



228-417 2nd Ave West
Prince Rupert, BC
V8J 1G8

February 8, 2012

Your file *Votre référence*

Our file *Notre référence*
12-hpac-pa4-00033

Warren Foster
Transport Canada
PO Box 439
Sandspit, BC
V0T 1T0

Dear Mr. Warren Foster:

Subject: Proposal not likely to result in impacts to fish and fish habitat provided that additional mitigation measures are applied.

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received your proposal on February 8, 2012. Please refer to the file number and title below:

DFO File No.: **12-hpac-pa4-00033**
Title: **Sandspit Airport Rip Rap Retrieval**

Your proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

Our review consisted of:

- Project Review Application Form submitted February 8, 2012.
- Telephone conversation between Warren Foster (TC) and Darren Chow (DFO) on February 8, 2012.

We understand that you propose to:

- Retrieve rip rap armour rock, which has moved over the course of time due to storm activity, from below the high tide mark and re-install in within the original footprint of the armouring.
- The project will occur within one tide change.

*Those sections most relevant to the review of development proposals include 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

To reduce potential impacts to fish and fish habitat we are recommending the following mitigation measures be included into your plans:

- No refuelling of equipment to occur within 25 metres of the high water mark.
- All equipment operating within the 20 metres of the high water mark and below are to be clean and free of dirt, debris or hydrocarbons and are to be inspected prior to entering this zone.
- A spill kit is to be on site and readily available in the event that a hydrocarbon spill occurs.
- Access to the site should be kept to one identified access lane in order to protect riparian vegetation.
- Common traffic lanes should be employed when retrieving and replacing rip rap in order to minimize beach disturbance.
- When retrieving rip rap avoid leaving void areas which may strand fish.

Provided that the additional mitigation measures described above are incorporated into your plans, DFO has concluded that your proposal is not likely to result in impacts to fish and fish habitat.

You will not need to obtain a formal approval from DFO in order to proceed with your proposal.

Please notify this office at least 10 days before starting the work. A copy of this letter should be kept on site while the work is in progress.

If the plans have changed or if the description of your proposal is incomplete you should contact this office to determine if the advice in this letter still applies.

Please be advised that any impacts to fish and fish habitat which result from a failure to implement this proposal as described could lead to corrective action such as enforcement.

If you have any questions please contact Ian Bergsma at our Prince Rupert office at 250-627-3080, by fax at 250-627-3480, or by email at Ian.Bergsma@dfo-mpo.gc.ca.

Yours sincerely,



Ian Bergsma
A/Habitat Management Biologist

cc: Joy Hillier, DFO-EMB Section Head

DFO Receive Date:

DFO Sub-Area Office:

Path #:

ADM:

To determine whether you should complete this form, follow the steps on DFO's Working Near Water website (www.pac.dfo-mpo.gc.ca/habitat/know-savoir-eng.htm). For instructions on how to complete and submit this form, refer to the Directions (www.pac.dfo-mpo.gc.ca/habitat/steps/praf/guide-eng.htm) or click on the number links on the left. Forms will not be processed unless all fields are properly completed as described in the directions. Where additional information is provided in attached documents, you must include an appropriate summary in the space provided on the form. Please note that it is your responsibility to understand and comply with other jurisdictions and regulations applicable to your project.

Application Form Type (select only one type):

1 **Notification to DFO.** *Please notify DFO 10 business days before starting your work. DFO does not typically respond to Notifications.*

or

Request for Project Review

or

Have you attached "Additional Information to Support a Project Review"?	Yes	No
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Request for a Fisheries Act Authorization?

Have you attached "Additional Information for a Fisheries Act Authorization"?

Yes	No
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Submission of this form serves as a Subsection 58(1) Schedule VI Fishery (General) Regulations § 58.1^a

2 Project Title: _____

Project Summary

3 Is this a "Building Canada" federally funded infrastructure project? Yes No

Is the work or undertaking proposed in response to an emergency as defined by DFO? Yes No

Does the project:

- Have any components within 30 m of the high water mark of a watercourse or water body? Yes No
- Require removal of vegetation within 30 m of the high water mark of a watercourse or water body? Yes No
- Have downstream impacts on water quality or water quantity? Yes No

Does the project involve in-water works (below the high water mark)? Yes No

Contact Information for Proponent, Contractor and Consultant

4 Name of proponent: _____ Province/Territory: _____

Contact name: _____ Postal code: _____

Mailing address: _____ Tel no.: _____ Ext. _____

_____ Fax no.: _____

City/Town: _____ Email: _____

Is the Proponent the primary contact for this project? Yes No

If no, please enter information for the primary contact in the space below:

