

Appendix "B" - Navigation Act Approval



Transport  
Canada

Transports  
Canada

**NAVIGATION PROTECTION ACT**  
Section 6 (1)

2009-200035 (8200-03-2000)

## Approval

**APPLICANT:**

Fisheries and Oceans Canada, Small Craft Harbours  
Maritimes and Gulf Region  
343 Universite Avenue, PO Box 5030  
Moncton, NB E1C 9B6

**WORK:**

Dock, Groyne, General, Breakwater

**SITE LOCATION:**

Located at Approximately 44° 05' 07.10" N; 066° 12' 22.45" W,  
Cape St-Mary's Harbour, Cape Cove, Digby County, in the Province of  
Nova Scotia.

Regarding the application (detailed above) to the Minister of Transport, submitted pursuant to the *Navigation Protection Act*, for an approval of the work as per the attached plan(s), the Minister hereby approves the work pursuant to subsection s.6(1) Alteration in accordance with the following terms and conditions:

1. The construction of the proposed alteration is finished within three years of the approval date.
2. see Annex.

**SIGNED in two copies on November 25, 2015 in, Moncton NB**

Denis Thibodeau  
Navigation Protection Program  
Programs Group  
Transport Canada  
Atlantic Region  
for the Minister of Transport

# Conditions Annex

Cape St. Mary's, NS

File # 8200-03-2000

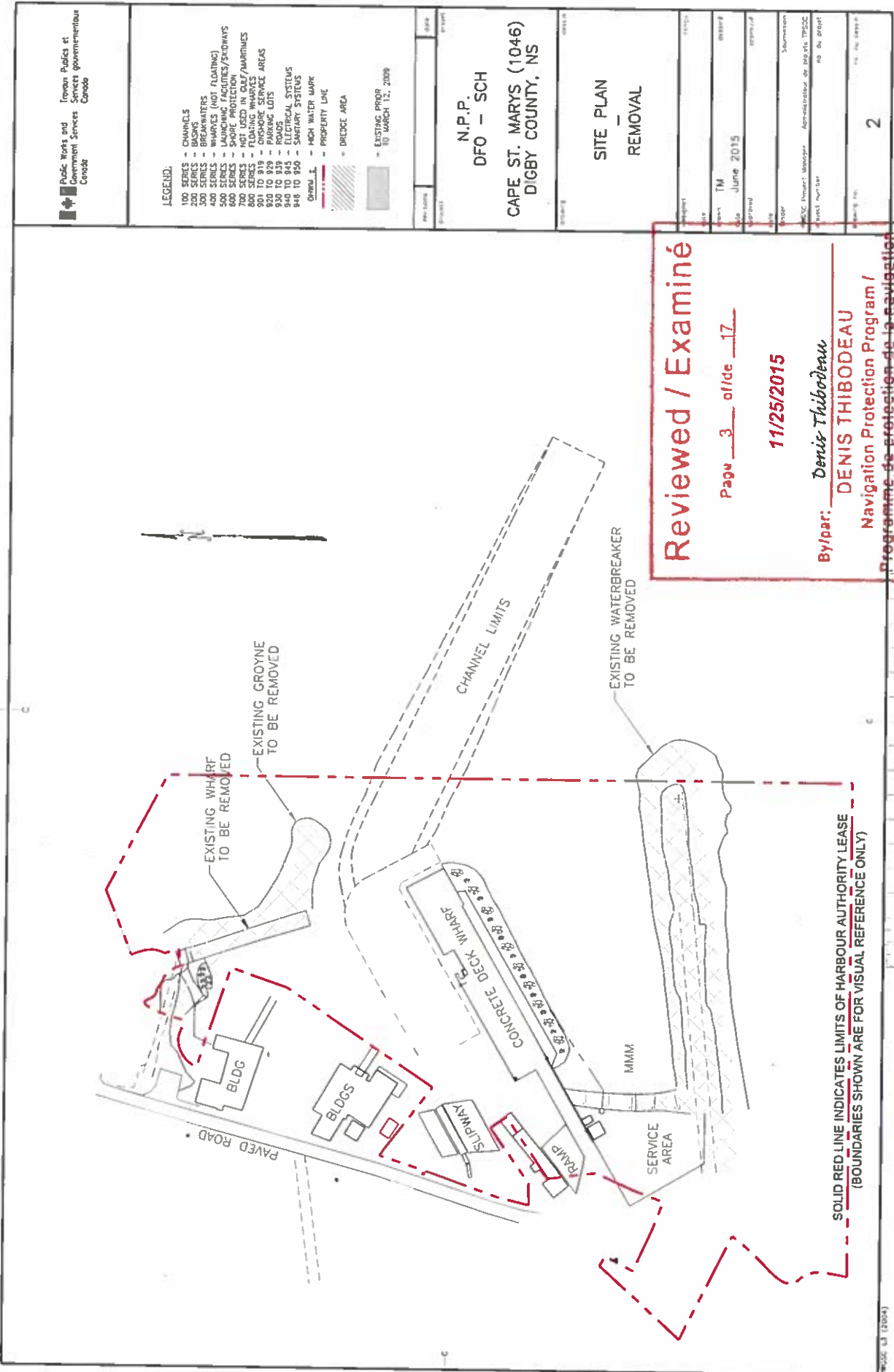
1. The project is to be constructed in accordance with the approved plans.
  2. Any rocks or debris in the vicinity of the proposed breakwater construction resulting from any construction activity are to be cleared to ensure safe navigation for vessels the immediate area.
  3. During construction any vessels or barges utilized must be marked in accordance with the provisions of the Canada Shipping Act Collision Regulations.
  4. Any cables, equipment or temporary hazards resulting from the construction activities are to be marked so as to be clearly visible to vessels operating in the area.
  5. Construction material and debris are not allowed to become waterborne.
  6. Vessels shall be allowed safe access through the work site at all times, and shall be assisted as necessary.
  7. During construction, each breakwater shall be marked with a temporary 0.6m yellow cautionary buoy (NPA Approved equivalent) equipped with a yellow flashing light (FIY 4s) shall be placed 20m seaward of construction activity and continually moved seaward as construction advances.
  8. A "Notice to Shipping" is to be requested ten (10) days prior to the commencement of any work and again upon completion of the work to alert vessel operators in the area of the construction activity. Contact the Canadian Coast Guard's Marine Communications & Traffic Services (MCTS) Centre, Sydney, NS by telephone at (902)-564-7751 or toll free at 1-800-686-8676 to arrange this.
  9. Prior to construction, the existing green navigation light located on Cape St. Mary's South Breakwater (LL# 243) is to be removed and a temporary Discontinuance Notice issued by Canadian Coast Guard's, Marine Communication and Traffic Services (MCTS) Center, Sydney, NS at (902)-564-7751 or toll free at 1-800-686-8676 . Please contact the Supervisor, Operations for Aids to Navigation, Canadian Coast Guard, Department of Fisheries and Oceans, Atlantic Region (902) 566-7936 to coordinate the removal of the Coast Guard owned navigation light (LL#243).
-

