone at 902-877-4404.

I trust that you will find this information helpful.

Sincerely,



Terence Hubbard
Acting President

c.c.: Michael Keenan, Deputy Minister, Transport Canada

**Pages 57 to / à 65
are withheld pursuant to section
sont retenues en vertu de l'article**

20(1)(b)

**of the Access to Information
de la Loi sur l'accès à l'information**

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Native Council of Nova Scotia

The Self-Governing Authority for Mi'kmaq/Aboriginal Peoples residing Off-Reserve in Nova Scotia throughout traditional Mi'kmaq Territory

"Going Forward to a Better Future"

P.O. Box 1320
Truro, Nova Scotia
B2N 5N2

Tel: 902-895-1523
Fax: 1-902-895-0024
Toll Free: 1-800-565-4372
chieflaugustine@ncns.ca
www.ncns.ca

Aboriginal/Treaty Rights
Negotiations Facilitating
Directorate

NCNS Citizenship
Information Office

Education & Student
Services

Rural & Native
Housing Group

Aboriginal Peoples
Training & Employment
Commission (APTEC)

Netukulimkew'e'l
Commission

Wenjkwom Housing
Commission

Social Assistance
Recipient Support for
Employment & Training
(SARSET)

Micmac Language
Program

Native Social
Counselling Agency

Child Help Initiative
Program (CHIP)

E'pit Nuji Ilmuet
Program (Prenatal)

Aboriginal Homelessness
Program

Parenting Journey
Program

Youth Outreach Program

Mi'kma'ki Environments
Resource Developments
Secretariat (MERDS)

August 3, 2018

Ms. Helen Yeh
Environmental Assessment Officer
Environmental Assessment Branch
Nova Scotia Environment
1903 Barrington St.
Suite 20845

RE: Canso Spaceport Facility Project

Dear Ms. Yeh:

Thank you for advising the Native Council of Nova Scotia (NCNS) about the registration of the Canso Spaceport Facility Project filed by Maritime Launch Services Limited.

I have, concurrent to your notice, discussed with the Native Council of Nova Scotia, the filing, and have been instructed by Chief Lorraine Augustine to respond to your request for commentary on the project description as filed with general views, issues, concerns or comments about the proposed project.

The Native Council of Nova Scotia remains disappointed that the Nova Scotia Office of Aboriginal Affairs did not indicate nor recommend to the proponent that the province has a constitutional duty to ensure that the proponent engages with the Native Council of Nova Scotia. Leaving aside that oversight, we do appreciate your professional approach to this file, and courtesy to send us an email on July 4, 2018 advising the Native Council of Nova Scotia about this filing and inviting comments to be provided to your good offices by August 3, 2018.

The Native Council of Nova Scotia represents the Off-Reserve community of Section 91(24) Status and non-Status Indians/Mi'kmaq/Aboriginal People continuing on their Traditional Ancestral Homelands throughout Nova Scotia as Heirs to Treaty Rights, Beneficiaries of Aboriginal Rights, with Interests to Other Rights. Our community accesses and uses the lands and waters within the project area for harvesting, fishing, fowling, and gathering.

Based on our discussions, and our review and assessment of the Canso Spaceport Facility Environmental Assessment Registration Document, the Native Council of Nova Scotia would like to comment on some issues, present some views, and suggest some conditions as well as propose some mitigation measures and operational changes which we believe would better advance an environmentally conscious project.

The spatial boundary of the EA was focused on effects on the environment on the project site (project area footprint) with some consideration for the surrounding environment. However, the scale of the potential effects of the project is much larger when considering the distance that a rocket would travel before exiting the Earth's atmosphere. Additionally, the **spatial boundary did not consider the impacts that the project might have on the ocean and marine life**. Our marine and coastal resources are extremely important both culturally and economically to Aboriginal peoples and all Nova Scotians. We strongly recommend analysis and study of the potential effects and interactions the project may have with the ocean and marine life.

On page 35, the EIS discusses modelling of the launch plume and indicates that modelling has yet to be completed due to insufficient data on the specific rocket design details. **How were the effects of air quality determined without modelling being completed?** The scope of the release of rocket exhaust emissions was considered local. **How can the effects be determined to be local without modelling being completed?** We would argue that emissions from exhaust do have long-range effects as they are carried through the atmosphere and deposited elsewhere.

The EIS does not state what other chemical compounds or elements may be released during operations and launch of rockets, only that additional gaseous or liquid chemicals will be released into the atmosphere at higher reaches of flight trajectory. **What is the chemical composition of the rocket launch exhaust emissions? Do emissions contain any compounds that could be hazardous to the environment and human health? These high atmospheric releases will travel far from the project site and will contribute to air pollution in other places in Canada or globally.**

Why is the proponent using a rocket fuel mixture of N₂O₄ and UDMH when other countries (USA, Europe, Japan) do not use it or are phasing its use out (China and Russia) due to hazards?

Is the public aware of the hazards posed by UDMH both due to its volatile and highly toxic nature?

What would be the projected increase of bulk tanker truck delivery of LOX?

What capacity does the Port of Canso have for handling RP-1 and UDMH?

How will N₂O₄ and UDMH be transported to the site?

Nova Scotia road conditions and weather can be unpredictable. **What is the current amount of hazardous goods travelling towards Canso and what is the response capacity for a mishap along the route?**

The proponent lists Canadian Ambient Air Quality Standards (CAAQS) for 2.5 um particulate matter (PM2.5) and ground-level ozone (O3); however, they left blank the values for sulphur dioxide (SO2) and nitrogen dioxide (NO2). The values are:

SO2 1-hour 2020 – 70 ppm
SO2 1-hour 2025 – 65 ppm
SO2 annual 2020 – 5.0 ppm
SO2 annual 2025 – 4.0 ppm

NO2 1-hour 2020 – 60 ppm
NO2 1-hour 2025 – 42 ppm
NO2 annual 2020 – 17 ppm
NO2 annual 2025 – 12 ppm

Will the emissions from the launch be below these values, particularly as we move into the 2025 limits?

Significant improvements to ambient air quality have been achieved over the past several years throughout Nova Scotia, including in the Eastern Air Zone encompassing the proposed development. The Eastern Air Zone has consistently remained below the CAAQS for PM2.5, ground-level O3, SO2, and NO2. The last few NS Air Zone Reports (the most recent being 2016) show the Eastern Air Zone to be in the Yellow Management Level of the Air Quality Management System (AQMS). The Yellow Management Level requires Nova Scotia to “improve air quality using early and ongoing actions for continuous improvement”. **Will the on-going launchings (of 8 per year) release particulate matter, sulphur compounds, nitrogen oxides, or volatile organic compounds and, if so, has the proponent modeled ambient air quality impacts on the Eastern Air Shed for PM2.5, ground level O3, SO2, and NO2?**

Will a fence line air quality monitoring station(s) be required?

What actions will Nova Scotia Environment undertake to drive continual improvements to air quality in the Eastern Air Shed, e.g., development of an Air Zone Management Plan with stakeholders and engagement of the public about air quality in the Canso area.

The EIS discusses structural damage to households due to noise from a launch event. **What effects would a launch have on the structural integrity of the nearby wind turbines?**

Although the decibel level of a launch appears to be relatively low outside the NEF contours compared to a large human-built environment, such as an airport, it is much louder than the current noise level in the area. When looking at animal disturbance, the total decibel level is not

as important as the relative increase in sound, e.g., a lawnmower is more noticed and disturbing in a quiet environment than in a noisy environment. **How will the effects of noise on animals be monitored?**

What are the effects of launch noise and sonic booms on the ocean and marine life, especially whales?

Would launches cause any failure in bird eggs (e.g. strong vibrations causing cracking)?

When will launches occur? The EIS suggests 8-12 launches per year but does not indicate the frequency of launches. Will they be monthly, weekly, bi-weekly? This is an important component of EA which was not captured in this EIS. Cumulative effects on animals cannot be determined if the frequency of launches is not known. E.g. if birds are being scared from their nests weekly, their nests have a much higher chance of failure than if it is a monthly or semi-monthly occurrence. The timing of launches around breeding or migratory seasons is also an important consideration. I.e. will launches take place throughout migratory or breeding seasons or will they be sporadic?

Neither the water quality of Watercourse 1 nor water of Publicover Lake was assessed. **On what grounds can the proponent conclude that the watercourse would have similar characteristics to that of Winter Creek?** Without gathering this baseline data, there will be no way to measure the impacts of the launches and operations activities on the freshwater environment. The baseline data is important to collect since the proponent is “uncertain to what extent deposition [of sulphur and nitrogen dioxides from launch emissions] may occur and whether this will impact the freshwater environment” (p. 59). **We strongly recommend that fish surveys and water quality surveys be undertaken within Watercourse 1 and Publicover Lake as a condition of approval.**

There is no emergency response plan or considerations for accidents and malfunctions included the EIS. **How will the proponent respond to emergency events such as an accidental spill of fuel, or other contaminants? How would an accident or malfunction impact the environment, human health, and Aboriginal Rights?**

The EIS states that an Environmental Protection Plan will be developed for the project and will include protective measures for the marine environment. **How will the proponent mitigate and respond to potential effects on the marine environment?**

Will there be any parts of the rocket or launch system that fall back to Earth? If so, where and will they contain any unspent or non-combusted fuel?

Some inshore fishing areas will be closed for the duration of a launch. **Has the proponent consulted with all potentially affected fishing enterprises?** The Native Council of Nova Scotia’s Communal Commercial Fishing Enterprise, Mime’j Seafoods, holds commercial fishing licences within the affected LFAs and has not yet been contacted by the proponent. The president

of Mime'j requests a meeting with the proponent to discuss the potential effects of the project on their commercial fishing activities.

The EIS suggests that there may be some effects on Mi'kmaq traditional use and recommends that the proponent continue its communications with the KMKNO with regards to Mi'kmaq use in the area. We raise that there are members of our off-reserve community of status and non-status 91(24) Indians who also use this area for traditional activities. **So as to not infringe on the Treaty Rights of Aboriginal Peoples in the area, we strongly recommend that the proponent also consult and communicate with the Native Council of Nova Scotia.**

If the project goes ahead, **will there be any negotiations for a benefits package, particularly for public viewing of launches and learning about space aeronautics, telecommunications, remote sensing, etc.?**

Although the proponent does not currently intend to launch or store munitions or military equipment, the NCNS would like to state that we would be against the use of this spaceport to launch or maintain munitions or military equipment and would recommend conditions of approval stipulate this condition.

We request a meeting with the proponent and/or the project consultants at our offices at 172 Truro Heights Rd, Truro Heights, Nova Scotia to discuss the project and learn more about our community and any other issues and concerns which may arise from discussions during this phase of the project.

Please contact our office by phone at 902-895-2982 or 902-895-6899 to arrange a meeting. Alternatively, I can be reached by email at [REDACTED]@mapcorg.ca.

Progress through consultation, accommodation and participatory involvement and partnerships

[REDACTED]
[REDACTED]
Mi'kmaq Environmental Resources Development Secretariate

Cc: Lorraine Augustine, Chief and President, NCNS
 Roger Hunka, Director, MAPC
 Joshua McNeely, Executive Director, IKANAWTIKET
 Tim Martin, Netukulimkewe'I Commission Commissioner, President of Mime'j Seafoods
 [REDACTED] Netukulimkewe'I Commission Prefect
 [REDACTED] NCNS Board of Director, Zone 7
 Stephen E. Matier, President and CEO, Maritime Launch Services
 Shawn Duncan, Vice President, Strum Consulting Ltd.

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Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

President

Président

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

JUN 11 2019
PROTECTED B
MIN-237853

MEMORANDUM TO MINISTER

CANSO SPACEPORT FACILITY - EXTERNAL REQUEST FOR DESIGNATION UNDER THE CANADIAN ENVIRONMENTAL ASSESSMENT ACT, 2012

(For Decision and Signature)

TIMELINE

Your decision is requested by **July 5, 2019, (internal deadline)**.

PURPOSE

To seek your decision on whether to designate the proposed Canso Spaceport Facility Project to require an environmental assessment under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012).

SUMMARY

- Maritime Launch Services Limited is proposing to construct and operate a private commercial space launch facility located approximately 3 kilometres south of Canso, Nova Scotia (Annex I).
- The Project is not described in the *Regulations Designating Physical Activities* under CEAA 2012. However, on August 3, 2018, the [REDACTED] requested that you designate the Project under subsection 14(2) of CEAA 2012, noting concern for potential adverse environmental effects and impacts to Aboriginal and Treaty rights (Annex II).
- A Class I provincial environmental assessment under the Nova Scotia *Environment Act* was required for the Project since the undertaking disrupts two hectares or more of wetland. On June 4, 2019, the provincial Minister of Environment approved the undertaking subject to conditions.
- The Agency is of the view that the Project has potential to result in adverse environmental effects within federal jurisdiction and acknowledges the concerns raised by the public regarding these effects.
- However, the Agency notes that the Province has conducted an environmental assessment, with support from federal expert departments, and that the Project requires additional provincial and federal regulatory approvals and compliance with provincial and federal legislation.
- [REDACTED]
- The Agency recommends that you do not designate the Project under subsection 14(2) of CEAA 2012.



CONTEXT AND CONSIDERATIONS

The proponent proposes the construction and operation of a commercial rocket launch facility that would transport clients' satellites into orbit. The proponent is anticipating eight launches per year. The facility would be comprised of the launch control centre, the horizontal integration facility and the vertical launch area. The project footprint would be approximately 20 hectares on land owned by the Sable Wind Farm and the Nova Scotia Government (undeveloped provincial Crown land).