Select type of additional contact:	Contractor	Consultant
Name of contractor/consultant:	_____	_____
Province/Territory:	_____	_____
Postal code:	_____	_____
Contact name:	_____	_____
Tel no.:	_____	_____ Ext. _____
Mailing address:	_____	_____
_____	_____	_____
City/Town:	_____	_____
_____	_____	_____

Location of Proposed Development

5 DFO sub-area:

Name of nearest community:

Municipality or District: Province/Territory:

Address or legal description:

Name of watershed:

Name of watercourse(s) or water body(ies) likely to be affected:

Map coordinates of the proposed development:

Latitude *N* or *UTM zone* ; *Easting* *Northing*
Longitude *W*

6 Brief directions to access the proposed project site: *(limit of 240 characters)*

Other Permitting Processes

7 For projects proposed in British Columbia:

Have you made a submission under BC Water Act? Yes No

If yes, please indicate the type and provide the file number:

Section 9 Notification - Tracking #:

Section 9 Approval - Water File #:

Water License - Water File #:

Does the British Columbia Riparian Areas Regulation apply to this project? Yes No

If yes, are you requesting a variance? Yes No File #:

For projects proposed in Yukon:

Have you submitted a project application to Yukon Environmental and Socio-Economic Assessment Board? Yes No

If yes, please provide the YESAB project number:

Description of the Aquatic Environment

8 What is the type of watercourse or water body that you plan to work in or near?

Freshwater:	<input type="checkbox"/> Stream	<input type="checkbox"/> Lake	<input type="checkbox"/> Wetland
	<input type="checkbox"/> River mainstem	<input type="checkbox"/> Pond	
	<input type="checkbox"/> Active floodplain	<input type="checkbox"/> Reservoir	
Coastal and Marine:	<input type="checkbox"/> Exposed coastline	<input type="checkbox"/> Cove	<input type="checkbox"/> Mud flat
	<input type="checkbox"/> Salt marsh	<input type="checkbox"/> Bay	<input type="checkbox"/> Beach
Other:	<input type="checkbox"/> Estuary		

Description of the Aquatic Environment *(continued)*

- 9** Briefly describe the biological and physical characteristics of the proposed project site. *(limit of 800 characters)*
 (Channel width, type and flow, tides, water depth, substrate type and density, aquatic and riparian vegetation type and density)

- 10** Include representative photos of affected area and clearly mark the location of proposed activities.

Have you attached photos?

Yes

No

- 11** For freshwater, what fish species are known to be present at or near your project?

Salmon (anadromous only)

Other

- 12** Are any aquatic species likely present at the project site that are:

Listed under the federal Species at Risk Act?

Yes

No

Uncertain

Designated under the British Columbia Wildlife Act?

Yes

No

Uncertain

Listed under the Yukon Wildlife Act?

Yes

No

Uncertain

If yes, list the species:

Description of the Proposed Development

- 13** With which industry is your project associated?

Agriculture

Industrial/commercial

Power generation

Aquaculture

Military/security

Private residential

Commercial fishing

Mining

Transportation

Conservation/restoration

Oil and gas

Urban and rural development

Forestry

Other:

Description of the Proposed Development *(continued)*

- 14 What are you planning to do?** Briefly describe all the project components you are proposing in or near water.

(limit of 400 characters)

Have you considered and incorporated all options for redesigning and relocating your project to avoid negative impacts to fish and fish habitat?

Yes

No

If yes, include in description.

- 15 How are you planning to do it?** Briefly describe the construction materials, methods and equipment that you plan to use.

(limit of 400 characters)

Have you considered and incorporated all best practices and mitigation measures recommended in relevant guidelines to avoid negative impacts to fish and fish habitat?

Yes

No

*If yes, include a description in **21***

- 16 Include a site plan (figure/drawing) showing all project components in and near water.**

Are details attached?

Yes

No

- 17 Implementation schedule and proposed project timing:**

YYYY/MM/DD

YYYY/MM/DD

What is the start and end date for the proposed project:

to

*What is the schedule of all proposed work activities? *(limit of 300 characters)**

- 18 Will you follow the appropriate Timing Windows for all activities below the High Water mark?**

Yes

No

*If no, why not? *(limit of 300 characters)**

Description of the Proposed Development (continued)

19 Indicate the extent of the area (in square metres) that your project will affect in and/or near water. Identify if areas would be temporarily and/or permanently affected. (limit of 400 characters)

[Empty text area for question 19]

20 Will you be withdrawing or discharging water?

Yes No

If so, identify your water source and describe the volume and rates. (limit of 400 characters)

[Empty text area for question 20]

Description of the Proposed Fish and Fish Habitat Protection Measures

21 Outline all the measures and practices that you will apply to avoid and/or minimize impacts to the aquatic environment. **Operational Statements and/or Best Management Practices.** (limit of 900 characters)

[Empty text area for question 21]

22 I, _____ (print name) certify that the information given on this form is to the best of my knowledge correct and completed.