10. Once construction is complete, the existing green navigation light located on the Cape St. Mary's South breakwater [List of Lights #243 (H3846) having the same characteristics as indicated in the List of Lights publication] is to be relocated to the East end of the new addition at the closest approach to the new North breakwater. Additionally, port hand day beacons are to be installed on three (3) seaward sides of the light support directly below the light.
  11. Once construction is complete, the Cape St. Mary's new North breakwater is to be marked with a red navigation light, [characteristics: 2 nautical mile, (FIR 1s flash, 3s eclipse) and is to be established at the Southeast end of the new breakwater at the closest approach to the new extension of the South breakwater. Additionally, a Starboard hand day beacon is to be installed facing in the Southeast direction on the light support directly below the light.
  12. As the proposed work will be completely or partially submerged in a navigable water, you are required, once the construction of the work is completed, to provide a Statutory Declaration that the work was built and placed in conformity with the approved plan(s) and site pursuant to the *Navigable Waters Protection Act*, its regulations and the terms and conditions in the approval. Therefore, please complete and return the attached Statutory Declaration to the attention of the undersigned.
-







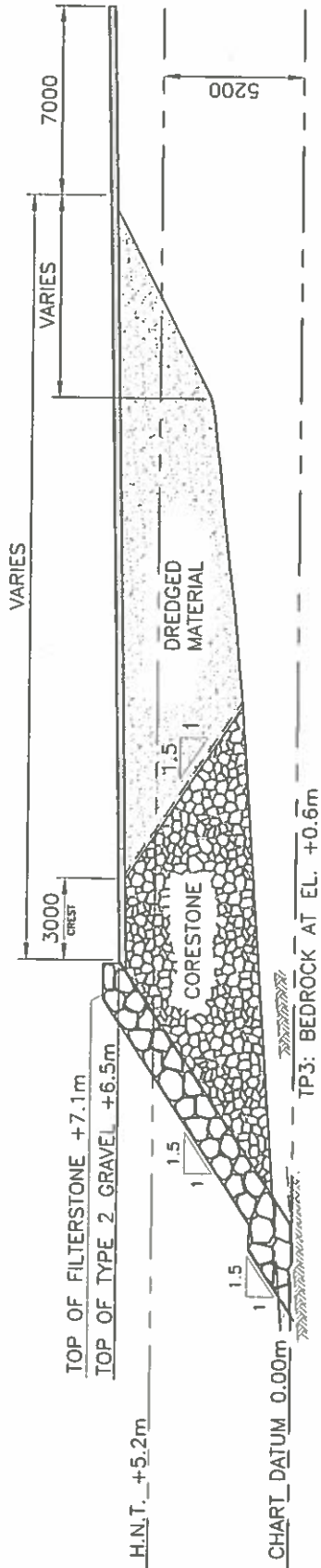




SOLID RED LINE INDICATES LIMITS OF HARBOUR AUTHORITY LEASE  
(BOUNDARIES SHOWN ARE FOR VISUAL REFERENCE ONLY)



