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**100-1045 Main Street**

**Moncton**

**New Brunswick**

**E1C 1H1**

**Bid Fax: (506) 851-6759**

**SOLICITATION AMENDMENT  
MODIFICATION DE L'INVITATION**

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Solicitation remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'invitation demeurent les mêmes.

**Comments - Commentaires**

**Vendor/Firm Name and Address**

**Raison sociale et adresse du  
fournisseur/de l'entrepreneur**

**Issuing Office - Bureau de distribution**

Acquisitions NB/PEI (Moncton Office) – Bureau

d'acquisitions N.-B./Î.-P.-É. (Moncton)

1045 Main Street / 1045, rue Main

Moncton

New Bruns

E1C 1H1

<b>Title - Sujet</b> Reconstruction de quai, Structure 4 Reconstruction de quai, Structure 408 – Phase 2, Val-Comeau, NB	
<b>Solicitation No. - N° de l'invitation</b> EC015-221158/A	<b>Amendment No. - N° modif.</b> 003
<b>Client Reference No. - N° de référence du client</b> EC015-221158	<b>Date</b> 2021-12-12
<b>GETS Reference No. - N° de référence de SEAG</b> PW-SPWJ-017-6082	
<b>File No. - N° de dossier</b> PWJ-1-44072 (017)	<b>CCC No./N° CCC - FMS No./N° VME</b>
<b>Solicitation Closes - L'invitation prend fin</b> <b>at - à 02:00 PM</b> Atlantic Standard Time AST <b>on - le 2021-12-22</b> Heure Normale de l'Atlantique HNA	
<b>F.O.B. - F.A.B.</b> <b>Plant-Usine:</b> <input type="checkbox"/> <b>Destination:</b> <input checked="" type="checkbox"/> <b>Other-Autre:</b> <input type="checkbox"/>	
<b>Address Enquiries to: - Adresser toutes questions à:</b> Stockman (PWJ), Sonia	<b>Buyer Id - Id de l'acheteur</b> pwj017
<b>Telephone No. - N° de téléphone</b> (506) 961-7412 ( )	<b>FAX No. - N° de FAX</b> (506) 851-6759
<b>Destination - of Goods, Services, and Construction:</b> <b>Destination - des biens, services et construction:</b>	

**Instructions: See Herein**

**Instructions: Voir aux présentes**

<b>Delivery Required - Livraison exigée</b>	<b>Delivery Offered - Livraison proposée</b>
<b>Vendor/Firm Name and Address</b> <b>Raison sociale et adresse du fournisseur/de l'entrepreneur</b>	
<b>Telephone No. - N° de téléphone</b> <b>Facsimile No. - N° de télécopieur</b>	
<b>Name and title of person authorized to sign on behalf of Vendor/Firm</b> <b>(type or print)</b> <b>Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie)</b>	
<b>Signature</b>	<b>Date</b>

Cette modification à l'invitation numéro trois (003) est soumise pour inclure l'addenda numéro 003 suivant.

La modification qui suit apportée aux documents de soumission entre en vigueur dès maintenant. L'addenda fera partie des documents de contrat. Toutes autres conditions ne changent pas.

Addenda numéro 003. Cette modification est émise pour afin de:

(1) Répondez aux questions suivantes:

**Question #2:**

Sur la page S01, nous pouvons voir dans la légende « AERA OF REMOVAL TO -1.7m ». Mais à la page S8-DREDGING on peut voir la même zone avec la mention : AERA À DRAGUER À ELEV. -1.5m qui est 200mm plus haut. Pouvez-vous confirmer l'élévation du dragage?

**Réponse #2:**

La zone à l'intérieur des coordonnées de dragage à draguer à l'élévation de -1,5 m. Le périmètre du nouveau mur Berlinoise à être draguer au sommet du substrat rocheux.

**Question #3:**

À la page S08, nous pouvons déterminer les limites de la zone à draguer. Est-ce que la pente latérale est incluse dans les limites ou doit-elle être projetée à l'extérieur de cette limite afin que toute l'aire de la page S08 soit draguée à -1,5m. Quelle est la pente latérale typique du dragage? Est-ce 3/1?

**Réponse #3:**

Tous les secteurs se trouvant à l'intérieur des coordonnées de dragage doivent être dragués à une élévation de -1,5 m. Les pentes latérales sont projetées à l'extérieur des limites et doivent être de 2:1. Le périmètre du nouveau mur Berlinoise doit être dragué jusqu'au sommet du substratum.

**Question #4:**

À la page S8 – Cellule de confinement - nous pouvons voir sur la nouvelle section en orteil dans le substrat rocheux à une élévation de -2,1m. Cette excavation devrait-elle être incluse dans la section 2.15 – Quantités de dragage?

