

**FISHERIES AND OCEANS**  
**CANADIAN ENVIRONMENTAL ASSESSMENT ACT (CEAA) 2012**  
**Red Bay Wharf Reconstruction Project**  
**PROJECT EFFECTS DETERMINATION REPORT**

**GENERAL INFORMATION**

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| <b>1. Project Title:</b> Wharf Reconstruction, Red Bay, NL                             |  |
| <b>2. Proponent:</b> Fisheries and Oceans Canada - Small Craft Harbours (DFO-SCH)      |  |
| <b>3. Other Contacts:</b><br>a) Public Services and Procurement Canada                 | <b>4. Role of each contact:</b><br>a) OGD consultant |
| <b>5. Source of Project Information (Contact):</b> Glen Rose, Program Officer, DFO SCH |  |
| <b>6. Received Date:</b> June 19, 2018   |  |
| <b>7. PATH No.:</b> n/a  | <b>8. DFO File No.:</b> n/a                          |
| <b>9. Other relevant file numbers:</b> n/a   |  |

**BACKGROUND**

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| <b>10. Background about Proposed Development (including a description of the proposed development):</b><br>The proposed project will involve the removal of an existing crib wharf and replacement with a new structure, to be constructed in approximately the same footprint. The wharf will be constructed of four timber step cribs in total; two consist of 6.1 m X 7.62 m cribs, and two consist of 7.62 m X 7.62 m cribs. Gravel fill will be utilized as ballast. The existing crib wharf structure is to be demolished, removed and disposed of at an approved waste disposal location. The project will also involve replacing some concrete decking on two sides of the building, however it will be built mainly on existing piles, with some new piles required. |
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**PROJECT REVIEW**

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| <b>11. DFO's rationale for the project review:</b><br>Project is on federal land <input checked="" type="checkbox"/> <u>and</u> ;<br><input checked="" type="checkbox"/> DFO is the proponent.<br><input type="checkbox"/> DFO to issue <i>Fisheries Act</i> Authorization or <i>Species at Risk Act</i> Permit.<br><input type="checkbox"/> DFO to provide financial assistance to another party to enable the project to proceed.<br><input type="checkbox"/> DFO to issue licence or lease federal land to enable the project to proceed. |
| <b>12. a) <i>Fisheries Act</i> Section(s) (if applicable):</b> n/a<br><b>b) <i>Species at Risk Act</i> Section(s) (if applicable):</b> n/a   |
| <b>13. Primary Authority:</b> DFO-SCH  |
| <b>14. Primary Authority's rationale for involvement:</b><br><input checked="" type="checkbox"/> Primary Authority is the proponent.<br><input type="checkbox"/> Primary Authority to provide financial assistance to enable the project to proceed.<br><input type="checkbox"/> Primary Authority to provide a licence or an interest in land.<br><input type="checkbox"/> Primary Authority to issue a regulatory permit, approval or authorization.   |