Date (YYYY/MM/DD)

Information about the above-noted proposed work or undertaking is collected by DFO under the authority of the *Fisheries Act* for the purpose of administering the fish habitat protection provisions of the *Fisheries Act*. Personal information will be protected under the provisions of the *Privacy Act* and will be stored in the Personal Information Bank number DFO PPU 080. Under the provisions of the *Privacy Act*, individuals have a right to, and on request shall be given access to any personal information about them contained in a personal information bank. Instructions for obtaining personal information are contained in the Government of Canada's Info Source publications available at www.infosource.gc.ca or in Government of Canada offices. Information other than "personal" information may be accessible or protected as required by the provision of the *Access to Information Act*.



Transport Canada Pacific Region Environmental Review Record

This form is an internal tool used to determine potential environmental impacts of projects occurring on federal lands and to direct OPIs to appropriate documents, regulations and/or best management practices, if applicable for the purpose of environmental protection

A. PROJECT DESCRIPTION

Project Title	Sandspit Airport Foreshore Erosion Protection
Project Location	Sandspit Airport, British Columbia
OPI File no.	THO File no. 59WU (PAD RDIMS# 6368948)
RDIMS Record no.	8247989
NEATS Record no.	32148

B. PROJECT CONTACTS

Proponent	Transport Canada – Pacific Region Operations	Telephone	
		Email	
Representative and/or Environmental Consultant (if applicable)	Transport Canada – Pacific Region Environmental Services	Telephone	
		Email	

C. PROJECT DESCRIPTION

The runway is situated such that it spans across the 'spit' and as such each of the approaches are situated over open coastal waters. These approaches are subject to heavy and frequent winter storms which are known to cause severe wave surge action against the existing shoreline rip-rap revetment. The overtopping of the revetment has become more frequent in recent years and as a result of the recent damages, a full re-reconstruction of the damaged section is now required.

In the spring of 2010, emergency repairs were made to a 20 metre section of the rip-rap. In December of 2011 the end of the runway was again subject to severe wave overtopping during a significant storm event. In 2012, the Airport implemented a rip rap retrieval process, incorporating DFO advice, to reduce loss of material from the existing foreshore protection. Unfortunately, due to continued yearly storm events, failure to re-construct the revetment could result in the loss of land and damage to the runway lighting system.

This project will involve the reconfiguration of approximately 250 linear metres of shoreline rip rap which protects the north end of Runway 12. Because of height restrictions under the Canadian Aviation Regulations, Transport Canada will not be able to increase the elevation of the top of the foreshore protection. In order to create stability and strength, Transport Canada will be required to build out into the foreshore. Excavation will be required on existing airport land to a distance of approximately 20 metres into the foreshore, to a maximum depth of 1.6 metres at the toe of the revetment. This excavation will allow the installation of a geotextile and subgrade surface prior to the installation of riprap armour. On the upland, there will be a horizontal mattress of underlayer rock for erosion control for approximately 6



metres from the berm that existed in 2010, and the flat top of the rip rap armour will extend out another 4 metres from the existing berm before sloping towards the foreshore for a distance of approximately 5 metres and then will follow the beach slope for approximately 5 metres finishing with a toe that is 0.5 metres above the existing beach level.

The total area affected is about 3,400 m2.

Work will be accomplished using an excavator during low tides with new rock delivered by trucks on existing roads. All equipment will be removed from the beach during high tides. Transport Canada is looking to use locally sourced quarry rock but material sourcing will not be confirmed until the tendering process is completed.

D. FEDERAL ACTION REQUIRED

Transport Canada:

- Is the proponent of the project
- Proposes to fund all or part of a project
(Which G&C Program)
- Proposes to sell, lease or otherwise dispose of land for the project
- Proposes to issue a license, permit, approval (Which license, permit or approval)
- Minister approval required
- No formal federal action required.

Other Government Departments:

Identify the department(s)

- Is the proponent of the project
- Proposes to fund all or part of a project
(Which G&C Program)
- Proposes to sell, lease or otherwise dispose of land for the project
- Proposes to issue a license, permit, approval (Which license, permit or approval)
- Minister approval required
- No formal federal action required but will provide expert advice

Details:

This project is being overseen by Transport Canada – Pacific Region, Operations Division.