[REDACTED] wrote to you requesting that you exercise your authority under subsection 14(2) of CEAA 2012 to designate the Project as a physical activity requiring an environmental assessment. It is the [REDACTED] view that the Project is a new type of activity with potential impacts beyond provincial jurisdiction, which should warrant designation of the Project under CEAA 2012.

Launch activities, site safety and security, and transboundary effects fall under federal jurisdiction. [REDACTED]

[REDACTED] In addition, Canada is party to several international treaties related to launches, such as the United Nations Convention on the Law of the Sea (UNCLOS, 1982), the Convention on Registration of Objects Launched into Outer Space (Registration Convention, 1975), and the Convention of International Liability for Damage Caused by Space Objects (Liability Convention, 1971). [REDACTED]

The Project was also subject to a provincial environmental assessment under Nova Scotia's *Environment Act*. Federal experts from Environment and Climate Change Canada, Fisheries and Oceans Canada, Health Canada, Transport Canada and the Department of National Defence participated in the provincial assessment.

On August 23, 2018, the provincial Minister of Environment determined that the information in the Registration Document was insufficient to make a decision on the Project, and required a Focus Report. The 30-day public comment period on the Focus Report ended on April 29, 2019, and a decision to approve the undertaking subject to conditions was released on June 4, 2019.

DECISION-MAKING FRAMEWORK

Authority to designate a physical activity as a designated project

The Project is not described in the *Regulations Designating Physical Activities* pursuant to CEEA 2012 as it does not meet the definition of an aerodrome located within the built-up area of a city or town. In addition, a spaceport would not be a designated project under the *Regulations Designating Physical Activities*, as proposed in the *Discussion Paper on the Proposed Project List*, released in May 2019.

For projects not described in the *Regulations Designating Physical Activities*, subsection 14(2) of CEEA 2012 provides you with the authority to designate any activity for a federal environmental assessment if you are of the opinion that the activity may cause adverse environmental effects or public concerns related to those effects warrant the designation.

Limitations of the designation authority

You have the authority to designate a physical activity only if the carrying out of the Project has not begun and no federal authority has exercised a power or performed a duty or function that could permit the Project to be completed in whole or in part (subsection 14(5)). At the present time, the Project meets the conditions since no action has been taken that would prevent the exercise of your discretionary authority to designate.

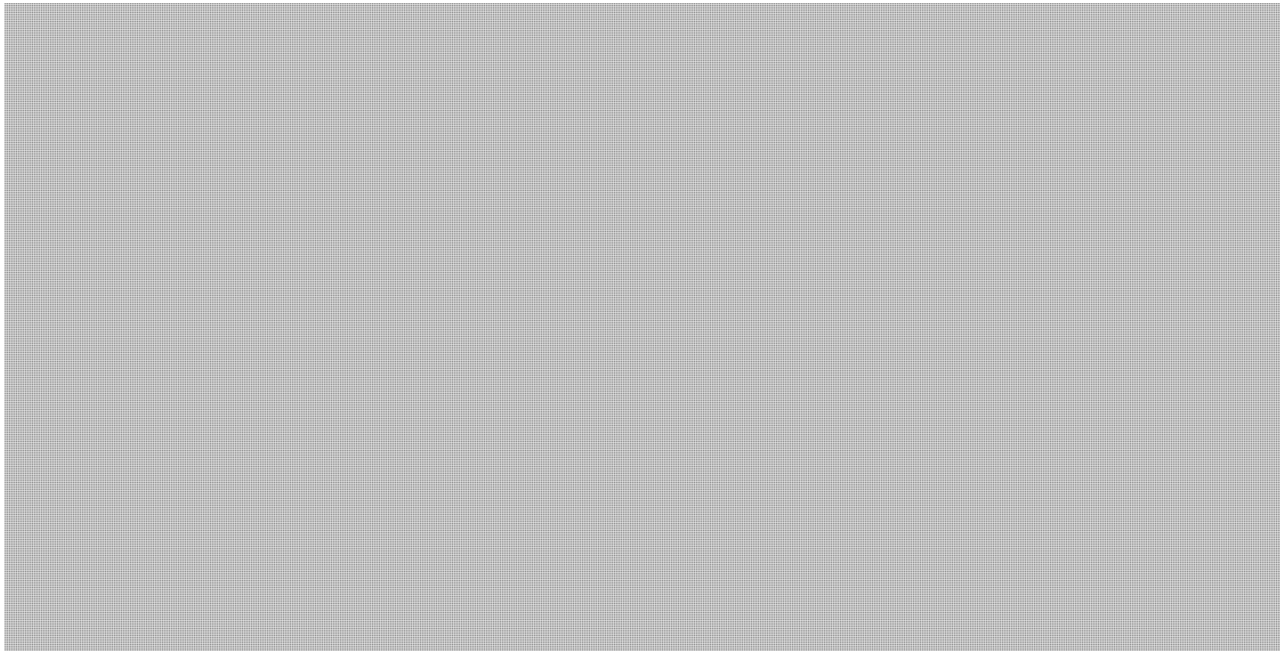
ANALYSIS



**Pages 76 to / à 77
are withheld pursuant to sections
sont retenues en vertu des articles**

20(1)(b), 21(1)(a), 21(1)(c)

**of the Access to Information
de la Loi sur l'accès à l'information**



RECOMMENDATION

The Agency recommends that you do not exercise your discretionary authority under subsection 14(2) of CEAA 2012 to designate the Project.

The Agency also recommends that you sign the attached letters to [redacted] and Maritime Launch Services Ltd. (Attachment I), should you concur with the recommendation above.

NEXT STEPS

- The Agency will inform the Mi'kmaq First Nations of Nova Scotia and federal departments accordingly.

Ron Hallman
President
c.c. Stephen Lucas

I concur

I do not concur

Catherine McKenna

JUN 28 2019

Attachments (4):

- *Attachment I - Letters for signature to [REDACTED] and to the Maritime Launch Services Ltd., informing them of your Decision*
- *Annex I - Project Location Map*
- *Annex II - Request for Designation – Letter from [REDACTED] to the Minister of Environment and Climate Change Requesting Designation of the Canso Spaceport Facility Project*
- *Annex III - Analysis of Request to Designate the Canso Spaceport Facility Project under CEAA 2012*

Drafting Officer's Name: Terry Hubbard, Vice-President
Directorate/ Branch: Operations
Phone No: 613-948-2665
Date Drafted: May 22, 2019

From: Karen McKendry
Sent: June 4, 2021 11:31:16 AM
To: Ministre / Minister (EC); Information (IAAC/AEIC)
Subject: Impact assessment review request from Ecology Action Centre
Sensitivity: Normal
Attachments:
Request for assessment of Canso spaceport - EAC.pdf;

Hello. Please find attached a request from Ecology Action Centre for an impact assessment of the Canso spaceport project.

Karen :)

Karen McKendry (she/her), Wilderness Outreach Coordinator
Ecology Action Centre
Kjipuktuk, Unceded Mi'kmaw Territory
2705 Fern Lane, Halifax, NS, B3K 4L3
ecologyaction.ca

Ecology Action Centre



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Honourable Minister Jonathan Wilkinson
Minister of Environment and Climate Change Canada
House of Commons
Ottawa, Ontario Canada, K1A 0A6
ec.ministre-minister.ec@canada.ca

June 4, 2021

Dear Minister Wilkinson;

The first privately-owned spaceport in Canada has been proposed to be built on provincial Crown land near Canso, Nova Scotia ([Canso Spaceport Facility Project](#)). The Ecology Action Centre has reviewed all of the publicly available documents about the Canso spaceport project, and also has reviewed multiple documents about the proposed project revealed through Freedom of Information requests (which we can share). In our estimation, the potential risks and mitigation options have not been reviewed and assessed enough to consider the project safe to proceed. This is in part because the project was only reviewed through Nova Scotia's environmental assessment process, and not through a federal assessment process. **We request that the project be designated for impact assessment under section 9(1) of the *Impact Assessment Act*.**

Areas of federal jurisdiction we are especially worried about are: marine fisheries and fish ecosystems under the *Fisheries Act*, migratory birds under the *Migratory Birds Convention Act*, species at risk under the *Species at Risk Act*, human health impacts, and climate change, including the contribution of the project to Canada's greenhouse gas emissions and the ability of Canada to meet its emissions reduction goals and targets. The provincial government did seek some input from federal departments about this project during the provincial environmental assessment, but input was not extensive, nor did it have the elements of a full federal assessment.

This call for an IAAC assessment comes from Ecology Action Centre, the largest and oldest environmental charity in Nova Scotia. We have more than 5,000 members who support action on climate change, biodiversity loss, and environmental justice. The Canso spaceport project goes against the priorities of our organization and its members. The project should at least be federally reviewed in order to have a proper public and political discussion about the impacts the project would have on society and the environment.

We have also heard directly from residents of Canso and area that they are frightened by this project, and angry that there have been misrepresentations by the proponent of their community as being entirely for the project. We are calling for an impact assessment as Ecology Action Centre, and also

whole-heartedly support the request for an impact assessment made by the Action Against Canso Spaceport group (submitted by Marie Lumsden).

The project has not “commenced” (this is the term in Nova Scotia’s provincial environmental assessment process that defines when a project has begun). There is still time for the federal government to do its due diligence and assess this project which has ramifications for areas of federal jurisdiction, the reputation of the Canadian space industry, and federal attitudes towards rural communities and industrial scale projects.

Sincerely,

Karen McKendry

Wilderness Outreach Coordinator
Ecology Action Centre
karenmckendry@ecologyaction.ca

cc: Impact Assessment Agency of Canada
ceaa.information.acee@canada.ca

From: Marie Lumsden

Sent: May 28, 2021 5:45:52 PM

To: Ministre / Minister (EC); Information (IAAC/AEIC)

Subject: Federal Impact Assessment Request

Response requested: Yes

Sensitivity: Normal

Attachments:

2021 05 28_Letter to Minister Wilkinson_Request to Designation Canso Spaceport Project for Impact Assessment (1).pdf;

Please see the attached Impact Assessment request letter.

Thank you

Marie Lumsden

Action Against the Canso Spaceport

Marie Lumsden, on behalf of the Action Against Canso Spaceport

May 28, 2021

The Hon. Jonathan Wilkinson
Minister of Environment and Climate Change Canada
House of Commons
Ottawa, Ontario Canada, K1A 0A6
ec.ministre-minister.ec@canada.ca

Sent via email

Dear Minister Wilkinson,

Re: Request for Designation of the Canso Spaceport Project for Impact Assessment

The Action Against Canso Spaceport (the “AACS”) is a group of concerned citizens that oppose Maritime Launch Services’ Canso Spaceport Project because of its serious environmental and public health impacts. The AACS and its members hereby request that you designate the Canso Spaceport project (the “**Project**”) for impact assessment pursuant to subsection 9(1) of the *Impact Assessment Act*.

The Project will cause severe adverse effects within federal jurisdiction and incidental environmental effects in the environmentally sensitive areas around the communities of Canso, Nova Scotia, including on fisheries and fish habitat and other marine ecosystems and on migratory birds. The Project will also have potential adverse impacts within the federal jurisdiction over aeronautics, and international and transnational boundaries. Finally, there are serious public concerns from community members and provincial citizens that warrant federal impact assessment, particularly the fact that the provincial government is ill-equipped to navigate the complexities of aeronautics and space travel, and rocket launches, for a new industry in Canada that current federal law is ill-equipped to regulate.

The Project has not substantially begun, nor to our knowledge has any federal authority exercised any power, authorization, or decision or performed a duty or function that would preclude the Minister from designating the Project under the *IAA*. However, the Project is nearing the beginning of its early planning phase, and it is with the utmost urgency that we request that the Project be designated for a full federal impact assessment.

Our full submission on this request is enclosed.

Sincerely,

Marie Lumsden

cc: Impact Assessment Agency of Canada
ceaa.information.acee@canada.ca

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1. THE PROJECT

1.1 The Project would be Canada's only spaceport and launch site for rockets, and is a type of project that has never been assessed by the federal government

Maritime Launch Services Limited (“MLS”) has proposed to develop the Canso Spaceport Project, which includes construction and operation of a spaceport and rocket launch site, in Canso, Nova Scotia. MLS is registered provincially at the following address:

Maritime Launch Services Limited
Suite 900, Purdy's Wharf Tower One
Halifax, NS B3J 3N2
505-553-0822
Steve.matier@maritimelaunch.com
www.maritimelaunch.com

MLS will construct and operate a private and commercial space launch site, with the following stated purpose:

The purpose of the Project is to establish a commercially-controlled, commercially-managed, launch site that would provide launch site options in North America, in support of the growing commercial space transportation industry.¹

[Emphasis added]

The Project infrastructure will include access roads, a Launch Control Center, a Horizontal Integration Facility and a Vertical Launch Area connected by a transportation (rail) route.² MLS intends to begin, and grow, Canada's first commercial space industry in Nova Scotia. MLS will use launch vehicles designed by Yuzhnoye SDO in Ukraine to launch medium class orbital rockets into space, and specifically, to launch the Cyclone 4M rocket, which has low earth orbit capacity.³ MLS currently intends to conduct up to eight launches annually.

In June 2018, the Project was registered for a Class One Environmental Assessment under the Nova Scotia *Environment Act* and its *Environmental Assessment Regulations*. Former Environment Minister Margaret Miller required MLS to provide a Focus Report in June 2018, which MLS submitted in March 2019. On June 4, 2019, then Environment Minister Gordon Wilson, for Nova Scotia Environment, granted MLS approval for its Project. There are a total of 14 pages of provincial conditions attached to the approval, most of which do not adequately capture the potential adverse effects within federal jurisdiction.