<b>15. Other Authorities involved in review:</b> <ul style="list-style-type: none"> <li>Transport Canada – Navigation Protection Program (NPP) and Environmental Affairs and Aboriginal Consultation Unit</li> </ul>	<b>16. Other Authority's rationale for involvement:</b> <ul style="list-style-type: none"> <li><i>Navigation Protection Act</i></li> </ul>
<b>17. Other Contacts and Responses (Government Agencies, Other Organizations, Harbour Authority, etc.):</b> <ul style="list-style-type: none"> <li>Department of Environment and Conservation, Pollution Prevention Division (NLDOEC PPD)</li> <li>NunatuKavut Governing Council</li> </ul> <p><b><u>Aboriginal Consultation</u></b></p> <p>In the context of the Crown's legal duty to consult with Aboriginal groups, where it contemplates conduct that might adversely impact potential or established Aboriginal and Treaty rights:</p> <p>PSPC and Transport Canada confirm that a preliminary assessment has been undertaken to determine if a legal duty to consult arises in respect of the project proposed. Based on this preliminary assessment, PSPC, on behalf of DFO SCH and in conjunction with Transport Canada, provided an offer to consult with Aboriginal groups potentially impacted by the proposed project.</p> <p>A notification letter was sent to President Todd Russell of the NunatuKavut on August 2, 2018. The notification letter contained a description of the proposed project and an offer to provide input during the environmental effects review process. No response has been received.</p> <p><b><u>Public Consultation</u></b></p> <p>The project will provide safer and more secure access for vessels using this facility. No negative public concern is expected as a result of this project. As such, public consultation was not deemed necessary as part of this determination.</p>	
<b>18. Scope of Project (details of the project subject to review):</b> <p><b><u>Project Description</u></b></p> <p>The intent of the project is to remove the existing finger pier wharf and replace it with a new structure, to be constructed in approximately the same footprint. The new structure will have a footprint of 209 m<sup>2</sup>. The wharf will be constructed of four timber step cribs in total; two consist of 6.1 m X 7.62 m cribs, and two consist of 7.62 m X 7.62 m cribs. Gravel fill will be utilized as ballast. The existing crib wharf structure is to be demolished, removed and disposed of at an approved waste disposal location.</p> <p>The project will also involve replacing some concrete decking on two sides of the building, however it will be built mainly on existing piles, with some new piles required. See attached site plan in Appendix A.</p> <p>Dredging will not be required for this project.</p> <p><b><u>Operation</u></b></p> <p>The Environmental Management System (EMS) with an integrated Environmental Management Plan for the Harbour Authority of Red Bay covers operational aspects of the environmental management and is the mitigation measure for the environmentally responsible aspects of harbour operation (fueling, waste disposal, activities on the property, and water).</p> <p><b><u>Decommissioning</u></b></p> <p>This facility is not presently planned to be decommissioned. At the time of decommissioning, DFO-SCH will develop a site specific re-use or reclamation plan that is appropriate for the applicable environmental legislation and Fisheries and Oceans Canada policies.</p> <p><b><u>Scheduling</u></b></p> <p>Subject to regulatory approval and DFO SCH operational priorities and funding, this project may commence during the 2018-2019 fiscal year.</p>	
<b>19. Location of Project:</b> <p>The project site is located within the fishing village of Red Bay, located in Labrador at coordinates 51° 43' 56" N, 56° 25' 51" W. Red Bay can be accessed via ferry from St. Barbe, Newfoundland, to Blanc Sablon, Québec, followed by an 82 km drive northeast. The project site can be accessed by provincial route 510.</p>	

## **20. Environment Description:**

### **Physical Environment**

The Red Bay DFO SCH facility includes building and marine wharf infrastructure, including a fisherman's wharf, marginal wharf, and floating dock. There are several permanent residences in close proximity to the project site. The immediate project area is an exposed, low gradient coastal area, sparsely vegetated with grass and native shrub vegetation.

### **Biological Environment**

Red Bay is located in the Forteau Barrens Ecoregion. This ecoregion is located at the southeastern most tip of Labrador, adjacent to the Strait of Belle Isle. Low hills are covered with scrub spruce, crowberry barren, and slope bogs. Strong winds and frequent storms occur because of the ecoregion's proximity to the Strait of Belle Isle. The growing season is 100 to 120 days. Tree growth is limited by a combination of wind, wet soils, and a history of repeated burns.

A search of the Atlantic Canada Conservation Data Centre (ACCDC) database was conducted on August 17, 2018, within a 5 km radius of the proposed project location. Red Bay is located within the distribution range of the Blue Whale (Atlantic Population), listed as endangered, and the North Atlantic Right Whale, listed as endangered on Schedule 1 of the Species at Risk Act (SARA). It is unlikely that the proposed development contains any critical, limiting, or sensitive habitat for any of the listed Species at Risk.

## **21. Scope of Effects Considered (section 5(1) and 5(2) of CEAA 2012):**

Effects considered in this PED include the impact of reconstruction of the existing finger pier wharf, and replacement of concrete decking on two sides of the building, and addition of new piles.

## **22. Environmental Effects:**

Potential Project/Environment Interactions and their effects are outlined below. The effects are described for each project phase.

### **Wharf Reconstruction:**

- Air emissions from construction related vehicles.
- Elevated noise levels may occur at the harbour. This could cause disruption to nesting or migration of birds/bird habitat for the duration of the construction project.
- Disturbance to fish and fish habitat in the immediate project area.
- Increased suspended solid/sediments and turbidity adjacent to the project site.
- Activities may result in construction related debris or toxic material affecting marine water quality.
- Accidental release of toxic materials entering the marine environment.
- Improper disposal of creosote treated timbers may negatively impact receiving environment.

### **Operation/Maintenance:**

- Worker health and safety during construction activities.