NEW SERVICE AREA EXISTING SERVICE AREA



SECTION A

SCALE: 1:250



Reviewed / Examiné

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11/25/2015

By/par: Denis Thibodeau

DENIS THIBODEAU

Navigation Protection Program /

Programme de protection de la navigation

designed / conçu date

drawn	dessiné	date
TM		June, 2015
approved	approuvé	date

drawing no.	no. du dessin
4	

Drawing title

SECTION A  
SERVICE AREA

project

N.P.P.  
DFO - SCH

CAPE ST. MARYS (1046)  
DIGBY COUNTY, NS

project

Public Works and  
Government Services  
Canada

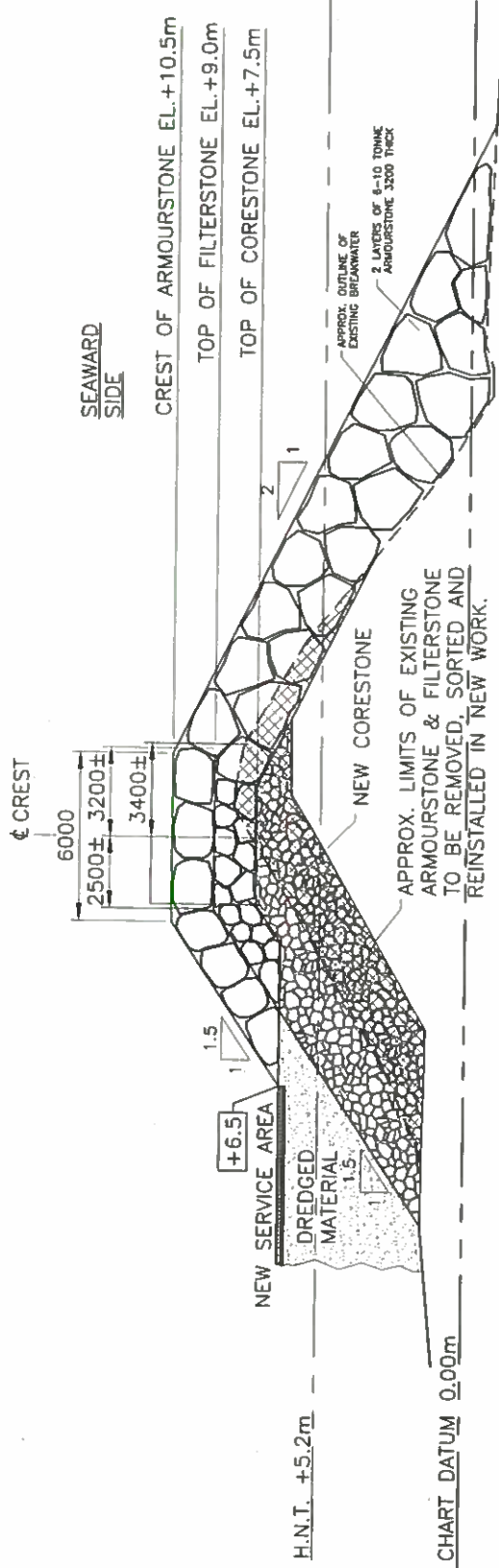
Soumission

Tender

PWGSC Project Manager

PWGSC L1 (2004)

E-DRM/GDD-E



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11/25/2015

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SECTION B



Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project	N.P.P. DFO - SCH	project	Drawing title	titre du dessin			
						designed	conçu	date	
				drawn	dessiné	date			
				TM		June, 2015			
				approved	approuvé	date			
				drawing no.		no. du dessin			
				project number		no. du projet			
		CAPE ST. MARYS (1046) DIGBY COUNTY, NS		SECTION B SERVICE AREA		5			

PWGSC Project Manager Administrateur de projets TPSGC

PWGSC L1 (2004)

E-DRM/GDD-E

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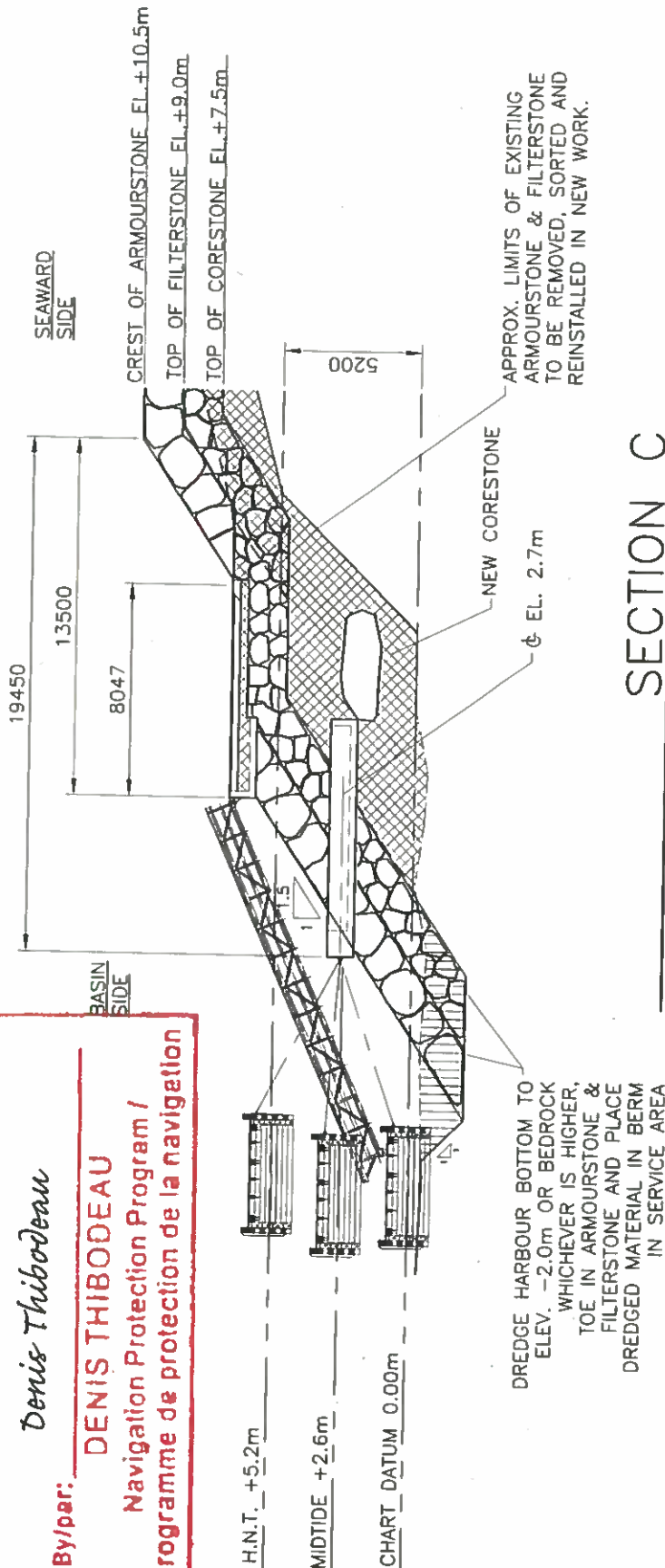
11/25/2015

Denis Thibodeau

By/par:

DENIS THIBODEAU

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Programme de protection de la navigation



Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project	N.P.P. DFO - SCH	project	SECTION C	designed	conçu	date
						drawn TM	dessiné	date June, 2015
Tender		CAPE ST. MARYS (1046) DIGBY COUNTY, NS		project number	no. du projet	approved	approuvé	date
PWGSC Project Manager		Administrateur de projets TPSCG		drawing no.		no. du dessin		
PWGSC L1 (2004)				6				

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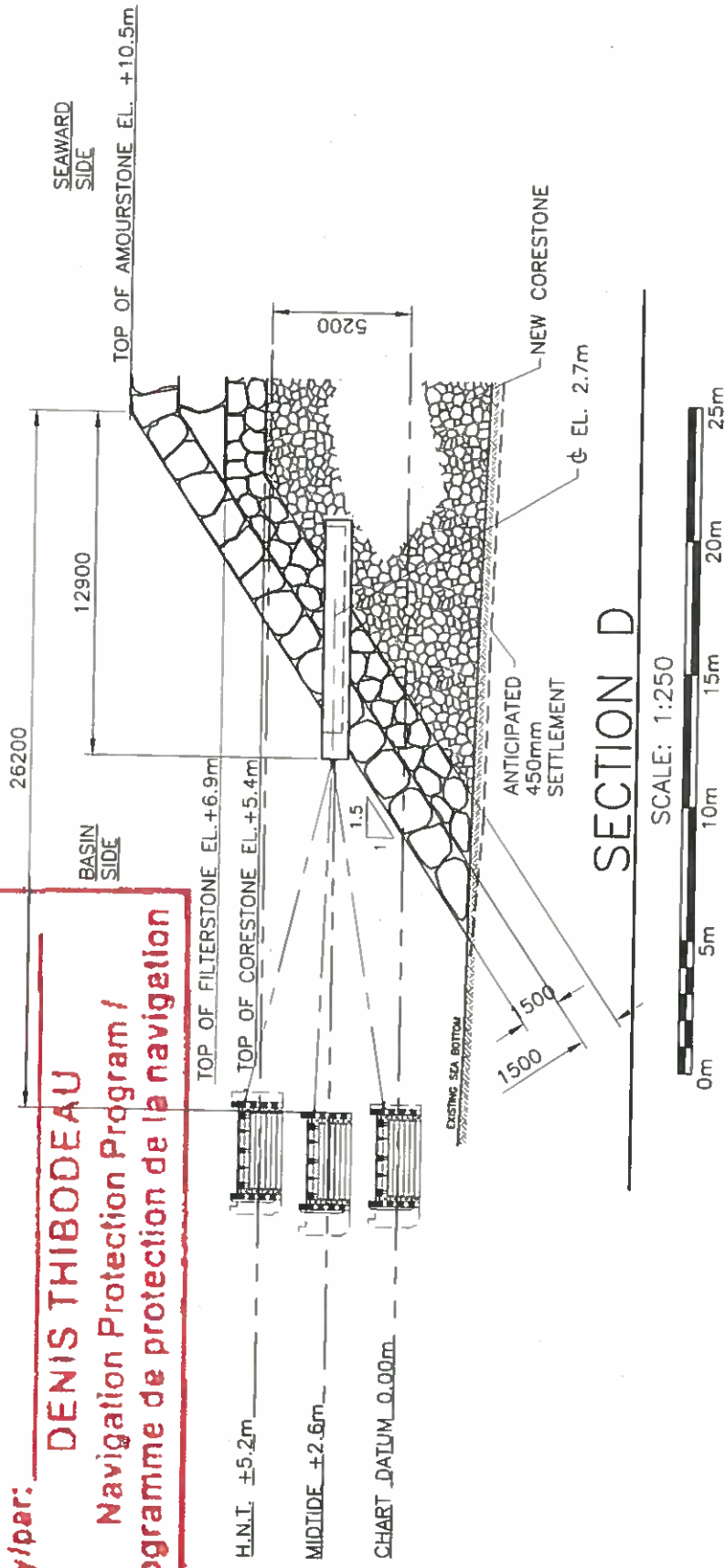
11/25/2015