Despite the approval under the provincial Environmental Assessment (“EA”) process, AACS, and its members, are concerned that the Project has the potential for serious adverse

¹ Strum Consulting, “Canso Spaceport Facility – Environmental Assessment Registration Document” prepared for Maritime Launch Services Limited, June 2018, p. i online <https://novascotia.ca/nse/ea/canso-spaceport-facility/Registration_document.pdf> [Registration Document].

² *Ibid*, p. 1.

³ *Ibid*, p. 1.

environmental and public health and safety impacts that were not adequately addressed by the provincial EA process. Furthermore, regardless of the efficacy of the provincial process, there are unresolved issues with regard to impacts on federal jurisdiction that can only be adequately assessed through a federal impact assessment, with collaboration from the relevant federal authorities with expertise in those matters, including: fisheries and impacts on marine habitat, impacts on the rights of Mi'kmaq, impacts on international and transnational boundaries, and implications for the regulation of aeronautics and space travel. Other potential considerations include the potential national security risks associated with launching of rockets.

2. OUR COMMUNITIES

2.1 Our communities are not suitable for a rocket launch site

Canso is a small fishing community on the north easternmost tip of mainland Nova Scotia, and located in Mi'kma'ki, the traditional and unceded territory of the Mi'kmaq. The first European settlers to fish the rich fishing grounds off Canso arrived in the sixteenth century. The area was the site of the first Nova Scotian experiment in the Cooperative Movement in the 1920s, and the site of the Commercial Cable station that received the first transatlantic messages of the sinking of the Titanic. Canso is home to the Canso Islands National Historic Site, the Canso Coastal Barrens Protected Wilderness Area, St. Andrew's Island Park Reserve, and Black Duck Cove Provincial Park.

The people of Canso and the surrounding area (the communities of Canso, Hazel Hill, Little Dover, the Tickle and Fox Island, commonly referred to collectively) are close knit. It is a peaceful and safe community with stunning natural beauty. People here believe in self-reliance, independence, and helping one another in tough times. Everyone knows everyone else, and in true Nova Scotian tradition, doors are left unlocked, and people are friendly and open. Canso believes in volunteerism, and the local hospital, hockey arena, playing fields, fire departments, medical center and library were all projects of local non-profit organizations.

In 1997, local residents started the Stan Rogers Folk Festival, which for over 20 years has boasted on average over 600 volunteers annually, which is no small feat for a community with a population of fewer than 1000 people. The annual Canso Regatta, a "come home" summer festival first held in 1885, celebrates the community's rich marine heritage. People here are deeply rooted in the outdoor experience. Hunting, camping, fishing, hiking and boating are an everyday part of life here. Generations have shared their knowledge of local woods, waters and wildlife.

Not without strife, Canso suffered a fisheries strike in the early 1970s, the collapse of the cod fishery in the 1990s and the closure of the Canso Seafreez fish plant in 2006. However, after decades of effort to develop a healthy sustainable fishery, the Canso area boasts a multi-million-dollar lobster, tuna, shrimp and crab fishery and is home to a new processing plant and several local fish buyers.

Altogether, Canso is a collection of small communities that depend on a healthy and safe environment. There are no major emergency or environmental response services nearby, and locals do not have the capacity to deal with the major potential impacts of failed rocket launches, nor the associated noise and chemical fallout of rocket fuel. The Project poses a serious risk of unmitigated and long-term cumulative effects that are directly in conflict with the local communities.

3. PROJECT IMPACTS AND FEDERAL IMPACT ASSESSMENT

The *Impact Assessment Act* (the “**IAA**”) provides authority to the Minister of Environment and Climate Change (the “**Minister**”) to designate a proposed project that is not included in the *Physical Activities Designation Regulations* (the “**Regulations**”) if a project may cause adverse effects within federal jurisdiction or adverse direct or incidental effects, or if public concerns related to those effects warrant the designation.

The Minister’s authority to designate a project that is not contained in the list in the *Regulations* comes from section 9(1) of the *IAA*:

The Minister may, on request or on his or her own initiative, by order, designate a physical activity that is not prescribed by regulations made under paragraph 109(b) if, in his or her opinion, either the carrying out of that physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects, or public concerns related to those effects warrant the designation.⁴

Thus, the Minister may designate a project for impact assessment in either of the following situations:

1. the project may cause adverse effects within federal jurisdiction or adverse direct or incidental effects
2. there are public concerns related to adverse effects within federal jurisdiction, or adverse direct or incidental effects, which warrant designation.

AACS makes its request on the basis that the Project should be designated for both of the above reasons. It should also be noted that section 9(7) of the *IAA* does not allow designation of a project if it has substantially begun, or if a federal authority has made a decision from another Act of Parliament that permits the project to be carried out. To our knowledge, no federal authority has been used to permit the Project in any way, and the Project has not substantially begun.

⁴ *Impact Assessment Act* SC 2019 c 28 s. 1, s. 9(1) [*IAA*].

3.1 The Project will cause adverse effects within federal jurisdiction or adverse direct and incidental effects

A key requirement under section 9(1) of the *IAA* is the need for adverse effects, which is not defined within the *IAA*, but means a negative, undesired or harmful effect. With respect to a physical activity or a designated project, “**effects within federal jurisdiction**” means:

- (a) a change to the following components of the environment that are within the legislative authority of Parliament:
 - (i) fish and fish habitat, as defined in subsection 2(1) of the *Fisheries Act*;
 - (ii) aquatic species, as defined in subsection 2(1) of the *Species at Risk Act*;
 - (iii) migratory birds, as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*, and
 - (iv) any other component of the environment that is set out in Schedule 3;
- (b) a change to the environment that would occur
 - (i) on federal lands,
 - (ii) in a province other than the one for the physical activity or the designated project is being carried out, or
 - (iii) outside Canada;
- (c) with respect to the Indigenous peoples of Canada, an impact – occurring in Canada and resulting from any change to the environment – on
 - (i) physical and cultural heritage,
 - (ii) the current use of lands and resources for traditional purposes, or
 - (iii) any structure, site or thing that is of historical, archaeological, paleontological or architectural significance;
- (d) any change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada; and
- (e) any change to a health, social, or economic matter that is within the legislative authority of Parliament that is set out in Schedule 3.⁵

[Emphasis added]

⁵ *IAA*, s. 2(1).

Furthermore, “**direct or incidental effects**” means:

effects that are directly linked or necessarily incidental to a federal authority’s exercise of a power or performance of a duty or function that would permit the carrying out, in whole or in part, of a physical activity or designated project, or to a federal authority’s provision of financial assistance to a person for the purpose of enabling that activity or project to be carried out, in whole or in part.⁶

[Emphasis added]

3.1.1 – The Project will adversely affect fish and fish habitat and aquatic species

The objective of the federal *Fisheries Act* is to conserve and protect fish and fish habitats. Under the *Fisheries Act*,

fish includes (a) parts of fish, (b) shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and (c) the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals;⁷

and

fish habitat means water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply and migration areas[.]

The Project is located on the eastern shore of the Atlantic Ocean that is part of Fisheries and Oceans Canada’s Maritime Region. Noise and toxic chemical emissions from rocket launches, as well as construction for the Project, have the potential to impact freshwater and marine fish and fish habitat, including habitat loss or alteration, release of sedimentation and accidental spills.⁸

MLS has identified the need to procure provincial watercourse alterations but has neglected to identify the appropriate watercourse alteration permits and authorizations that would be required under the *Fisheries Act* with respect to activities harming or destroying fish or harming fish habitat.⁹ Furthermore, MLS provided only an assessment of freshwater fish species and habitats and did not assess the significant potential adverse impacts on marine species. The Focus Report required by the province did not require further assessment of Project impacts on marine species.¹⁰ In addition to fish as defined under the *Fisheries Act*, other aquatic species will be potentially adversely affected. Under the *Species at Risk Act*:

⁶ *IAA*, s. 2(1).

⁷ *Fisheries Act* RSC 1985 C. F-14, s. 2(1) [*FA*].

⁸ See for example, the impacts identified from construction in the Registration Document, p. 59.

⁹ *FA*, s. 35(1).

¹⁰ Terms of Reference for the Preparation of a Focus Report Regarding the Canso Spaceport Facility Proposed by Maritime Launch Service Ltd., s. 9 (Fish and Fish Habitat) online <<https://novascotia.ca/nse/ea/canso-spaceport-facility/terms-of-reference-for-focus-report.pdf>>

aquatic species means a wildlife species that is a fish, as defined in section 2 of the *Fisheries Act*, or a marine plant, as defined in section 47 of that Act.¹¹

The meaning of “fish” is found above, and

marine plant includes all benthic and detached algae, marine flowering plants, brown algae, red algae, green algae and phytoplankton.

The *Fisheries Act* prohibits anyone from carrying on any work, undertaking or activity that results in the harmful alteration, disruption or destruction of fish habitat, unless they have received permission from DFO. The coastal area around the Project site, as well as the watercourses flowing through the area into the Atlantic Ocean, are all fish habitat within the meaning of the *Fisheries Act*. The Project, including construction activities, road building and rocket launches, has the potential to seriously alter, disrupt or destroy these fish habitats and will have direct or incidental effects on an area of federal jurisdiction. For example, proposed rocket flight paths run directly over the Atlantic Ocean and above active fishing grounds, including grounds that host Indigenous fisheries.

The consequences and potentially significant adverse effects of the release of toxic rocket fuel, especially in the case of a failed launch, on the marine environment, and on aquatic species, and fish and fish habitat, all of which are within federal jurisdiction, is not known. There are currently no rocket launch sites or spaceports anywhere else in Canada, and so the impacts, including long-term and cumulative impacts, on aquatic species, including fish and fish habitat, need to be properly assessed by federal experts from: Transport Canada, Fisheries and Oceans Canada, Environment and Climate Change Canada, Innovation, Science and Economic Development Canada, and the Canadian Space Agency.

3.1.2 – The Project will adversely affect migratory birds

Under the *Migratory Birds Convention Act* (the “**MBCA**”),

migratory bird means a migratory bird referred to in the Convention, and includes the sperm, eggs, embryos, tissue cultures and parts of the bird.¹²

A federal impact assessment is necessary for the Federal government to meet its obligations to protect migratory birds under the *MBCA*. The noise and lighting from the Project Spaceport and launch site will have potential devastating impacts on migratory birds because those impacts can confuse birds and delay their migrations, and also result in the loss of stop-over and breeding habitat for a number of bird species.¹³

¹¹ *Species at Risk Act* SC 2002 c. 29, s. 2(1) [**SARA**].

¹² *Migratory Birds Convention Act* SC 1994 c. 22, s. 2(1) [**MBCA**].

¹³ For example, see news articles from the Canadian Press on December 19, 2017, in which John Kearney, adjunct professor at Dalhousie University, noted concerns about impacts on migratory birds: <https://www.iheartradio.ca/bounce/nova-scotia/news/proposed-n-s-spaceport-a-potential-threat-to-migratory-birds-researcher-says-1.3513014> and https://atlantic.ctvnews.ca/proposed-n-s-spaceport-a-potential-threat-to-migratory-birds-researcher-says-1.3727451?fbclid=IwAR0jWoS0ET4Hoeo9CIAsoR_NIRMKOqP6gkUnf_6elqNCGZPOLuvntrI1hso

MLS's registration document for the provincial EA process (the "registration document") included a survey of avifauna within the vicinity of the Project. The following migratory birds are found within the vicinity of the project, including many located on Country Island, which is 68km from the Project site¹⁴:

- Roseate Terns
- Arctic Terns
- Common Terns
- Leach's Storm-Petrels
- Herring Gulls
- Great Black-backed Gulls
- Tennessee Warbler
- American Oystercatcher
- Spotted Sandpiper
- Ruby-crowned Kinglet

Some of these migratory bird species are considered probable breeders in the area, including the Tennessee Warbler, American Oystercatcher, Spotted Sandpiper and the Ruby-crowned Kinglet.¹⁵

The results of the registration document with respect to birds in the area were that the Project has the potential to impact birds during construction and operation, resulting in:

- Breeding or migration stopover habitat loss or alteration,
- Migration disruption,
- Sensory disturbance,
- Exposure to pollutants, including unsymmetrical dimethylhydrazine, and
- Direct mortality.¹⁶

As a result, there are significant potential adverse effects on migratory birds as a result of the Project. The Avian Management Plan that is proposed as a result of the provincial EA is not adequate for a proper assessment of the adverse effects on migratory birds, especially in conjunction with the cumulative effects on other aspects of the environment.

Some of the migratory bird species are also protected under the *Species at Risk Act*. For example, the Roseate Tern, which can be found within 100KM of the Project site, is listed as "Endangered" under the *Species at Risk Act* (SARA).¹⁷ We have provided more information on species at risk below.

¹⁴ See Schedule of *MBCA*; also see Registration Document, p. 76.

¹⁵ Registration document, p. 77.

¹⁶ *Ibid*, p. 95.

¹⁷ *Ibid*, p. 77.

3.1.3 – The Project will create changes to the health, social, or economic conditions of the Mi'kmaq

We are not in a position to comment substantively on the impacts to the health, social or economic conditions of the Mi'kmaq in Mi'kma'ki, and none of our members are members of the Mi'kmaw communities near the Canso Area. However, as we have already briefly identified, the Project will have potentially significant adverse effects on fish and fish habitat and aquatic species. Many of the species are part of Mi'kmaw commercial fisheries protected under treaty, and Mi'kmaw communities with connections to these species may have their health, social or economic conditions change as a result of the Project.