## **23. Mitigation Measures for Project (including Habitat Compensation if applicable):**

- Minimize duration of in-water work
- Conduct in-water work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows
- Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan will, where applicable, include:
  - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body

- Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., underwater cable installation)
- Measures for containing and stabilizing waste material (e.g., construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high water mark of nearby waterbodies to prevent re-entry
- Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction
- Repairs to erosion and sediment control measures and structures if damage occurs
- Removal of non-biodegradable erosion and sediment control materials once site is stabilized
- Remove all construction materials from site upon project completion
- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds
- Whenever possible, operate machinery on land above the high water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.
- Treated timber waste produced as a result of the project are to be transported to an approved waste disposal site for disposal.

**24. Description of any Significant Adverse Environmental Effects of the project (after applying mitigation):**

With the implementation of recommended mitigation measures, no significant adverse environmental effects are anticipated.

**25. Other monitoring and Compliance Requirements (ie. *Fisheries Act* or *Species at Risk Act*):**

n/a

## CONCLUSION

**26. Conclusion on Significance of Adverse Environmental Effects:**

The Federal Authorities have evaluated the project in accordance with Section 67 of the *Canadian Environmental Assessment Act, 2012 (CEAA 2012)* and have determined that the project is not likely to cause significant adverse environmental effects with the implementation of recommended mitigation measures. DFO-SCH may proceed with the project as proposed.

27. Prepared by: Mark McNeil

28. Date: 2018/09/05

29. Name: Mark McNeil

30. Title: Senior Environmental Specialist, PWGSC-ES

## DECISION

### 35. Decision Taken

- ☒ The project is not likely to cause significant adverse environmental effects, and DFO may exercise its power, duty or function.
- ☐ The project is likely to cause significant adverse environmental effects, and DFO has decided not to exercise its power, duty or function.
- ☐ The project is likely to cause significant adverse environmental effects, and DFO will ask the Governor in Council to determine if the significant adverse environmental effects are justified in the circumstances.

36. Approved by: \_\_\_\_\_ 37. Date: \_\_\_\_\_

38. Name: Paul Curran

39. Title: Regional Engineer, DFO-SCH, NL

40. References: n/a

#### 41. TRANSPORT CANADA RECOMMENDATION

<b>Project Title:</b>	Wharf Reconstruction – Red Bay (Labrador), NL	
<b>TC File No.:</b>	NEATS:	
<b>NPP File No.:</b>	NPP #	
<b>Environmental Review Decision:</b>	Taking into account the implementation of any mitigation measures that Transport Canada considers appropriate, the project <b>is not likely</b> to cause significant adverse environmental effects and, as such, Transport Canada may exercise any power or perform any duty or function that would permit the project to be carried out in whole or in part.	
<b>Prepared by:</b>	<b>Melissa Ginn</b> Environmental Officer Environmental Affairs and Aboriginal Consultation Unit	
<b>Signature:</b>		<b>Date:</b>
<b>Mailing Address:</b>	10 Barter's Hill, St. John', NL	
<b>Tel:</b>	709-772-3088 / 709-351-3200	
<b>Fax:</b>	709-772-3072	
<b>Email:</b>	melissa.ginn@tc.gc.ca	
<b>Recommended by:</b>	<b>J. Jason Flanagan</b> Senior Environmental Assessment Officer Environmental Affairs and Aboriginal Consultation Unit	
<b>Signature:</b>		<b>Date:</b>
<b>Approved by:</b>	<b>Kevin LeBlanc</b> Regional Manager Environmental Affairs and Aboriginal Consultation Unit	
<b>Signature:</b>		<b>Date:</b>

## **Appendix A**

### Figures



Figure 1. Topographic Map of Proposed Site  
Location: Red Bay, Labrador

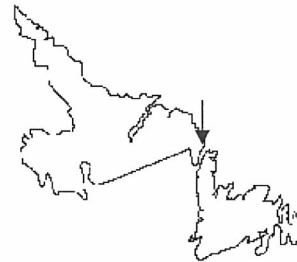






Figure 2. Structure to be replaced.