E. TRANSPORT CANADA ENVIRONMENTAL REVIEW

Review under the Transport Canada Environmental Management System

- Transport Canada is committed to environmental stewardship under the National Environmental Management System. A region based environmental review has been conducted for applicable federal environmental interests.
- Based on operation experience, this project and/or activity has been identified as not having the potential to have an environmental effect. An environmental due diligence review was not required.

Review under CEAA 2012

- The project as proposed does not meet the definition of a designated project under CEAA 2012. However, this project is located on federal land and is therefore reviewable under Section 67 of CEAA 2012.
- No formal federal action is being taken to enable the project. Section 67 of CEAA 2012 does not apply.



F. PROCESS FIRST NATION CONSULTATION

This project has been identified as unlikely to trigger a *Constitution Act* section 35 legal duty to consult as there is no crown conduct that would impact any potential or established section 35 rights. This project requires no consultation.

Although it has been determined that there is no *Constitution Act* section 35 legal duty to consult, the project is being analyzed for potential environmental effects, as per section 5(1)(c) of CEEA 2012.

This project activity does trigger a *Constitution Act* section 35 legal duty to consult

s. 35 consultation is being conducted by the authority in Transport Canada responsible for the federal action enabling the project activity

s. 35 consultation is being conducted as a part of the projects potential environmental effects, as per s.5(1)(c) of CEEA 2012.

RDIMS # for Consultation Record: n/a



G. ENVIRONMENTAL PROTECTION MEASURES

The following aspects and management components under Transport Canada's National Environmental Management System were taken into consideration:

- | | |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hazardous Material Management |
| <input type="checkbox"/> GHGs | <input type="checkbox"/> Glycol |
| <input type="checkbox"/> Air Pollutants | <input type="checkbox"/> Storage Tanks |
| <input type="checkbox"/> Land Management | <input type="checkbox"/> Ozone Depleting Substances |
| <input type="checkbox"/> Contaminated Soils/Sediments | <input type="checkbox"/> Pesticides |
| <input type="checkbox"/> Archaeology | <input type="checkbox"/> Other Identified Hazardous Materials |
| <input checked="" type="checkbox"/> Water Quality | <input type="checkbox"/> Resource Use |
| <input type="checkbox"/> Drinking | <input type="checkbox"/> Fuels |
| <input type="checkbox"/> Storm Water | <input checked="" type="checkbox"/> Flora/Fauna Management |
| <input checked="" type="checkbox"/> Surface | <input checked="" type="checkbox"/> Fish and Fish Habitat |
| <input type="checkbox"/> Wastewater | <input type="checkbox"/> Species at Risk |
| <input type="checkbox"/> Waste Management | <input type="checkbox"/> Migratory Birds |
| <input type="checkbox"/> Non-Hazardous | <input checked="" type="checkbox"/> Environmental Assessment |
| <input type="checkbox"/> Hazardous | <input checked="" type="checkbox"/> CEAA 2012 Sec 67 |
| <input type="checkbox"/> Emergency Preparedness | <input type="checkbox"/> Environmental Monitoring |
| <input type="checkbox"/> Environmental Emergency Plans | <input type="checkbox"/> Due to the nature and/or location of the project/activity, a review under NEMS was not considered necessary |
| <input type="checkbox"/> Environmental Emergency Exercise | |
| <input type="checkbox"/> Green Buildings | |

Environmental Services has reviewed the following documents to determine the potential environmental impacts to the identified environmental components:

- Project Approval Document (RDIMS# 6368948)
- Tender Specifications Specifically Environmental Procedures
- Transport Canada Region Report on Findings Environmental Baseline Study Part 1 (RDIMS# 18401)
- Transport Canada Natural Resources Inventory and Natural Resources Management Plan for Sandspit Airport (RDIMS# 1958221)
- Drawings produced by Herold Engineering Limited for the Transport Canada Airport Erosion Protection Revision 8
- Letter from DFO to TC dated February 8, 2012. DFO File# 12-hpac-pa4-00033 Regarding Sandspit Airport Rip Rap Retrieval

Fish and Fish Habitat and Water Quality

In order to build and strengthen the foreshore protection, work will need to be completed with equipment on the foreshore/beach. The work will also include excavation within the foreshore to lay down an appropriate foundation in order to build up the armouring again. The following mitigation will be implemented:

- Transport Canada has reviewed the tender specifications and is satisfied that there are adequate contract specifications in place to ensure protection of surrounding environment, which include:
 - Ensure that operations meet all applicable environmental regulations and standards
 - Maintain temporary erosion and pollution control features installed
 - Spill kits and containment are to be maintained on site and ready for deployment in case of spills
 - Make every effort to minimize disturbance to the benthic and upland wildlife communities
 - Any large invertebrates adhering to the portion of the revetment under construction must be removed and replaced in the nearby marine environment
 - Do not disturb eel grass or kelp beds



- The Contractor must contact PWGSC at a minimum 10 days prior to the start of works so that Transport Canada can contact DFO.
- Transport Canada is aware that Section 36(3) of the federal *Fisheries Act*, administered by Environment Canada, prohibits the discharge of deleterious substances to waters frequented by fish, or to a place where those substances might enter such waters. The Contractor and Public Works and Government Services Canada must ensure on behalf of Transport Canada that, at all times during the project, deleterious substances are prevented from entering into fish-bearing waters. Due diligence is required at all times to prevent such discharges.
- Applicable mitigation, as provided in the letter from DFO to TC dated February 8, 2012 - DFO File# 12-hpac-pa4-00033 Regarding Sandspit Airport Rip Rap Retrieval, will be incorporated into the mitigation for this project.
- Equipment will be restricted to the area in which the works are occurring.
- Native beach material will not be used for any purpose in carrying out this project.

Environmental Emergencies

Without appropriate environmental emergency response measures in place, this activity could have an impact on the environment if an accident or malfunction were to occur. An appropriate spill prevention, containment, and clean up contingency plan for deleterious substances (eg., fuel, oil, hydraulic fluid, concrete and concrete leachate etc.), will be required prior to work commencing. The Contractor is responsible for supplying their own spill response equipment.

The Contractor will be required to also have personnel trained to use the spill equipment. If required, additional spill response equipment is located at the Airport.

Environmental Services is satisfied that sufficient planning is in place for an environmental emergency.

Environmental Monitoring

Transport Canada will request the Contractor to provide a short report (1-2 pages) once completed, outlining the following:

- If an Environmental Monitor was used and if so, name and credentials. If not, the name of the site supervisor responsible for stopping and assessing a situation if an emergency were to occur, (e.g. spill)
- Dates work was carried out
- Picture of BMPs implemented to reduce impacts on water quality outside of the immediate work area
- Picture of Spill kit on site
- Details of any incidents and follow-up actions taken, if applicable

Transport Canada staff will also monitor the project while machinery are active on site.

Review Conclusions

Environmental Services is satisfied, based on the review of the above mentioned documents, that sufficient consideration has taken regarding the potential environmental impacts associated with this type of activity, within the proposed work location.



H. ENVIRONMENTAL DETERMINATION

Transport Canada National Environmental Management System

A region based environmental review has been conducted for applicable federal environmental interests. With appropriate environmental mitigation in place, the proposed project and associated activities will have a minimal impact on environmental components of federal interest.

A review under NEMS was not required.

Section 67 Determination under CEAA 2012

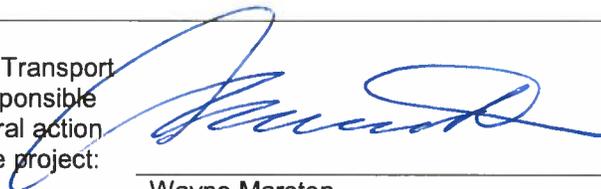
Transport Canada has determined that the carrying out of the project is not likely to cause significant adverse environmental effects

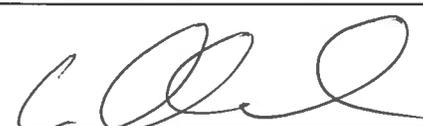
Transport Canada has determined that carrying out of the project is likely to cause significant adverse environmental effects and the Governor in Council must decide if those effects are justified in the circumstances under subsection 69(3) of CEAA 2012.

Not Applicable

I. SIGN-OFF

Analysis Completed by:	<i>Karen Hall</i> Environmental Officer Transport Canada	Date:	<i>April 29/13</i>
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Authority in Transport Canada responsible for the federal action enabling the project:	 _____ Wayne Marston Regional Manager, Operations Transport Canada	 _____ Date
The above has read this Environmental Review, and confirms that the environmental measures/controls required to reduce the impact to the environment will be incorporated into appropriate tools being used to carry out the federal action enabling the project. Environmental Services is also committed to carrying out monitoring and oversight and will be supported by this Division in conducting appropriate site visits and/or requesting documentation as requested.		

Environmental Services Support Provided By:	 _____ Ian Chatwell Regional Manager, Environmental Services Transport Canada	<i>April 30, 2013</i> _____ Date
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