3.2 There are serious and substantial public concerns related to the adverse effects of the Project that warrant federal impact assessment designation

The AACS is a group of concerned citizens that oppose Maritime Launch Services' Canso Spaceport because of its serious environmental and public health impacts. The AACS was formed following Nova Scotia Environment's approval of the Project after the proposed Project underwent a provincial EA. AACS members include medical professionals, fishers, teachers, business owners, tradespeople, artists, community volunteers and their allies.

Approximately sixty local fishers, as well as members of their families, licence holders, and other fisheries workers, have signed a petition launched by AACS to halt the Project. Furthermore, a letter writing campaign is being led by local fishers to express their opposition. In August 2019, AACS held a panel event to address concerns we had regarding the Project. Throughout the summer and into the autumn of 2019, we circulated our own petition opposing the Project, with signatures of direct residents of Canso area communities, which has garnered 409 names. This petition was tabled in the provincial Legislative Assembly by MLA Llyod Hines on April 19, 2021, the last day of the Legislature's spring session. AACS has also engaged with the media and built a website (www.actionagainstthecansospaceport.com), and its members have written emails and letters to politicians, environmental organizations and allies in an attempt to halt this Project.

Our municipal councilors and MLA continue to express strong support of the Canso Spaceport despite protest from our group and other constituents. Former Premier Steven McNeil signed a letter of support for this project more than a year before the EA had been completed. Members of AACS feel they are not being heard and that Canso area communities have been sorely misrepresented throughout the last two years.

In addition to the potentially significant adverse effects on areas within federal jurisdiction, including aquatic species, fish and fish habitat, and Indigenous peoples of Canada, there are serious and substantial public concerns related to those adverse effects and other concerns, including:

- Risks to public health and safety. To our knowledge, MLS has not provided community members with worse-case scenario modelling or an evacuation plan in the event of a

chemical spill or launch failure or accident. Local residences are as close as 2.7 km from the launch site.

- Potential contamination of groundwater and waterways at the Project site, as well as the surrounding area.
- The threat to the local fishery in the event of launch accident or chemical spill, as well as unknown effects of noise and pollution on fish stocks. MLS has already indicated that rocket launches will occasionally restrict the ability of local fishers to go out onto the water (for example, as a result of temporary closures of offshore areas due to rocket launches).¹⁸
- Transport and storage of hazardous fuel (including UDMH), which will be brought to the site using public roads, including federal highways. Community members, including members of the AACS, have serious concerns about Nova Scotia Environment and Climate Change's ability and expertise to evaluate a rocket launch facility and rocket launches.
- There are also concerns about the Government of Nova Scotia's ability to effectively regulate MLS. The company was registered with the Nova Scotia Registry of Joint Stock Companies as a limited company in October, 2016. However, MLS proposes to conduct what is essentially aeronautics, with a space flight component, using untested Cyclone 4M rockets that are currently still in development.
- Community members are concerned that property values will drop considerably for local residences that are in close proximity to the proposed rocket launch site, and that private insurance will not provide coverage for damage related to contamination or accidents related to rocket launches. Local residents have also expressed concern regarding the potential for expropriation of their land.
- There is a general worry about the irreversible destruction of the community way of life. Local residents live in fear of this project. Many have told us they would rather move than live with such a facility here. A rocket launch facility in this peaceful, clean, quiet, historic and pristine natural environment would have a lasting devastating effect on the character of the community.

Overall, there is consideration public concern about the environmental, economic and social consequences and adverse effects of the Project, and those concerns are not mitigated, and in fact are aggravated, by the Government of Nova Scotia's clear lack of capacity, expertise and jurisdiction to assess or regulate Canada's first and only spaceport and rocket launch site.

¹⁸ Registration Document, p. 103.

4. FURTHER CONSIDERATIONS TO DESIGNATE THE PROJECT

As stated in its “Operational Guide: Designating a Project under the *Impact Assessment Act*”, the Impact Assessment Agency of Canada provides a recommendation to the Minister regarding the need to designate a project not listed by the *Physical Activities Regulations*. In making that recommendation, the Agency takes into account additional relevant factors, which we have also considered and provided submissions on in this section.

4.1 No federal decision has been previously rendered with respect to designation of the Project

IAAC wishes to know if a prior request to designate the Project has been rendered, including under the now-repealed *Canadian Environmental Assessment Act, 2012*. However, it is our understanding, based on a Nova Scotia Freedom of Information and Protection of Privacy (“**FOIPOP**”) information request, that the Canadian Environmental Assessment Agency (now IAAC) sent a letter to MLS on March 23, 2017. The former Agency noted that, based on MLS’s November 2016 description of its proposed Nova Scotia Spaceport Facility, the Project was not described in the *Regulations Designating Physical Activities* under the *Canadian Environmental Assessment Act, 2012*.¹⁹

MLS noted in its provincial registration document in June 2018 that:

A federal Environmental Assessment (EA) is not required for the Project as it is not located on federal land or listed as a physical activity that constitutes a "designated project" as listed under the *Regulations Designating Physical Activities* of the *Canadian Environmental Assessment Act* (CEAA 2012).²⁰

We believe the former Agency made an error by failing to consider the purpose, context, and overall spirit and intent of environmental assessment legislation when it made the determination that the Project was not described by the former *Regulations Designating Physical Activities* (the “**Former Regulations**”).

As a starting point, it is clear that the Canso Spaceport is an aerodrome. First, the Canso Spaceport meets the definition of “aerodrome”. The *Former Regulations* give “aerodrome” the same meaning as under the *Aeronautics Act*:

aerodrome means any area of land, water (including the frozen surface thereof) or other supporting surface used, designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement or servicing of aircraft and includes any buildings, installations and equipment situated thereon or associated therewith.²¹

[Emphasis added]

¹⁹ Freedom of Information and Protection of Privacy Request, 2019-1126-ENV online: <https://openinformation.novascotia.ca/FOI-Requests/2019-01126-ENV/re69-6jyw> p. 2.

²⁰ Registration Document, p. 4.

²¹ *Aeronautics Act* RSC 1985 c. A-2, s. 3(1).

Second, the *Former Regulations* also gave “aircraft” the same meaning as it is given in Section 3(1) of the *Aeronautics Act*:

aircraft means

(a) until the day on which paragraph (b) comes into force, any machine capable of deriving support in the atmosphere from reactions of the air, and includes a rocket;

(b) *repealed*.

[Emphasis added]

Therefore, if land is used for the departure, movement, or servicing of rockets, it is an aerodrome. MLS plans to use private land, located in Canso, Nova Scotia, in whole or in part, to launch up to 8 rockets (aircrafts) into space each year. The Project will include a launch center and launch pad that are specifically designed for the departure (launch), movement (flight) and servicing of rockets.

The *Former Regulations* required an environmental assessment for projects meeting one of the following descriptions:

The construction, operation, decommissioning and abandonment of a new

- (a) aerodrome located within the built-up area of a city or town;
- (b) airport, as defined in subsection 3(1) of the *Aeronautics Act*; or
- (c) all-season runway with a length of 1 500 m or more.²²

When *CEAA 2012* and its regulations, were enacted, spaceports and rocket launches were not given much thought. Notably, even in its most current form, the *Aeronautics Act*, which is the sole federal law used to govern and regulate aviation and aircrafts taking up and using airspace, includes no references to spaceports, space travel, or satellites; in fact, federal law is still outdated with respect to the regulation of space transportation, including rocket launches. Considering the context that a) aerodromes have serious adverse effects and b) the Canso area within which the proposed rocket launch site will be constructed is a built-up area of a town, whereby residents live in close proximity to the launch site, the Project should have triggered an environmental assessment under *CEAA 2012*.

4.2 The Project is near a threshold set in the Project List

Regardless of whether the Canso Spaceport would or should have undergone environmental assessment under *CEAA 2012*, the Project is near a threshold set out in the project list under the *Physical Activities Regulations*:

²² *Regulations Designating Physical Activities SOR-2012-147* (no longer in force), s. 26 [*Former Regulations*].

The construction, operation, decommissioning and abandonment of one of the following:

(a) a new aerodrome with a runway length of 1 000 m or more;

(b) a new aerodrome that is capable of serving aircraft of Aircraft Group Number IIIA or higher;

(c) a new runway at an existing aerodrome with a length of 1 000 m or more.²³

[Emphasis added]

As already noted above, rockets are considered within the definition of “aircraft”, and the Project is an aerodrome. Therefore, the remaining consideration is whether the rockets that MLS proposes to launch are within Group Number IIIA or higher. In the *Regulations*, an Aircraft Group Number (“AGN”) refers to an AGN set out in Transport Canada’s publication TP 312, 5th edition, entitled *Aerodrome Standards and Recommended Practices*.²⁴ Under the TP 312, an AGN is determined for each part of a maneuvering area in accordance with the characteristics of the aircraft. The purpose of an AGN is to consider all of the technical specifications of an aircraft in order to determine which aerodrome facilitates are suitable for the aircraft.²⁵

As noted above, the impact assessment process, and in fact all federal law, is not current equipped to deal with space transportation or rocket launches. However, the point of the *IAA* is to address adverse and serious environmental, social and economic concerns raised by large projects, which may not be captured or effectively dealt with through other federal permitting processes. **This is the first ever commercial and private rocket launch site in Canada.** The Project has the potential to have disastrous and adverse environmental, health and safety effects, and it must undergo a federal impact assessment.

4.3 Standard design features and mitigation would not address the anticipated adverse effects

There are no standard design features and mitigation processes to address the anticipated adverse effects of multiple annual rocket launches, because there are no other rocket launch sites in Canada.

4.4 The project involves new technology or is a new type of activity

There are currently no rocket launch sites anywhere in Canada. Furthermore, the space transportation industry is not effectively regulated under current federal law. The *Aeronautics Act*, which is the only law governing and regulating aviation, was not created with space transportation in mind.

²³ *Physical Activities Regulations* SOR-2019-285, s. 46(b) [*Regulations*].

²⁴ *Ibid.*, s. 1(2).

²⁵ Transport Canada, *Aerodrome Standards and Recommended Practices*, TP 312, s. 1.2, see notes 1 and 2. Online <<https://www.sightline.us/images/pdf/TransportCanadaTP312E.pdf>>

In fact, on October 27, 2020, at the Canadian Aeronautics and Space Institute ASTRO 2020 virtual series, Patrick Juneau, Director of Aviation Safety Policy and Intelligence for Transport Canada, made it clear that Canadian law is not prepared for space transportation. He is quoted as saying:

“The *Aeronautics Act*, which is the primary piece of legislation that I handle was not suited or built around space, but it does cover off at least some essential elements that allow us to make some movement on the pile for sure. You can squarely think of a spaceport, or a place where you might launch rockets as an aerodrome. And in some cases, when you’re talking about horizontal takeoff piece, it fits well within that box. You move through the airspace, so that needs to be managed to their dangers as you move up dangers as you move down. And so there’s different pieces that we can at least learn from, inspire ourselves from, and recycle. So my objectives in this is, is really framed around addressing the safety issues as you talk about moving through airspace as you talk about needing a regulatory regime for these types of activities, but also setting the sort of predictability out of that sector as well.”²⁶

[Emphasis added]

Canada also has no governing body, and no branch of either the Civil Aviation Directorate or the Canadian Space Agency, that is responsible for the approval of rocket launches. In the United States, the Office of Commercial Space Transportation (the “**OCST**”), a branch of the United States Federal Aviation Administration (the “**FAA**”), is responsible for approving commercial rocket launches. The OCST was established under the *American Commercial Space Launch Act of 1984* and works to regulate US commercial space transportation to ensure compliance with international obligations and protect public health and safety and security interests. The OCST has dedicated licencing and regulatory programming and initiatives for commercial space transportation.²⁷ The FAA’s issuance of licences for rocket launches is considered a major federal action subject to environmental review under the American *National Environmental Policy Act*.²⁸

It is clear that space transportation is not adequately regulated by federal law in Canada and that the potential adverse effects from rocket launches are not well understood in Canada.

²⁶ SpaceQ, “Canada Decides it wants to be a Launching State”, October 29, 2020 online < <https://spaceq.ca/canada-decides-it-wants-to-be-a-launching-state/>>

²⁷ Federal Aviation Administration, “About the Office of Commercial Space Transportation”, online < https://www.faa.gov/about/office_org/headquarters_offices/ast/>

²⁸ *National Environmental Policy Act*, 42 U.S.C. §4321 et seq. (1969); see for example FAA, “Final Environmental Assessment and Finding of No Significant Impact for SpaceX Falcon Launches at Kennedy Space Center and Cape Canaveral Air Force Station”, July 2020 online < https://www.faa.gov/space/environmental/nepa_docs/media/SpaceX_Falcon_Program_Final_EA_and_FONSI.pdf>

4.5 The potential adverse effects cannot be adequately managed through other existing legislative or regulatory mechanisms

As noted above, there is no existing legislation or regulatory mechanisms that are meant to deal with the dangerous and adverse effects of rocket launches, including environmental clean-up of toxic rocket fuel, emergency services to respond to failed rocket launches, civil and commercial liability of failed rocket launches or insurance for damage or injury caused as a result of failed rocket launches.

4.6 The assessment of environmental effects carried out by Nova Scotia is inadequate for the exclusive federal jurisdiction over aviation

The *Constitution Act, 1867* provides the basis for federal and provincial authority over classes of activities in Canada. The provincial government has jurisdiction over property and civil rights in provinces. There is no explicit power over aviation in the *Constitution Act 1867*, but the federal government has jurisdiction over aviation by virtue of it being a matter of national concern not exclusively assigned to the Legislatures of the provinces. As noted above, the federal *Aeronautics Act* and the *Canadian Aviation Regulations* are the primary federal laws used to regulate aviation and aerodromes. There is no corresponding Nova Scotian law or Nova Scotian jurisdiction over aviation, rocket launches or space transportation, and the province does not have the expertise to effectively assess the Project.