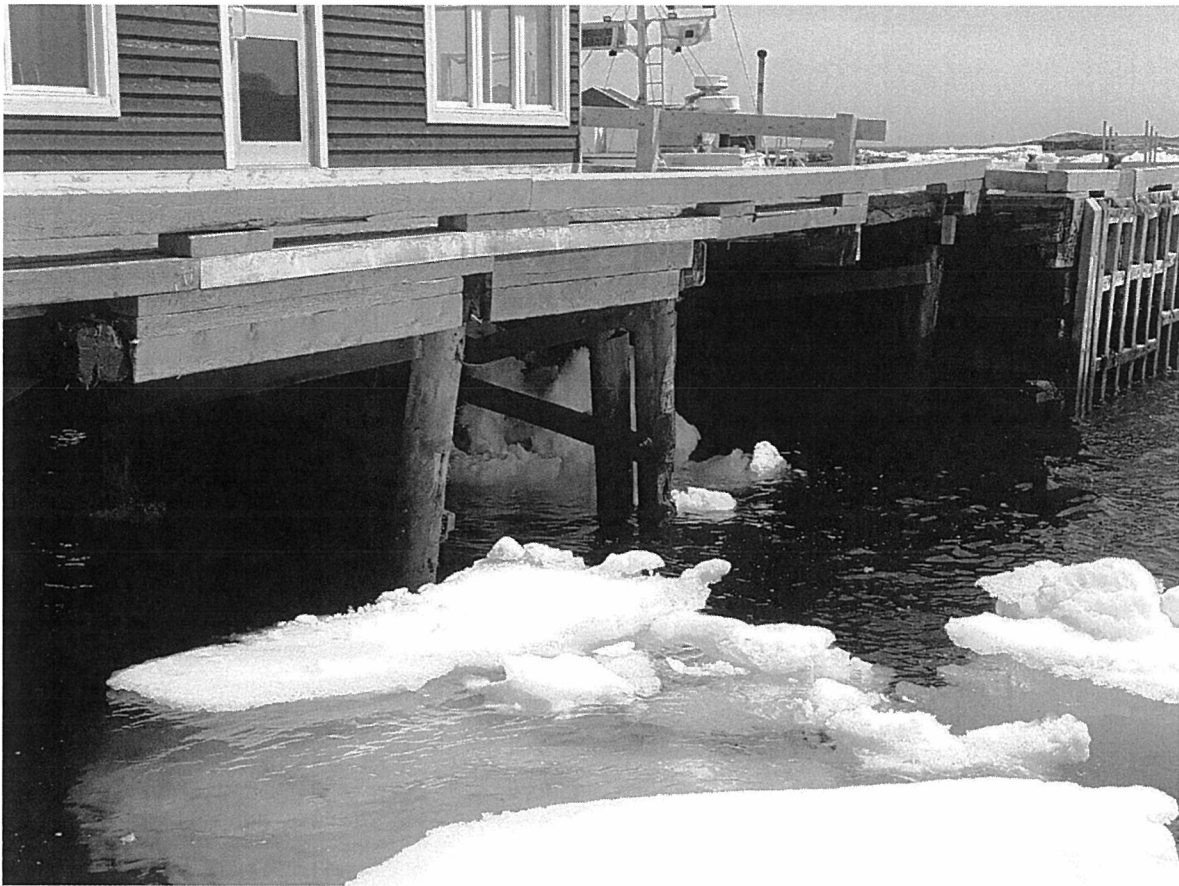


Figure 3. Decking to be replaced and additional piles added.