Denis Thibodeau

B/10/18


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## SECTION D

SCALE: 1:250

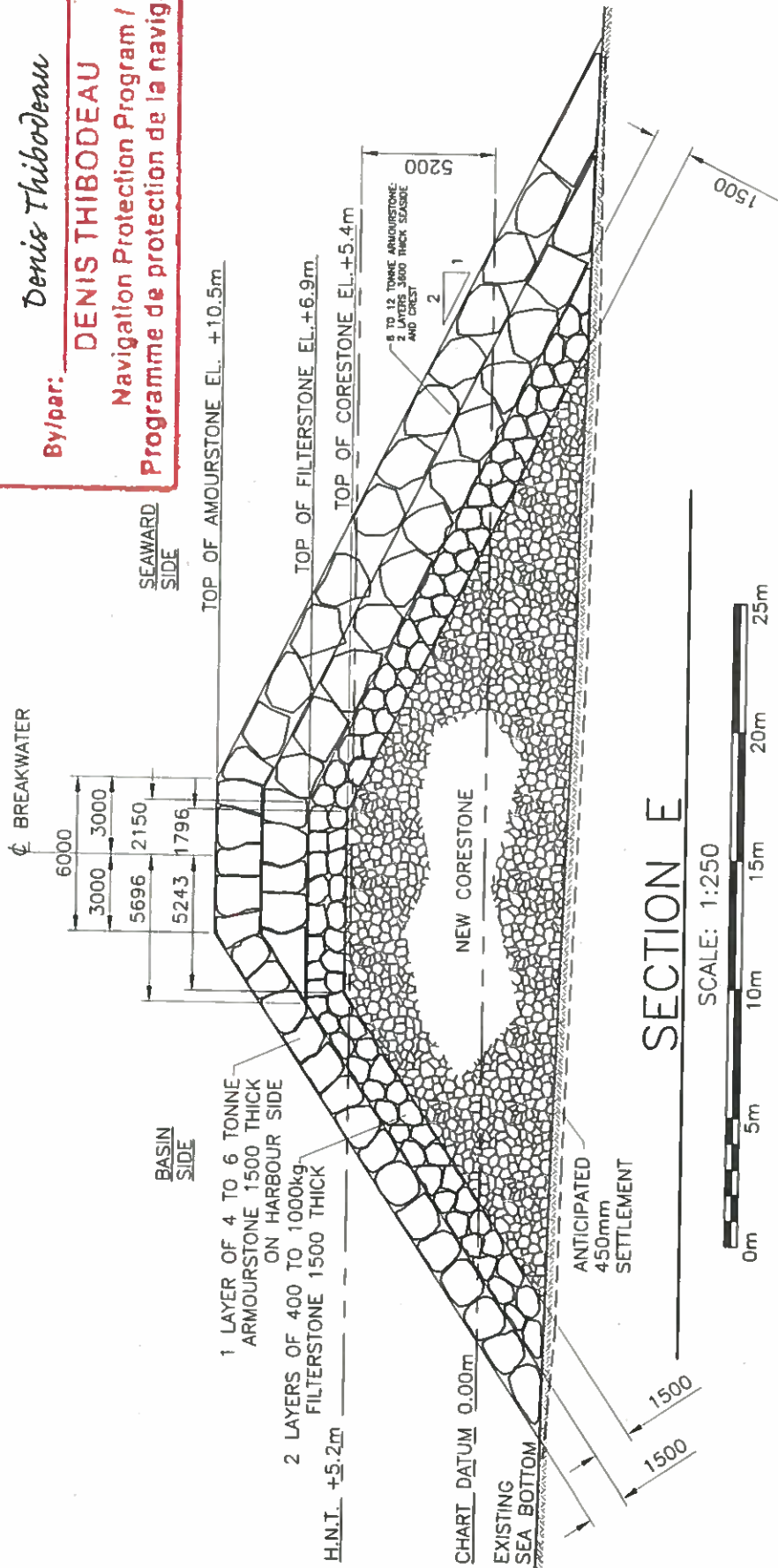
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				project number		no. du projet					drawing no.  7	no. du dessin
				PWCSC Project Manager		Administrateur de projets TPSCC						
Tender		Submission		PWCSC L1 (2004)								

11/25/2015

By/par: Denis Thibodeau


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SECTION E

SCALE: 1:250

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	Tender					Soumission		designed TM	conçu
PWGSC Project Manager			Administrateur de projets TPSGC			project number		drawing no.	
PWGSC L1 (2004)									



11/25/2015

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BASIN  
SIDE

OUTER END CONE



2 LAYERS OF 6 TO 10 TONNE  
ARMOURSTONE 3200 THICK ON  
BOTH SIDES AND CREST (OUTER  
END ONLY)

H.N.T. +5.2m

2 LAYERS  
OF 400 TO 1000kg  
FILTERSTONE 1500 THICK

CHART DATUM  
0.00m

TOP OF FILTERSTONE EL.+6.3m

TOP OF CORESTONE EL.+4.8m



NEW CORESTONE

ANTICIPATED  
450mm  
SETTLEMENT

EXISTING  
SEA BOTTOM

SECTION F

SCALE: 1:250



Public Works and  
Government Services  
Canada

Travaux publics et  
Services gouvernementaux  
Canada

Submission

Tender

N.P.P.  
DFO - SCH

CAPE ST. MARYS (1046)  
DIGBY COUNTY, NS

project

project

Drawing title

SECTION F

Titre du dessin

designed

conçu

date

drawn

dessiné

date

June, 2015

approved

approuvé

date

PWGSC Project Manager  
Administrateur de projets TPSGC

PWGSC L1 (2004)

project number

drawing no.

9

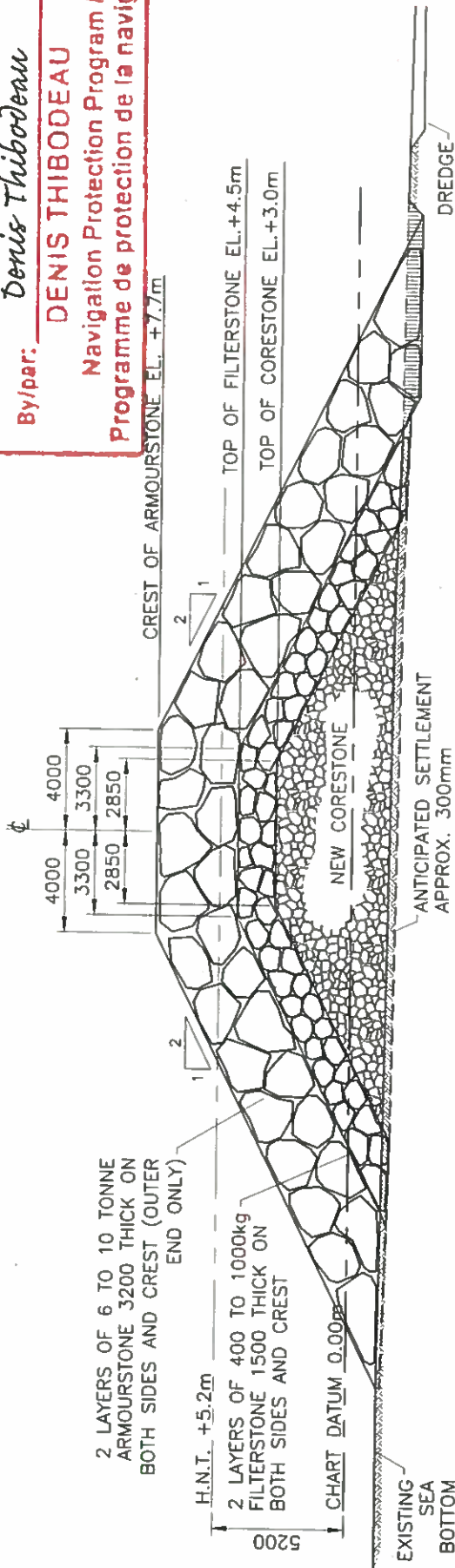
no. du dessin

11/25/2015

By/par: Denis Thibodeau

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Programme de protection de la navigation