4.7 The project will cause adverse environmental effects because of its location and environmental setting or because of a change in use on previously developed lands

We have already noted the potential adverse effects on federal jurisdiction, or the direct or incidental effects of the Project. However, there are other sensitive environments within the vicinity of the Project that warrant identification.

The Project launch site is in close proximity (within 5km) of the following sites:

- Canso Islands National Historic Site²⁹
- Canso Coastal Barrens Protected Wilderness Area,
- St. Andrews Island Park Reserve,
- Black Duck Cove Provincial Park

The area also has several lakes, migratory bird nesting sites, the local hospital and nursing home, and the Chapel Gully Trail.

The Canso Islands National Historic Site is a National Historic Site that is managed by Parks Canada under the guidance of the Canso Island and Grassy Island Fort Management Plan (the “**management plan**”).³⁰ At the time that the management plan was being prepared, the *Cabinet Directive on the Environmental Assessment of Policy, Plan, and Program Proposals*, created by

²⁹ Parks Canada, Canso Islands National Historic Site Management Plan February 2009, online: [https://www.pc.gc.ca/en/lhn-nhs/ns/canso/info/\[Management Plan\]](https://www.pc.gc.ca/en/lhn-nhs/ns/canso/info/[Management Plan]).

³⁰ *Ibid.*

the former Canadian Environmental Assessment Agency, required an environmental assessment of all plans and policies to be given to the federal cabinet or a Minister for approval. A strategic environmental assessment for the management plan was required and carried out.³¹ As a result of the strategic environmental assessment, a commitment was added to the management plan, to prepare an ecological inventory of the Parks Canada administered property for species at risk and other rare flora and fauna, as follows:³²

Parks Canada will prepare [...] an ecological inventory of the property administered by Parks Canada to identify if there are any species at risk, inform management decisions and provide baseline information for environmental assessments or in the event of environmental incidents.³³

To our knowledge, Parks Canada has neither prepared an inventory of its property at the Canso Islands National Historic Site nor identified any species at risk as is required to help Parks Canada assess its management decisions or provide baseline information that could be used for an environmental (impact) assessment.

4.8 The Project will create adverse effects on federal Species at Risk

The *Species at Risk Act* (“SARA”) was enacted following Canada’s ratification of the *United Nations Convention on Biological Diversity* (“CBD”) in 1992. Provinces throughout Canada also enacted their own species at risk legislation to achieve the shared responsibilities under the CBD. In Nova Scotia, the parallel legislation is the *Endangered Species Act* (the “ESA”). Species at risk may be protected under either, or both, SARA and the ESA.

The Project poses a risk to various species at risk in the area surrounding the proposed site, which were identified in MLS’ registration document for provincial EA, and the significant adverse effects on these species at risk require federal impact assessment because we have no confidence in the Government of Nova Scotia’s capability to protect those species through its provincial EA process.

Example of species that are at risk of suffering significant adverse effects from the Project are the Woodland turtle (*Glyptemys insculpta*), Canada Warbler (*Wilsonia Canadensis*) and the Eastern Wood-Pewee (*Contopus virens*). The Woodland turtle is classified as “Threatened” under both SARA and the ESA; the Canada Warbler is classified as “Threatened” under SARA and “Endangered” under the ESA; and the Eastern Wood-Pewee is classified as “Threatened” under SARA and “Vulnerable” under the ESA.

MLS identified that the Nova Scotia Significant Species and Habitat Database contained 323 instances of the Woodland turtle residing within 100km radius of the Project site.³⁴ Although the registration document indicated that there was no record of the Woodland turtle within 10 km of the Project site, there seems to have been no attempt to go beyond the database (which,

³¹ *Ibid*, p. 29.

³² *Ibid*, p. 29; see also p. 27.

³³ *Ibid*, p. 27.

³⁴ Registration Document, p. 70.

consequently, was also dated for 2014 and thus outdated) to investigate the site for the presence of the turtles. Furthermore, MLS identified that both the Canada Warbler and Eastern Wood-Pewee had been recorded within a 100km radius of the Project site.³⁵

A federal impact assessment is required because species at risk, including those protected solely under *SARA* and those protected under both federal and provincial legislation, will not receive adequate protection through the provincial EA process, the province's conditions, or provincial protection, because the province currently fails to protect its species at risk as set out in its own legislation.

On May 29, 2020, the Nova Scotia Supreme Court released its decision in *Bancroft v Nova Scotia (Minister of Lands and Forests)*, 2020 NSSC 175, a decision on a judicial review in which the Court was asked to review claims that the Government of Nova Scotia had a history of long-term, systemic failures to fulfill its legal obligations under the *ESA*.³⁶ In the judicial review, the Applicants argued that the Minister responsible for the *ESA* had failed to implement the Act for six representative species, which included the Wood Turtle, Canada Warbler and Eastern Wood-Pewee. The Court concluded that the Minister had failed to fulfil legal obligations owed to the representative species under the *ESA*.³⁷ Specifically, the Court declared that there was a failure to prepare a recovery plan for the Wood Turtle, a failure to appoint a recovery team for the Canada Warbler, and a failure to prepare a management plan for the Eastern Wood-Pewee within the statutory deadlines.³⁸

4.9 There are multiple activities within the region that are a source of cumulative effects

The region around Canso has many other industrial and commercial activities that altogether are sources of cumulative effects.

There are currently ongoing federal impact assessments for multiple gold mine projects in Goldboro, which is approximately within a 100KM radius. These projects include:

- Beaver Dam Gold Project
- Fifteen Mile Stream Gold Project
- Cochrane Hill Gold Project

As already indicated, there are commercial and Indigenous fisheries within the Atlantic waters up and down the coast. Additionally, the Strait of Canso Port is located less than 50KM away in Port Hawksbury, Cape Breton, which is a major bulk seaport that handles approximately 61% of Nova Scotia's international and domestic cargo tonnage that is part of a major international shipping route.³⁹

³⁵ *Ibid*, p. 78.

³⁶ *Bancroft v Nova Scotia (Lands and Forests)* 2020 NSSC 175 Online <https://www.eclaw.ca/images/Bancroft_v_NS_Lands_n_Forests_-_2020_NSSC_175.pdf> para 1.

³⁷ *Ibid*, para 4.

³⁸ *Ibid*, para 135.

³⁹ See online: <http://www.straitsuperport.com/strait-of-canso-port/>

Finally, forestry and other localized extractive industries in the area also contribute to environmental stresses on the environment.

4.10 There are potential effects across international borders

Rockets launched into space inherently cross into international airspace. Rockets have the potential range to cross international borders (i.e., to cross the American border).

There is also potential for rockets to enter into non-exclusive jurisdictional maritime boundaries as set out in the *United Nations Convention on the Law of the Sea* (for example, into the Exclusive Economic Zone) that could cause disruptions to navigational rights of other nations and flag ships.

4.11 The potential greenhouse gas emissions associated with the project may hinder the Government of Canada's ability to meeting its commitments in respect of climate change, including in the context of Canada's 2030 emissions targets and forecasts

MLS has not assessed the Project's contribution to climate change, or how its greenhouse gas emissions, including construction and operation of its facilities and rocket launches, will hinder the Province of Nova Scotia or Government of Canada's ability to meeting its commitments with respect to climate change and emissions reductions targets and goals.

APPENDIX A: TABLE OF CONSIDERATIONS FOR DESIGNATION

Further to the “Operational Guide: Designating a Project under the *Impact Assessment Act*”, we have provided our rationale for why the Maritime Launch Services’ Canso Spaceport Project should be designated for federal impact assessment in the following table. This table summarizes the concerns already raised above.

Question	Answer	Commentary
1. Is the project near a threshold set in the Project List?	Yes	The Project is near a threshold set in the Project List (and in our submission, is captured by the spirit and intent, and factual reading, of the Project List); specifically, the Project is an aerodrome within the meaning of the Act.
2. Is the project near or in an environmentally or otherwise sensitive location?	Yes	The Project is located in Canso, Nova Scotia, next to the eastern coast of the Atlantic Ocean and in the vicinity of multiple fishing grounds and important habitat. Canso is home to the Canso Islands National Historic Site, the Canso Coastal Barrens Protected Wilderness Area, St. Andrew’s Island Park Reserve, and Black Duck Cove Provincial Park.
3. Does the project involve new technology or a new type of activity?	Yes	The Project is a proposal for a spaceport, which will launch rockets into space. There is no other such project active in Canada.
4. Does the project have the potential to cause adverse effects that are of concern to you and fall within federal jurisdiction?	Yes	<p>The Project will have the potential to cause adverse effects that fall within federal jurisdiction, including:</p> <ul style="list-style-type: none"> • effects on fish and fish habitat; • effects on aquatic species • effects on migratory birds; • changes to the environment that occur outside of Canada; • changes to the environment that could affect the Indigenous peoples of Canada; and • any change occurring to the health, social or economic conditions of the Indigenous peoples of Canada. <p>Each of these effects is of concern to us.</p>
5. Does the project have the potential to cause adverse effects that are directly related or	Yes	The Project has the potential to cause adverse effects that are directly related to the federal authority under the <i>Aeronautics Act</i> and its regulations to permit the

<p>incidental to a federal authority either (i) making a decision that would permit the carrying out, in whole or in part, of the project or (ii) providing financial assistance for the purpose of enabling the project to be carried out, in whole or in part?</p>		<p>launch of rockets and the flight of aircraft. Under the <i>Aeronautics Act</i>, rockets are considered aircraft.</p>
<p>6. Does the project have the potential to cause adverse impacts on the section 35 rights of the Indigenous peoples of Canada?</p>	<p>Yes</p>	<p>The Project has the potential to cause adverse impacts on the Mi'kmaw rights protected under the section 35 of the <i>Constitution Act, 1982</i>.</p>

From: Gary Burrill
Sent: June 11, 2021 1:26:03 PM
To: Ministre / Minister (EC)
Cc: [REDACTED]
Subject: Canso Spaceport Project
Response requested: Yes
Sensitivity: Normal
Attachments:
Letter from Gary Burrill - Canso Spaceport.pdf;

Please see the attached letter.

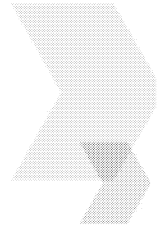
Regards,

Gary Burrill

Gary Burrill, MLA
Halifax Chebucto

6208 Quinpool Road, Suite 102
Halifax, Nova Scotia
B3L 1A3
(902) 454-8365

Keep in touch by signing up for my e-newsletter [here!](#)



June 10, 2021

The Hon. Jonathan Wilkinson
Minister of Environment and Climate Change Canada
House of Commons
Ottawa, Ontario K1A 0A6
ec.ministre-minister.ec@canada.ca

CC: Marie Lumsden, Action Against Canso Spaceport

Sent via email

RE: Request for Designation of the Canso Spaceport Project for Impact Assessment

Dear Minister Wilkinson,

I am writing with regards to Maritime Launch Services' proposed Canso Spaceport Project. In May 2021, a series of concerns about the project were brought to my attention by a representative of Action Against Canso Spaceport (AACS). These concerns include potential environmental and public health impacts and questions about the legal and economic implications of a project of this scope and nature.

Canso, Nova Scotia and its neighbouring communities are home to several areas that are environmentally protected or listed for protection. These areas host delicate ecosystems for aquatic life and migratory birds, and a fishery that is important to the local economy.

Community members have alerted municipal, provincial and federal representatives to the numerous risks the project poses to the environment, and I understand that AACS has written to you requesting that the Canso Spaceport Project be designated for impact assessment pursuant to subsection 9(1) of the *Impact Assessment Act*.

Given the concerns detailed in their letter, it seems only prudent that this project be considered for a full environmental impact assessment.

Sincerely,



Gary Burrill
MLA Halifax Chebucto
Leader, NS NDP
NSNDP Spokesperson for Environment and Climate Change





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1 Introduction

Maritime Launch Services Limited (the proponent) is proposing to construct and operate a commercial launch facility that would provide rocket launch services to transport satellites into orbit, with eight launches expected per year. The facility would be comprised of the launch control center, the horizontal integration facility and the vertical launch area. The Project footprint is approximately 20 hectares on land owned by the Sable Wind Farm and the Nova Scotia Government (undeveloped provincial Crown land), approximately three kilometers south of the community of Canso. The Project site area and the access roads are identified in red in Figure 1.