**Réponse #4:**

Le matériel à enlever pour l'installation de l'embout de pierre de blindage est inclus à l'article 2.15 – Dragage. Veuillez consulter le tableau des prix unitaires révisé ci-joint.

**Question #5:**

À la page S08 son dit d'excaver la pierre protectante existante et la pierre de filtre. Devrions-nous creuser les pierres existantes où la nouvelle digue est reliée à l'ancienne ,ou nous construisons la nouvelle au-dessus des pierres existantes?

**Réponse #5:**

La pierre filtrante et la pierre blindée existantes à l'intersection de la nouvelle cellule de confinement et de la cellule de confinement existante, point G, doivent être excavées et réutilisées sur la nouvelle cellule de confinement.

**Question #6:**

Considéreriez-vous de prolonger la date de clôture ?

**Réponse #6**

Oui

**Question #7:**

Si nous avons nos reçus de la fosse de les quantités de matériaux dans chaque camion. Avons-nous besoin d'une balance sur place? Si oui, pour quoi? Pourriez-vous décrire l'intention de l'échelle de poids?

**Réponse #7**

Les billets de pesée seront acceptés d'une balance certifiée située à la carrière ou à l'usine. L'entrepreneur doit soumettre les attestations au représentant du Ministère pour approbation avant le début des travaux.

**Question #8:**

Dans l'amendement 1, il prévoit un sortie de 50 ampères et une couverture, quel modèle devrait-il être? Pour revenir au plan E-1 de la phase 1, les spécifications demandaient un verrouillage de torsion de 50 ampères, mais sur place, c'est une lame droite qui a été installée.

**Réponse #8:**

Le prise de courant 50A, 3P, 4 fils, 120/240V, une phase, à verrou tournant, le boîte arrière et le couvercle doivent être l'égal des prises de courants existants sur site. La configuration de la prise doit être SS2-50R avec boîte mis à la terre. N'importe quelle prise de courant 50A avec lame droite sur le quai appartiennent à des acheteurs indépendants et non à l'autorité portuaire. Dessins de référence E1 et E4 section de spécification 26 27 26.

- (2) Référence: *Fisheries Act Authorization (anglais)*

SUPPRIMER *Fisheries Act Authorization (anglais)*; et

INSÉRER *Fisheries Act Authorization Amended December 09, 2021 (anglais)*

- (3) Référence: **Date de clôture apparaissant à la première page du document**

SUPPRIMER la date de clôture de l'invitation à soumissionner du **2021-12-16**; et

INSÉRER à la date de clôture de l'invitation à soumissionner révisée du **2021-12-22**

- (4) Référence: **APPENDICE 1 - FORMULAIRE DE PRIX COMBINÉS**

SUPPRIMER **APPENDICE 1 - FORMULAIRE DE PRIX COMBINÉS**; et

INSÉRER **APPENDICE 1 - FORMULAIRE DE PRIX COMBINÉS (RÉVISÉ LE 10 DÉCEMBRE 2021)**

- (5) Précisions électriques supplémentaires:

**L'ENTREPRENEUR ÉLECTRIQUE DOIT FOURNIR, INSTALLÉ ET METTRE EN SERVICE TOUT LA MAIN-D'OEUVRE ET MATÉRIEL POUR COMPLÉTÉ LE TRAVAIL ADDITIONNEL QUI SUIT POUR LE PROJET CI-DESSUS DANS LE PRIX DE L'OFFRE SOUMIS PAR L'ENTREPRENEUR:**

ITEM	REFERENCE	DESCRIPTION
1.	Sections des spécifications 26 05 13	.1 Les conducteurs existants en aluminium dans les conduits dans le pont du phase 1 qui alimente le quai existant 405 (nouveau quai 408E) doivent être enlevés durant la démolition de quai 405 et remis à l'autorité portuaire en bonne condition.
2.	Sections des spécifications 26 05 34	.1 Tous les conduits sur le projet doivent être PVC rigide et non le PVC DB (type 11). Tous les conduits dans le pont doivent être PVC rigide de 63mm de diamètre intérieur.

Solicitation No. - N° de l'invitation  
EC015-221158/A  
Client Ref. No. - N° de réf. du client  
No./N° VME  
R.097242.003

Amd. No. - N° de la modif.  
003  
File No. - N° du dossier  
PWJ-1-44072

Buyer ID - Id de l'acheteur  
pwj017  
CCC No./N° CCC - FMS

En soumettant son offre, le soumissionnaire confirme qu'il a lu et compris les exigences exprimées dans tous les addenda et qu'il a inclus tous les coûts de ces exigences dans le montant total de son offre. Tous les autres termes et conditions restent inchangés.