SECTION G

SCALE: 1:250



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				N.P.P. DFO - SCH CAPE ST. MARYS (1046) DIGBY COUNTY, NS			SECTION G GROYNE		drawn TM	designed	date June, 2015	date	
PWGSC Project Manager				Submission		Project number		drawing no.		no. du dessin		10	
PWGSC L1 (2004)				Administrateur de projets TP5GC									

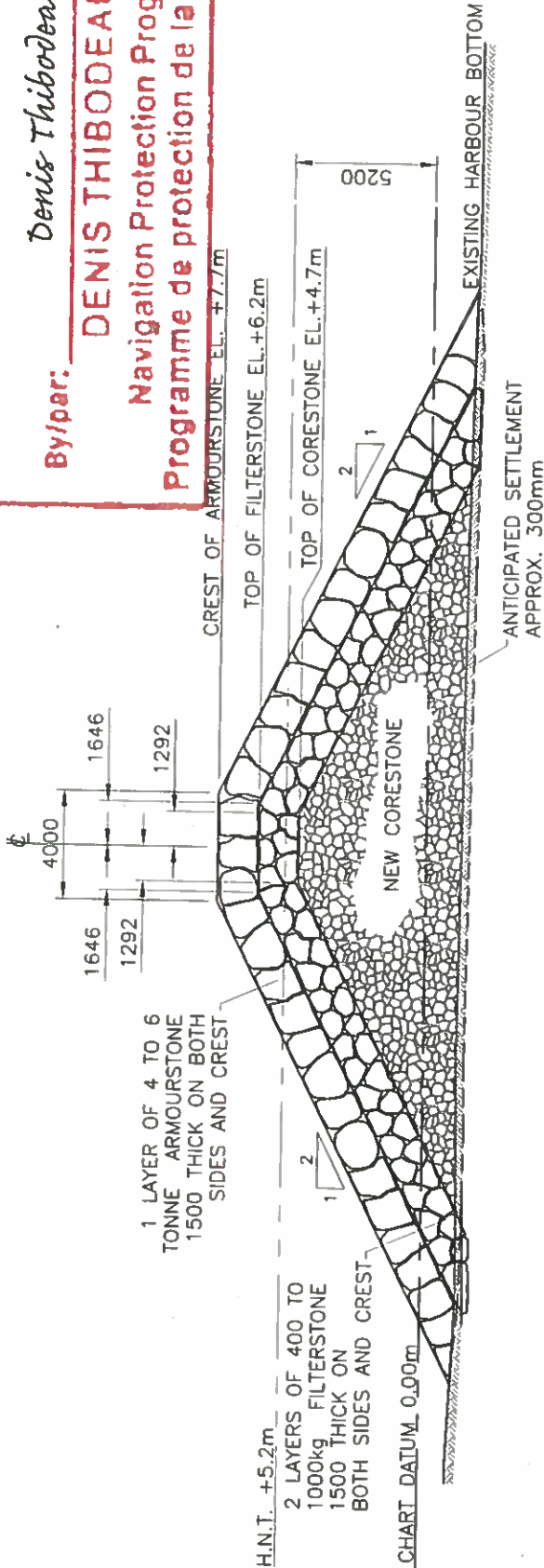
11/25/2015


By/par: Denis Thibodeau

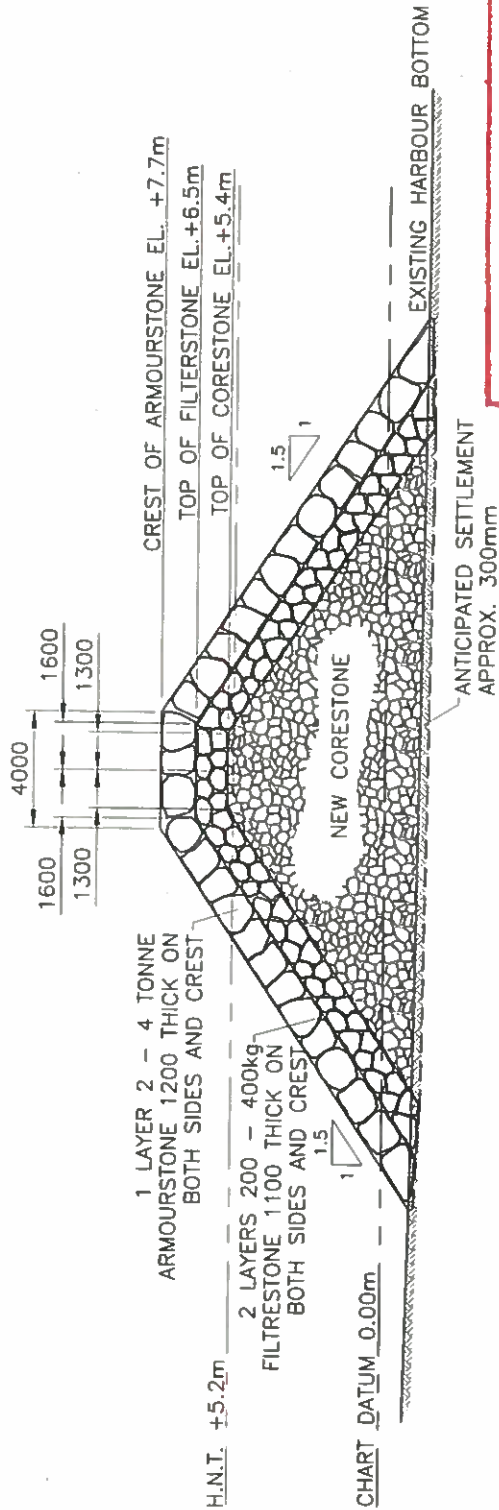
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 Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project	project	Drawing title	Titre du dessin			no. du dessin
					designed	conçu	date	
Tender	Soumission	N.P.P. DFO – SCH  CAPE ST. MARYS (1046) DIGBY COUNTY, NS	SECTION H GROYNE	drawn	dessiné	date	June, 2015	
				TM				
				approved	approuvé	date		
PWGSC Project Manager		Administrateur de projets TPSCG		project number	no. du projet	drawing no.	11	
PWGSC L1 (2004)								