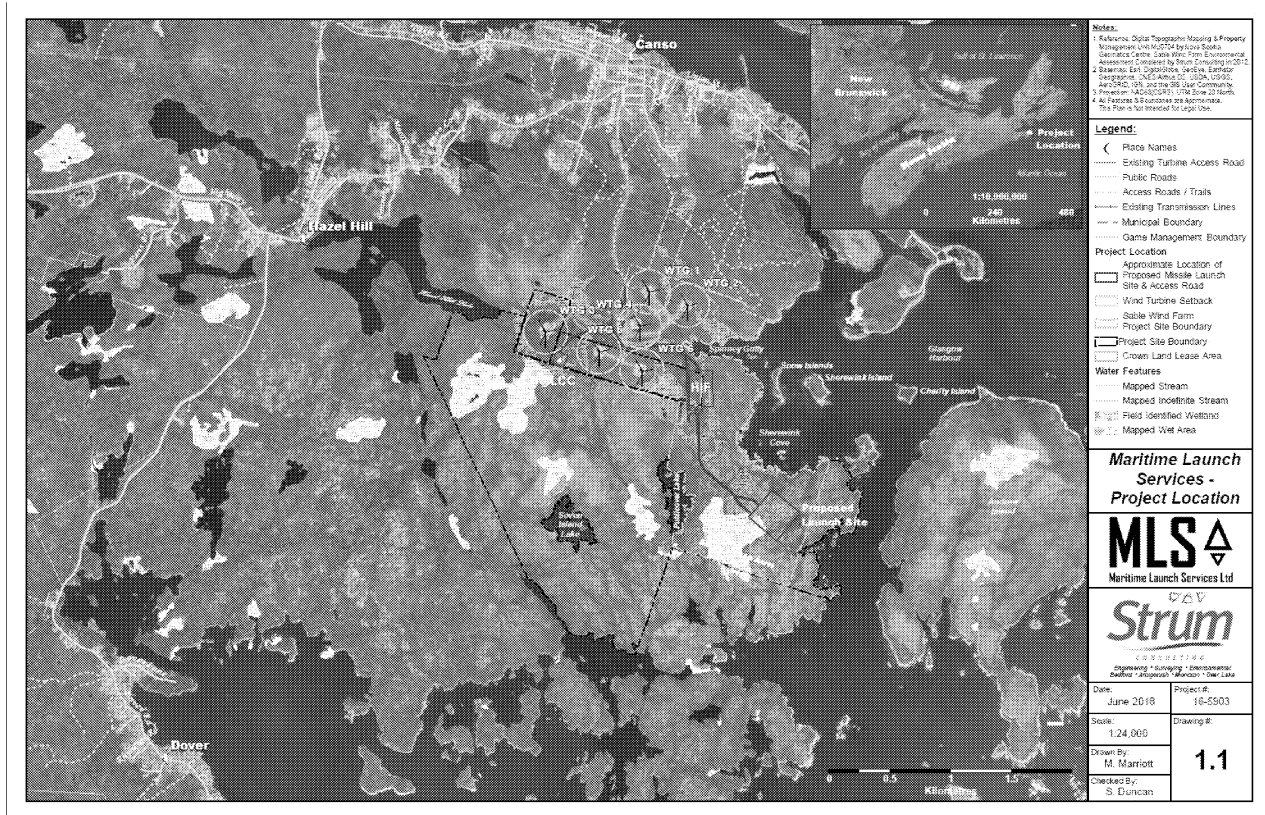
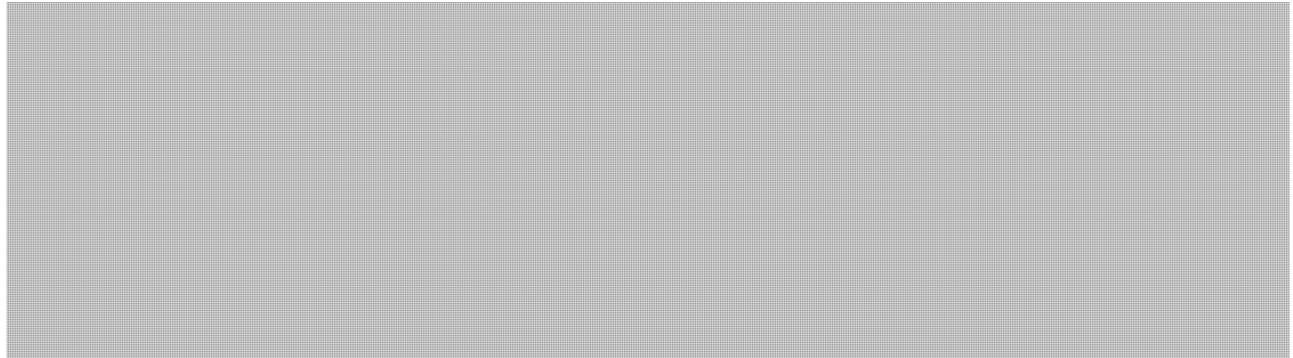
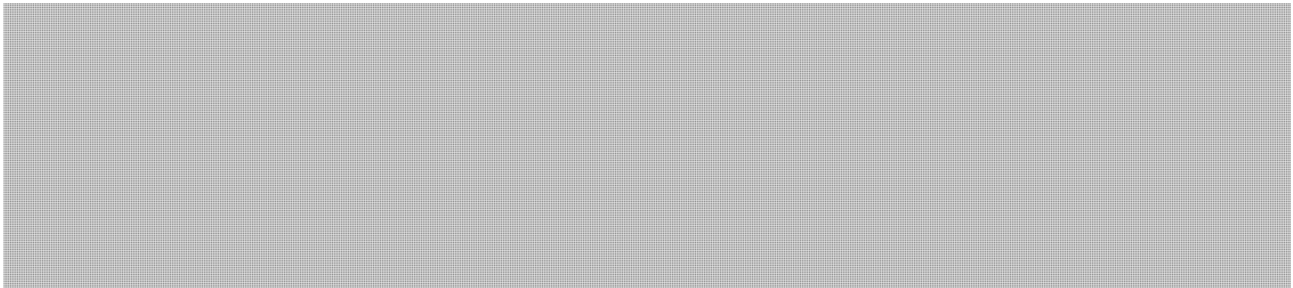


Figure 1 – Project location¹

The Agency became aware of the proposed Project in December 2016 and on March 23, 2017 the Agency sent a letter to the proponent indicating that the Project, as described in information provided to the Agency, was not a designated physical activity under the *Regulations Designating Physical Activities* (the Regulations) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). For projects not described in the Regulations, subsection 14(2) of CEAA 2012 provides the Minister of Environment and Climate Change with the authority to designate any physical activity for a federal environmental assessment if the Minister is of the opinion that

¹from Canso Spaceport Facility Environmental Assessment Registration, June 2018 (prepared by Strum Consulting)

the physical activity may cause adverse environmental effects as described in section 5 of CEEA 2012, or public concerns related to those effects warrant the designation.



Consequently, the Agency recommends that the Project does not warrant designation under subsection 14(2) of CEEA 2012.

This document provides a summary of the Project, the Agency’s analysis of the potential effects of the Project in areas of federal jurisdiction, the concerns raised by the requestor, whether there are other review processes to manage the potential effects, and additional factors such as the type of activity and the potential for cumulative effects. In considering the designation request and developing this analysis, the Agency followed its guidance on *Designating a Project under the Canadian Environmental Assessment Act, 2012*, and has structured this document to address the considerations outlined in the guidance.

2 Context

Proposed Project

The proponent describes the purpose of the Project as establishing a commercially controlled and managed launch site for satellites in North America, in support of the commercial space transportation industry. The Project would provide a launch site for medium class orbital rockets designed and developed by Yuzhnoye SDO in Ukraine. The operational lifespan of the Project is a minimum of 40 years, with launches beginning in 2024.

The Project includes all physical works and activities associated with the construction, operation and decommissioning of a launch control center, horizontal integration facility and a vertical launch area. Key components of the Project include a launch pad and stand; water tower; four lightning protection towers; deluge water retention basin; propellant storage and handling areas; workshop, warehouse and offices; and associated infrastructure such as roads, railway track, parking areas, fencing and utilities. Construction activities would occur over an 18-month period and include land clearing and construction.

Application of the Regulations Designating Physical Activities

The Agency confirmed that the Project, as described in information provided to the Agency, is not a designated physical activity as described in the Regulations. Specifically, the Agency confirmed the following:

- The Project does not meet the definition of an aerodrome located within the built-up area of a city or a town (confirmed by Transport Canada) identified in item 26(a) of the Regulations; and
- The Project does not meet the threshold for a railway line identified in item 25(a) of the Regulations since the length of the proposed railway line would be less than the threshold of 32 kilometers. While the exact rail length is to be determined, it is estimated to be less than 2 kilometres.

A spaceport would also not be a designated project under the *Regulations Designating Physical Activities*, as proposed in the *Discussion Paper on the Proposed Project List*, released in May 2019.

Federal Permits and Authorizations

The following federal authorizations may be required for the Project to proceed:

- [REDACTED]

[REDACTED]

The launch activities, site safety and security, and transboundary effects fall under federal jurisdiction.

[REDACTED] such as the United Nations Convention on the Law of the Sea (UNCLOS, 1982), the Convention on Registration of Objects Launched into Outer Space (Registration Convention, 1975), and the Convention of International Liability for Damage Caused by Space Objects (Liability Convention, 1971).

[REDACTED]

[REDACTED]

Provincial Environmental Assessment

The Project was registered for a Class I environmental assessment on July 4, 2018, since the Project is an undertaking that disrupts two hectares or more of any wetland, in accordance with the requirements of the Nova Scotia *Environment Act*. Expert federal reviewers from Environment and Climate Change Canada, Fisheries and Oceans Canada, Health Canada, Transport Canada, and the Department of National Defense participated in the provincial assessment.

On August 23, 2018, the provincial Minister of Environment determined that the information in the Registration Document was insufficient to make a decision, and a Focus Report was required in accordance with clause 13(1)(c) of the *Environmental Assessment Regulations*. On March 11, 2019, the proponent submitted a Focus Report, which provided additional information on the hydrazine related chemicals, dangerous goods management, waste management, protected areas and parks, human health and contingency planning.

The public comment period on the Focus Report ended on April 19, 2019 and the provincial Minister of Environment approved the undertaking subject to conditions on June 4, 2019. If the proponent begins construction prior to the Minister of Environment and Climate Change designating the Project, a federal environmental assessment would not be possible.

Provincial departments have identified requirements for decisions, permits or authorizations in relation to the Project (approval for the construction, operation or reclamation of a dangerous goods facility, Watercourse Alteration Approvals, and a Wetland Alteration Approval under the *Activities Designation Regulations*; a land lease from the Minister of Lands and Forestry; approvals under the *Crown Lands Act*; and a Resource Impact Assessment/Heritage Research Permit).

Indigenous groups

The Mi'kmaq First Nations of Nova Scotia considers the land of Nova Scotia and the offshore as their traditional territory and assert a title claim to the entire province. The Mi'kmaq First Nations of Nova Scotia are signatories to the historic Peace and Friendship treaties. Pursuant to these Treaties, they have the right to hunt, fish and gather throughout the province. The Kwikmu'kw Maw-klusuaqn Negotiation Office (KMKNO) represents the interests of eleven First Nation communities in Nova Scotia. Millbrook First Nation and Sipekne'katik First Nation represent their own communities for consultation purposes. The federal and provincial governments consult with KMKNO according to the *Mi'kmaq, Nova Scotia, Canada Consultation Terms of Reference*.

3 Considerations

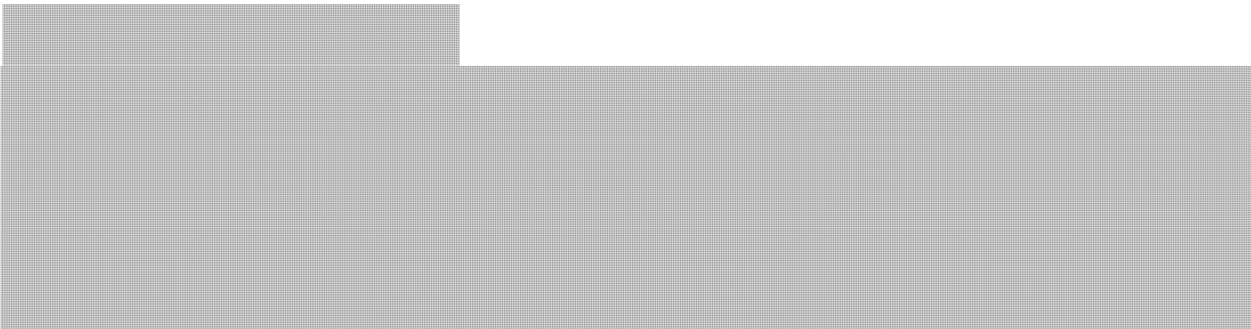
To inform the Agency's analysis in relation to the designation request, the Agency received input from [REDACTED] Nova Scotia Environment, Environment and

Climate Change Canada, Fisheries and Oceans Canada, Transport Canada, Health Canada, and Natural Resources Canada. The Agency also took into consideration public, Indigenous and government comments provided to Nova Scotia Environment through their environmental assessment process.

The primary focus of the Agency's analysis was on whether the Project may cause adverse environmental effects, as defined in section 5 of CEEA 2012 and whether public concerns related to those effects may warrant the designation. Additional considerations that informed the Agency's analysis included the anticipated nature and extent of the effects, whether the potential effects can be adequately managed through other existing legislative or regulatory mechanisms or standard mitigation, the potential for cumulative effects, and whether the Project may cause impacts on potential or established Aboriginal or Treaty rights.

Potential for Adverse Environmental Effects

Summary of Views Expressed



Environment and Climate Change Canada

Environment and Climate Change Canada identified the potential for adverse effects to migratory birds and avian species at risk resulting from noise, light, emissions, and chemical exposure. Environment and Climate Change Canada found the information provided in the Registration Document and Focus Report insufficient and provided recommendations to Nova Scotia Environment to address some of the information gaps.

Fisheries and Oceans Canada

Fisheries and Oceans Canada indicated that the Project would have the potential for adverse effects on fish and aquatic species, including fish mortality during construction, but that effects could be eliminated by following best management practices that accompany watercourse alterations as defined by Nova Scotia Environment and the issuance of a permit for a watercourse alteration. Fisheries and Oceans Canada will provide comments and feedback to Nova Scotia Environment for each watercourse alteration application concerning the health of fish and fish habitat.

Health Canada

Health Canada expressed concerns on noise exceedances especially during a launch, public safety (in the event of an accident) and the use of highly toxic fuels.