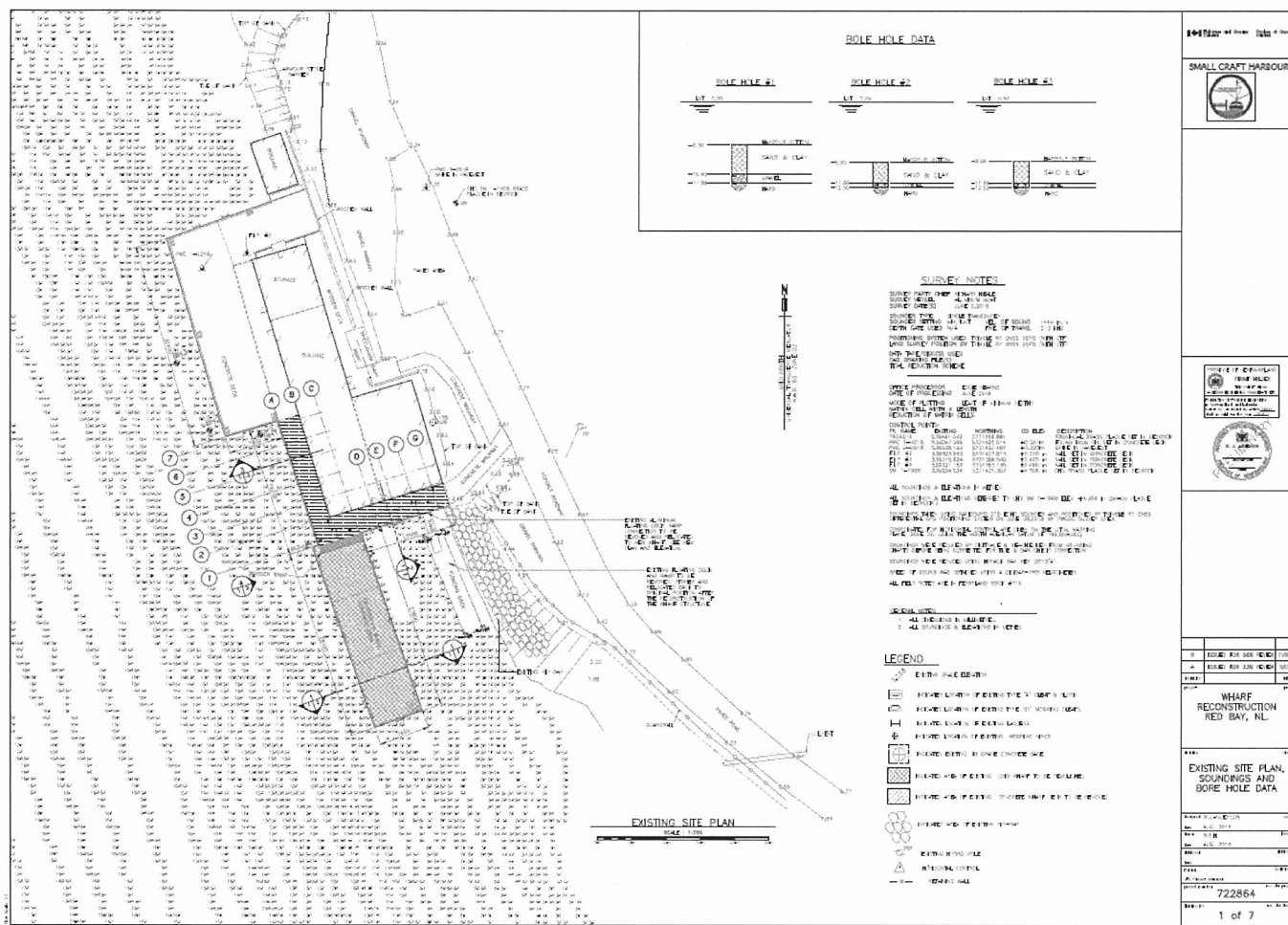


Figure 4. Proposed Wharf Reconstruction, DFO-SCH facility, Red Bay, NL

**Appendix B**  
Treated Timber Disposal Approval

**From:** Hann, Joan  
**To:** Mark McNeil  
**Subject:** FW: Service NL Referral for Treated Timber Disposal - DFO SCH Western Area - Red Bay, NL  
**Date:** August-15-18 9:52:39 AM

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Hello Mark

Based upon the results above the TWW can go to approved WDS. Please contact SNL and they can provide a location. Please ensure disposal documents of waste TWW to the WDS are provided to the department.

Regards

Joan Hann  
Environmental Scientist  
Pollution Prevention Division  
Department of Municipal Affairs and Environment  
4<sup>th</sup> Floor, Confederation Building, West Block  
P.O. Box 8700  
St. John's, NL, Canada A1B 4J6  
Email: [Joanhann@gov.nl.ca](mailto:Joanhann@gov.nl.ca)  
Phone: 709-729-1771

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**From:** Mark McNeil [<mailto:Mark.McNeil@pwgsc-tpsgc.gc.ca>]  
**Sent:** Tuesday, August 14, 2018 8:25 PM  
**To:** Hann, Joan  
**Subject:** Service NL Referral for Treated Timber Disposal - DFO SCH Western Area - Red Bay, NL

Good day Joan,

Please find attached an application for approval to dispose of creosote treated timber from the demolition of a wharf located at the DFO SCH site in Red Bay, NL.

If you need anything else just let me know.

Thanks,  
Mark

**Mark McNeil, M.Sc.**

Environmental Services | Services écologiques  
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