## SECTION J

SCALE: 1:250



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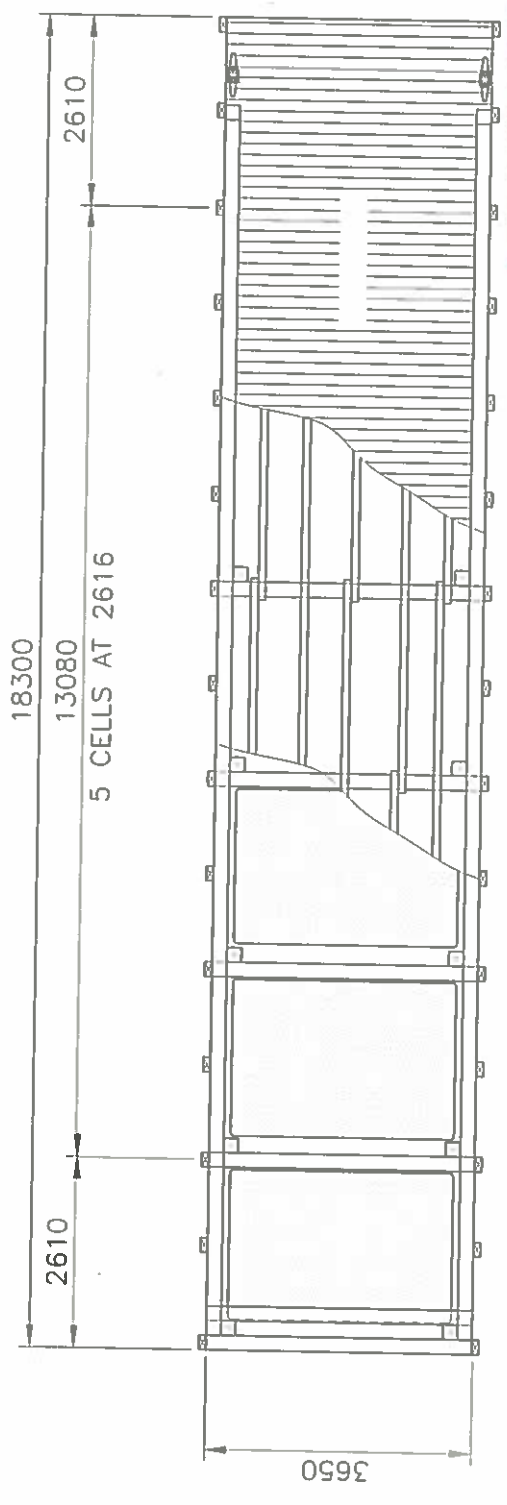
11/25/2015

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Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project	project	Drawing title	SECTION J GROYNE			
					project number			
Tender		CAPE ST. MARYS (1046) DIGBY COUNTY, NS		no. du projet		drawing no.		
PWGSC Project Manager		Administrateur de projets TPSGC		13		no. du dessin		
PWGSC L1 (2004)		E-DRM/GDD-E						



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By/par: Denis Thibodeau


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**PLAN K**

SCALE : 1:100

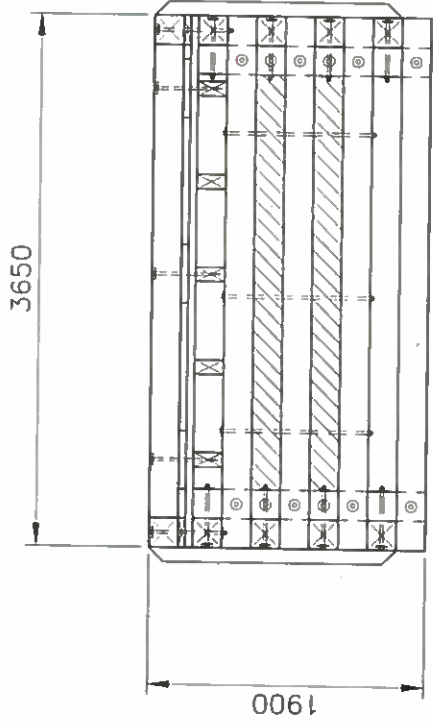


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	Soumission		N.P.P. DFO - SCH		CAPE ST. MARYS (1046) DIGBY COUNTY, NS		Drawing title		drawn TM		dessiné		date June, 2015		
Tender		PWGSC Project Manager		Administrateur de projets TPSGC		project number		na du projet		drawing no.		no. du dessin		14	

PWGSC L1 (2004)

E-DRM/GDD-E:





ELEVATION L

SCALE: 1:50



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Denis Thibodeau

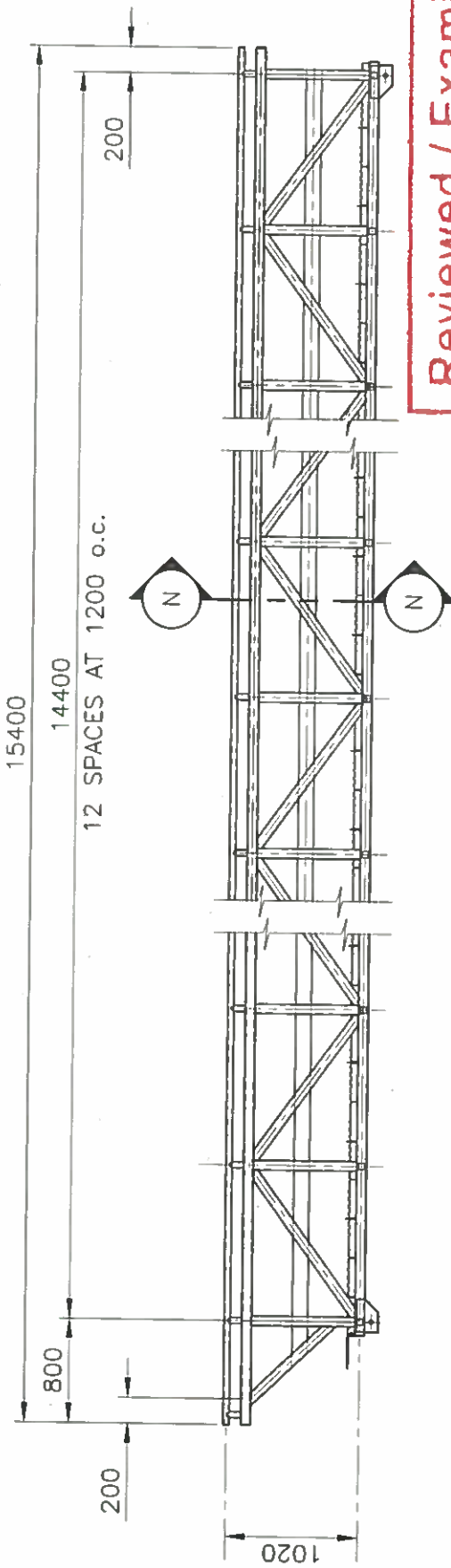
By/par:

DENIS THIBODEAU

Navigation Protection Program /

Programme de protection de la navigation

 Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project N.P.P. DFO - SCH  CAPE ST. MARYS (1046) DIGBY COUNTY, NS	project Drawing title ELEVATION L FLOATING DOCK MODULE END ELEVATION	designed	conçu	date
	Tender			drawn TM	dessiné	date June, 2015
Soumission		approved	approuvé	date		
PWCSC Project Manager		no. du projet	drawing no.	no. du dessin		
PWCSC L1 (2004)			15			



ELEVATION M

**Reviewed / Examiné**


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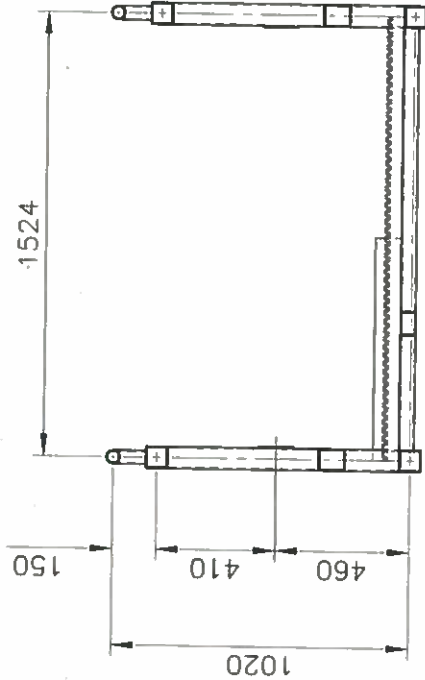
11/25/2015

By/par: *Denis Thibodeau*

**DENIS THIBODEAU**

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 Public Works and Government Services Canada	Tender	Travaux publics et Services gouvernementaux Canada	project	N.P.P. DFO - SCH  CAPE ST. MARYS (1046) DIGBY COUNTY, NS	project	Drawing title  ELEVATION M GANGWAY ELEVATION	Titre du dessin		
							designed	conçu	
							drawn TM	dessiné	date June, 2015
							approved	approuvé	date
PWGSC Project Manager							project number	drawing no.	no. du dessin
PWGSC L1 (2004)								16	



SECTION N

SCALE: 1:25



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By/par: Denis Thibodeau

DENIS THIBODEAU

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Programme de protection de la navigation

 Public Works and Government Services Canada	Travaux publics et Services gouvernementaux Canada	project	N.P.P. DFO - SCH  CAPE ST. MARYS (1046) DIGBY COUNTY, NS	project	Drawing title  SECTION N GANGWAY-STRONGARM	designed	conçu	date
						drawn TM	dessiné	date June, 2015
Tender		Submission		approved	approuvé	date	no. du dessin 17	
PWCSC Project Manager		Administrateur de projets TPSGC		project number		drawing no.		



Transport  
Canada

Transports  
Canada

Your File Votre référence

Our File Notre référence  
2009-200035 (8200-03-2000)

# STATUTORY DECLARATION

CANADA

IN THE MATTER OF a *Navigable Waters Protection Act* Approval of the work referred to below

PROVINCE OF

To Wit:

I \_\_\_\_\_ (Fisheries and Oceans Canada, Small Craft Harbours) \_\_\_\_\_

of the County/District/City of \_\_\_\_\_,  
in the Province of \_\_\_\_\_

SOLEMNLY DECLARE that the Dock, Groyne, General, Breakwater, located at approximately 44° 05' 07.10" N ; 066° 12' 22.45" W, Cape St-Mary's Harbour, Cape Cove, Digby County, Province of Nova Scotia, as been built or placed in accordance with the approved plan(s) and site pursuant to the *Navigable Waters Protection Act*, its regulations and the terms and conditions in the Approval dated November 25, 2015.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

\_\_\_\_\_  
Signature of applicant

DECLARED BEFORE ME \_\_\_\_\_,  
at the County/District/City of \_\_\_\_\_,  
in the Province of \_\_\_\_\_,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
A Commissioner, Notary Public, Justice of the Peace, etc

My commission expires on \_\_\_\_\_

Canada