Upon review of the Focus Report, Health Canada concluded that without information about the assumptions used, it was unable to evaluate the results of the noise model. Health Canada suggested that noise management and noise monitoring plans, including complaint resolution, as appropriate, be included as part of an Environmental Management Plan. In the event of public

complaints related to operation noise, Health Canada advises that additional mitigation measures should be implemented.

Health Canada would be interested if the proponent could calculate the maximum distance downwind that would require evacuation in the event of a spill, using the expected propellant quantities for use and storage, and compare it to the current receptor locations. The forthcoming site-specific emergency response plan should describe how affected receptors will be evacuated in the event of a spill. Health Canada has provided these comments to Nova Scotia Environment for consideration as part of the provincial environmental assessment.

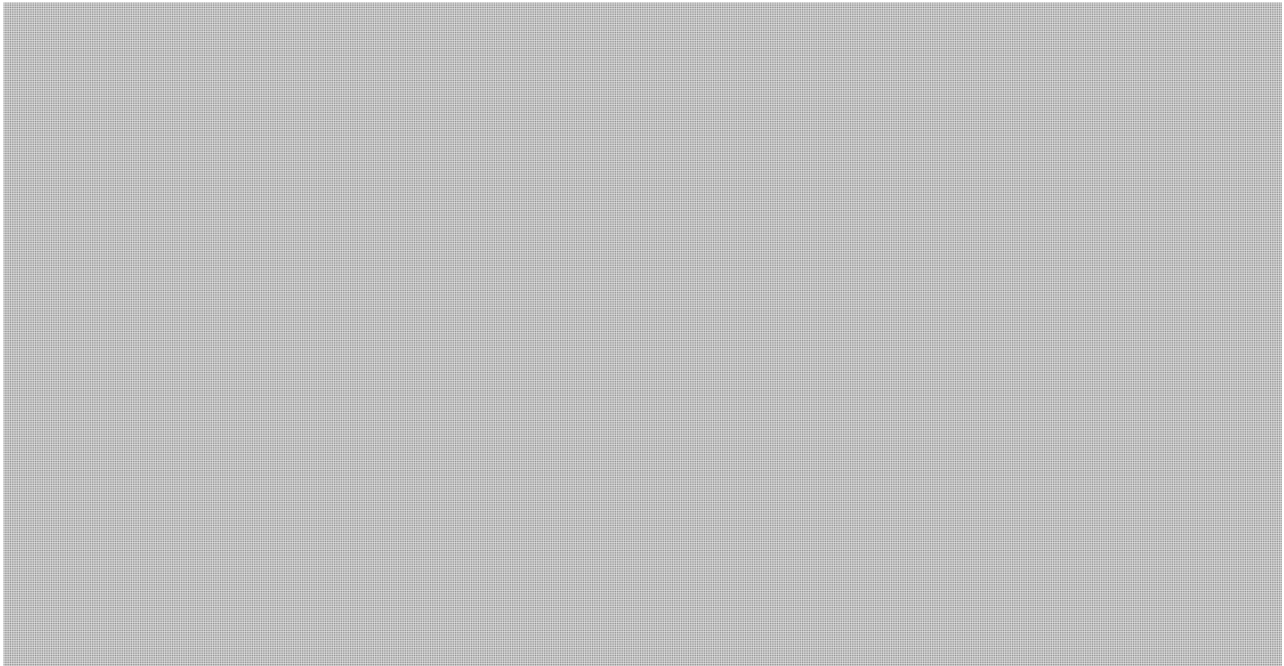
Natural Resources Canada

Natural Resources Canada found the Registration Document to be sufficient in characterizing the Project's potential effects in the areas of acid rock drainage, metal leaching, groundwater quantity and forestry. While the construction of facilities and roads would involve excavation and the potential generation of acid rock drainage and/or metal leaching, the amount of potentially acid generating waste produced is not likely to be significant. The Project is predicted to have limited interaction with groundwater quantity.

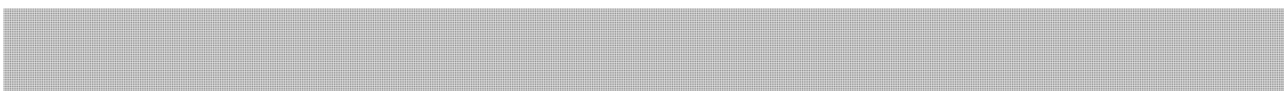
Proponent's Views

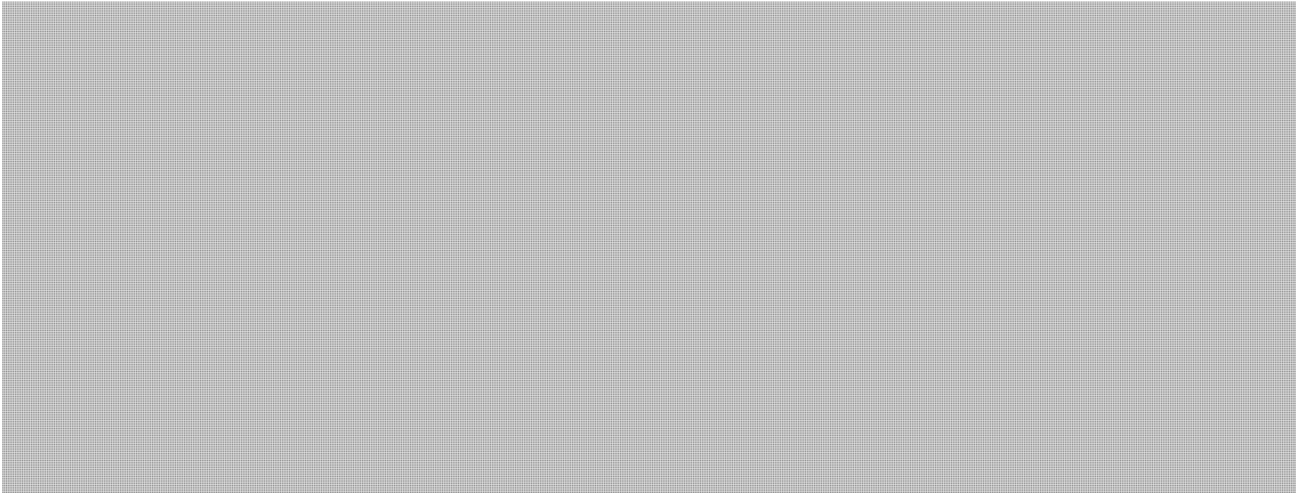
The Agency invited the proponent to provide information to assist in the analysis of whether to recommend a designation. In response, the proponent indicated that the relevant information was in the Registration Document which concluded that the residual effects are expected to be of low significance or not significant. Cumulative effects were also considered not significant.

Agency's Analysis and Conclusions



Public Concerns





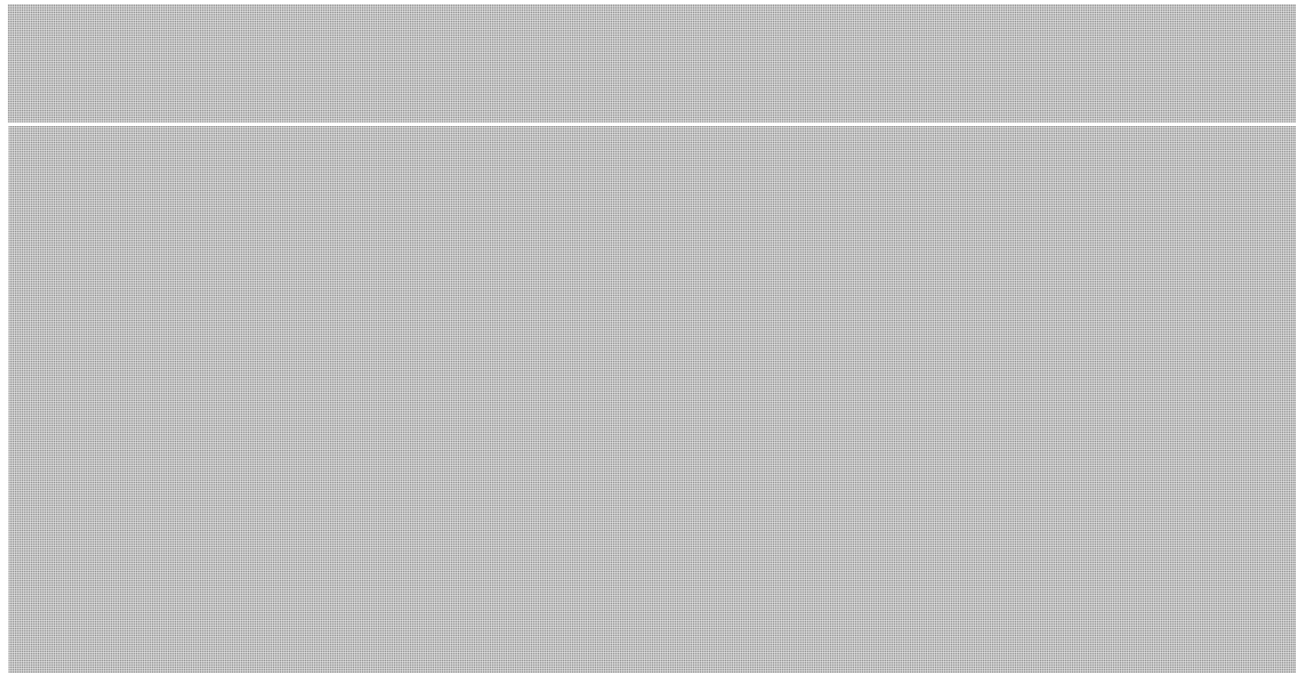
Agency's Analysis and Conclusions

The Agency acknowledges the public concerns communicated during the provincial environmental assessment public comment period, some of which related to environmental effects in areas of federal jurisdiction.

Potential Impacts to Aboriginal Rights

Summary of Views Expressed

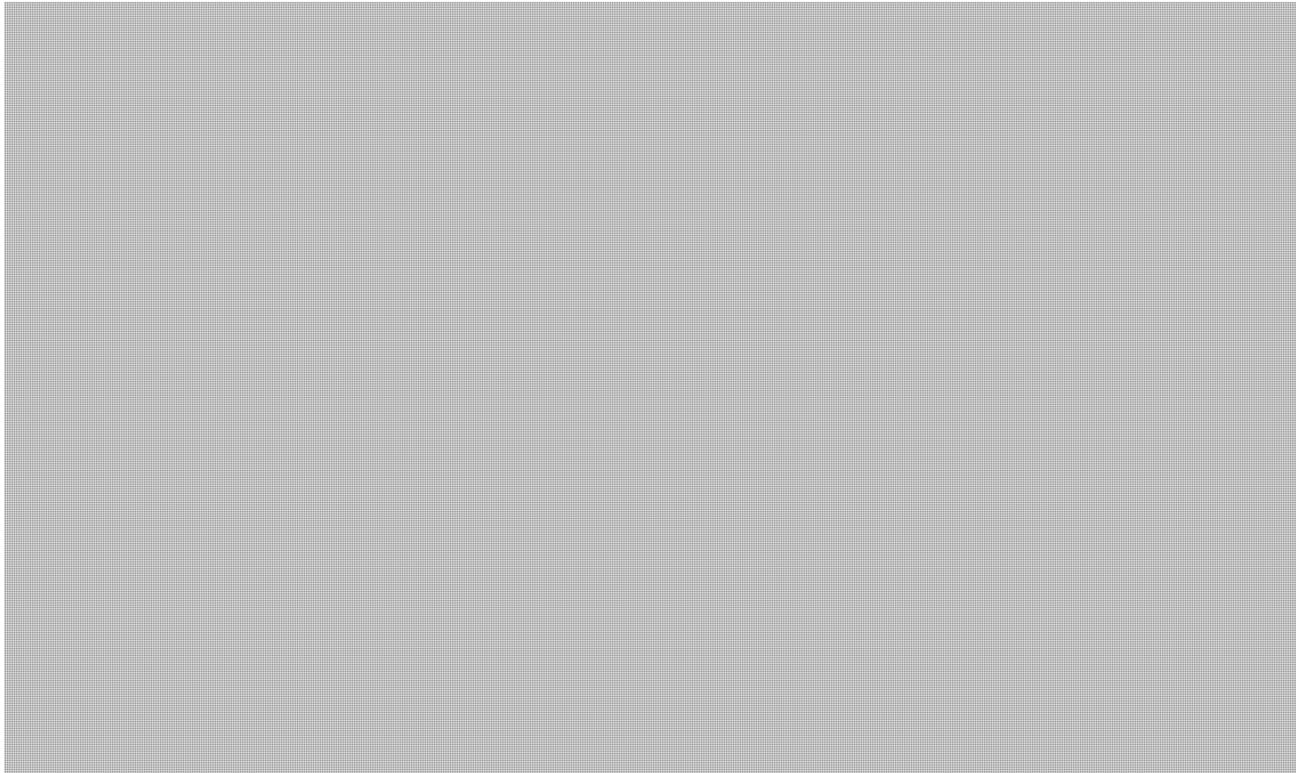
As expressed by the Mi'kmaq First Nations of Nova Scotia, there is potential for impacts to their current use in the area. As well, there is potential for a structure, site or thing that is of historical, archaeological, paleontological or architectural significance to be impacted during construction activities.



The proponent conducted a Mi'kmaq Ecological Knowledge Study to support the Registration Document. Within the study area it was concluded that the Mi'kmaq have historically undertaken traditional use activities and that this practice continues to occur today. These activities primarily

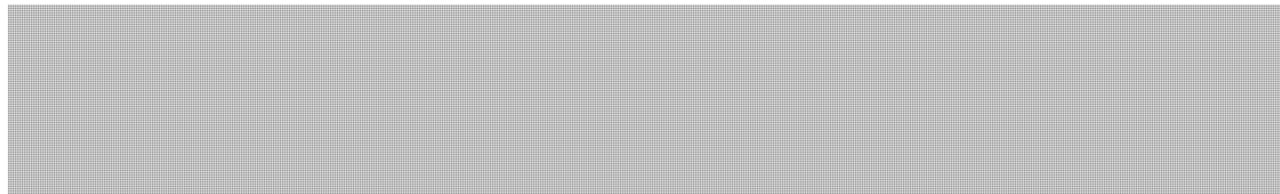
involve harvesting of fish, but also include harvesting of animal, plant, and tree species. Mackerel, trout, and lobster were found to be the most fished species in the study area. Deer, partridge, and rabbits were found to be the most hunted species within the study area. With the small number of gathering areas identified, it was difficult to categorize the area as a particular gathering area type.

Agency's Analysis and Conclusions



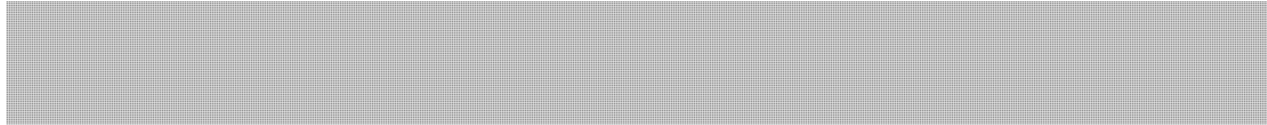
Project involves a new type of activity and the potential for standard design features and mitigation to address anticipated adverse environmental effects

Summary of Views Expressed



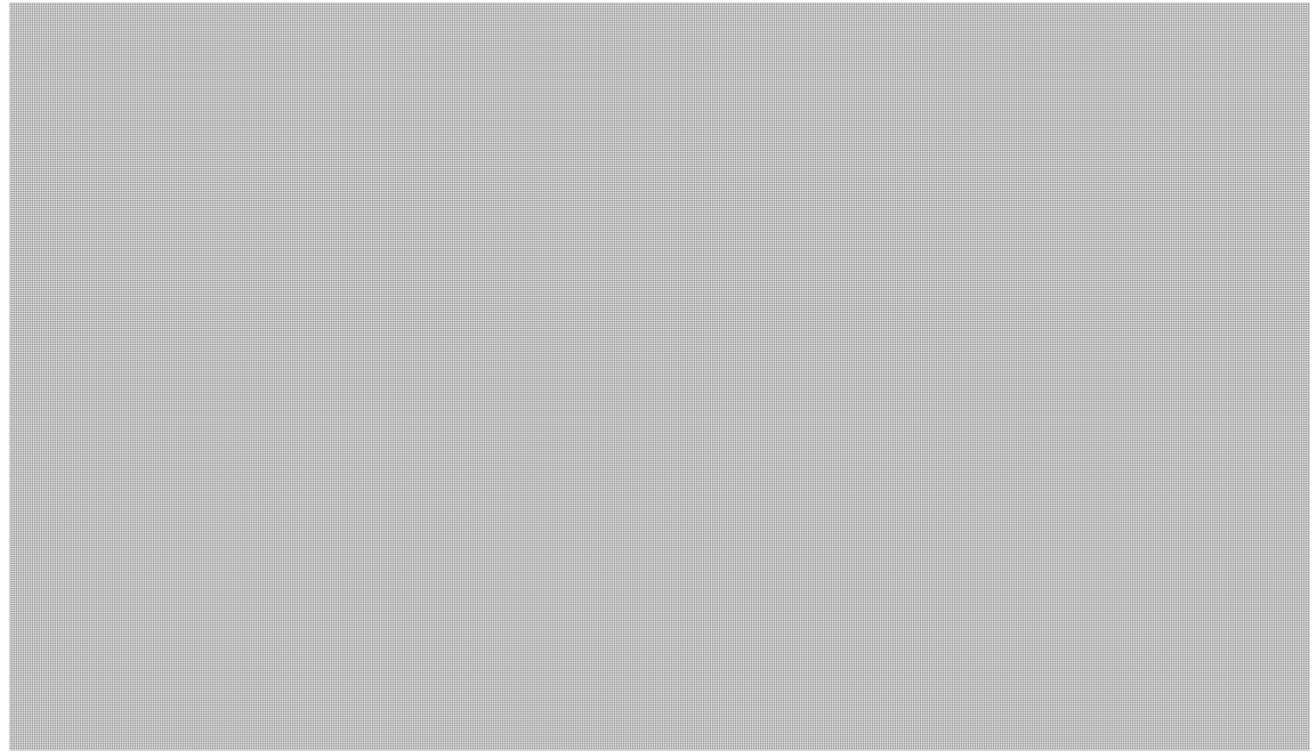
Agency's Analysis and Conclusions



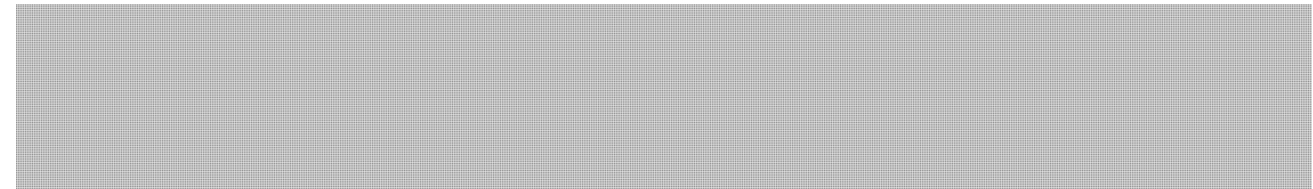


Potential for Cumulative Effects Caused by Multiple Activities

Summary of Views Expressed

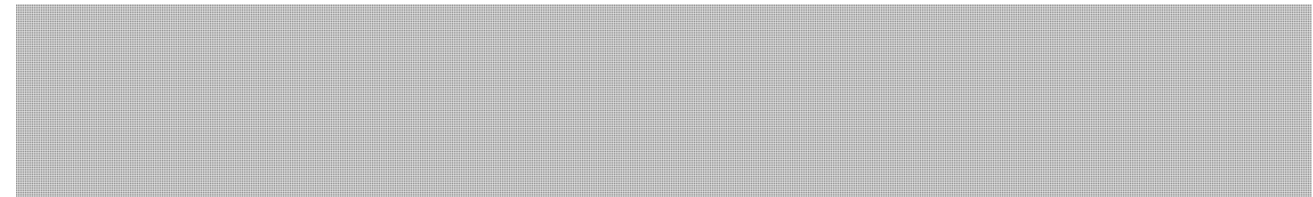


Agency's Analysis and Conclusions



Potential for adverse environmental effects to be managed through other existing legislative, regulatory mechanisms or an assessment of environmental effects carried out by another jurisdiction

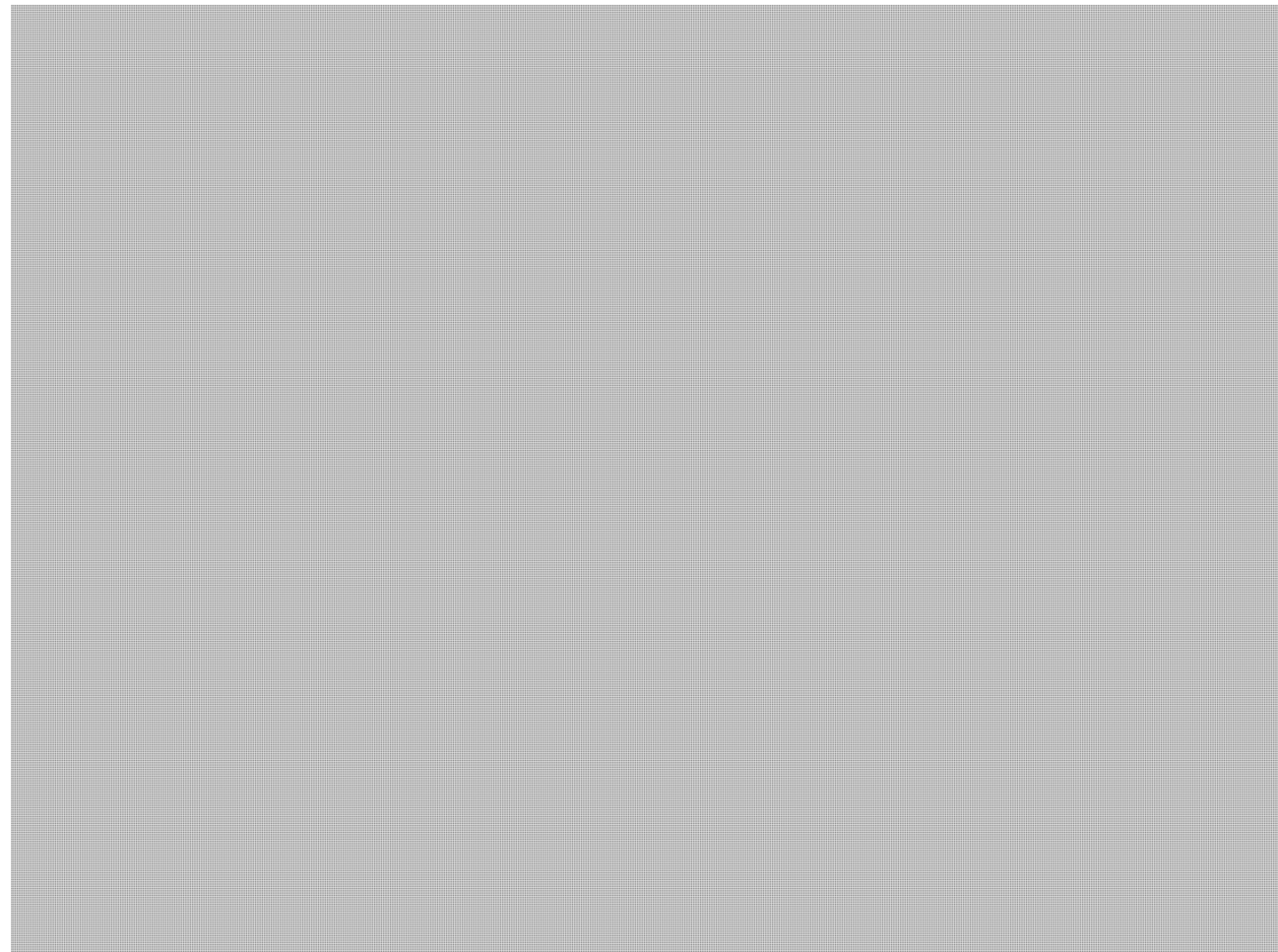
Summary of Views Expressed





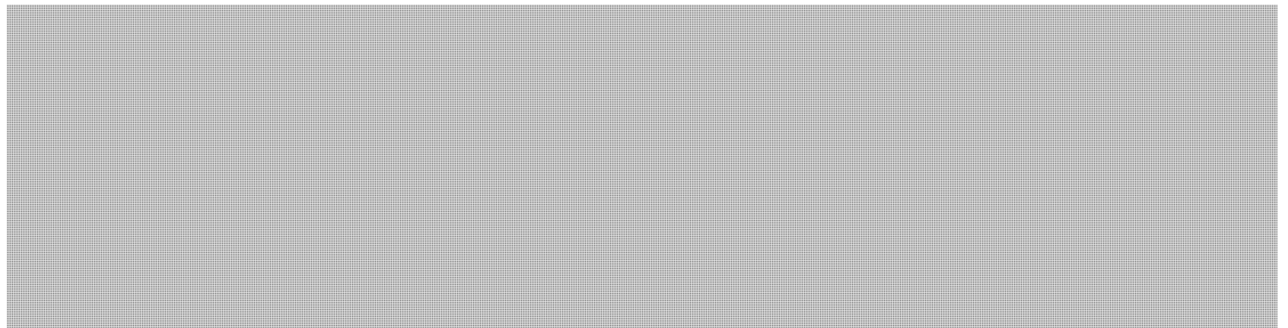
The Focus Report noted that hydrazines may be used at many spaceports in the United States and it is handled, transported, stored and used in accordance with applicable American government regulations and industry best practices. It further noted that the guidance provided by the National Aeronautics and Space Administration is considered the “gold standard” for technical guidance and best practices to support regulatory compliance related to the use of hydrazines in developed countries. The Focus Report indicates that it is anticipated that the proposed Project would operate following similar federal, provincial and local requirements and best practices in relation to its proposed handling of hydrazines.

Agency’s Analysis and Conclusions





4 Recommendation



The Agency therefore recommends that the Minister of Environment and Climate Change does not exercise her discretionary authority under subsection 14(2) of CEEA 2012 to designate the Project.

Sabo,Ashley (IAAC/AEIC)

From: Adams,Jill (IAAC/AEIC)
Sent: November 5, 2021 10:37 AM
To: steve.matier@maritimelaunch.com
Cc: Atkinson,Mike (IAAC/AEIC)
Subject: Canso spaceport Designation request
Attachments: 02 - Attachment I - Response letter to Marie Lumsden, on behalf of the Action Against Canso Spaceport regarding the incoming I_.pdf

Hello Steve,

As per our discussion yesterday, I am forwarding you a copy of the signed letter from our President to the original requestor.

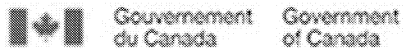
Best regards,

Jill

Jill Adams

Head, Newfoundland and Labrador Satellite Office
Impact Assessment Agency of Canada
jill.adams@iaac-aeic.gc.ca / Tel: 709-330-6297

Chef, Bureau satellite de Terre-Neuve-et-Labrador
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Canada