Si vous avez déjà envoyé votre soumission et que vous désirez la modifier, veuillez nous faire parvenir cette modification soit dans une enveloppe scellée par la poste à l'adresse ci-dessus, ou par télécopieur (506) 851-6759 en veillant à ce qu'elle parvienne à la personne soussignée avant la date de clôture en vigueur. Le numéro de la demande de soumission et la date de clôture en vigueur doivent figurer à l'extérieur de l'enveloppe scellée ou sur le message transmis par télécopieur.

Toutes les autres conditions de l'invitation à soumissionner demeurent inchangées.

Toute question relative à cette modification doivent être adressées à :

Nom: Sonia Stockman  
N° de téléphone: (506) 961-7412

**APPENDICE 1 - FORMULAIRE DE PRIX COMBINÉS (RÉVISÉ LE 10 DÉCEMBRE 2021)**

- 1) Les prix unitaires seront retenus pour établir le montant total des prix calculés. Toute erreur arithmétique à cet appendice sera corrigée par le Canada.
- 2) Le Canada peut rejeter la soumission si quelconque des prix soumis ne tient pas fidèlement compte du coût de l'exécution de la partie des travaux à laquelle ce prix s'applique.

**MONTANT FORFAITAIRE**

Le montant forfaitaire désigne la partie des travaux qui est assujettie à un arrangement à prix forfaitaire.

(a) Les travaux compris dans les articles forfaitaires représentent tous les travaux (incluant entre autres Mobilisation et démobilisation, etc.) qui ne sont pas incluse dans la table des prix unitaires.

Article	Référence au devis	Catégorie de main-d'œuvre, outillage ou matériaux	Unité de mesure	Quantité Estimative (QE)	Prix unitaire (PU) Excluant les taxe(s) applicables	Prix calculé (QE x PU) Excluant les taxe(s) applicables
1.1	01 10 10	Mobilisation et Démobilisation	Somme forfaitaire	1		
1.2	01 15 50	Balances	Somme forfaitaire	1		
1.3	01 35 44	Contrôles environnementaux	Somme forfaitaire	1		
1.4	26 05 00	Travaux électriques	Somme forfaitaire	1		
1.5	31 11 00	Travaux de chantier, démolition et enlèvement	Somme forfaitaire	1		
TOTAL MONTANT FORFAITAIRE (MF) Excluant les taxes applicables(s)						

**TABLEAU DES PRIX UNITAIRES**

Le tableau des prix unitaires désigne la partie des travaux qui est assujettie à un arrangement à prix unitaires.

- a) Les travaux faisant partie de chaque article sont tels que décrits aux sections du devis en référence.
- b) Le prix unitaire ne doit pas inclure de montants pour des travaux qui ne sont pas inclus aux articles de prix unitaires.

Article	Référence au devis	Catégorie de main-d'œuvre, outillage ou matériaux	Unité de mesure	Quantité Estimative (QE)	Prix unitaire (PU) Excluant les taxe(s) applicables	Prix calculé (QE x PU) Excluant les taxe(s) applicables
2.1	03 30 00	Tablier en béton armé	m <sup>3</sup>	307		
2.2	03 30 00	Béton divers	m <sup>3</sup>	6		
2.3	03 30 00	Système de joint de dilatation	m	15		

Article	Référence au devis	Catégorie de main-d'œuvre, outillage ou matériaux	Unité de mesure	Quantité Estimative (QE)	Prix unitaire (PU) Excluant les taxe(s) applicables	Prix calculé (QE x PU) Excluant les taxe(s) applicables
2.4	03 41 00	Panneaux en béton préfabriqué	m²	549		
2.5	05 50 00	Tirants en acier	Ch.	29		
2.6	05 50 00	Garde-roues en profilés d'acier creux	m	146		
2.7	05 50 00	Accessoires pour pneus protectant	Ch.	19		
2.8	31 23 10	Remblayage R5	CMPM	3250		
2.9	31 23 10	Remblayage R25	CMPM	219		
2.10	31 23 10	Sous-base granulaire	CMPM	309		
2.11	31 23 10	Base granulaire	CMPM	430		
2.12	31 62 13	Fourniture de pieux de support en H pour le mur de Berlin	Ch.	58		
2.13	31 62 18	Installation de pieux en acier en H	m	487		
2.14	32 12 16	Asphalte mélangé à chaud	m2	1170		
2.15	35 20 24	Dragage de classe "B"	CMPM	5100		
2.16	35 31 24	Pierre centrale (10 à 60 kg)	t	4670		
2.17	35 31 24	Pierre filtrante (100-300 kg):	t	1520		
2.18	35 31 24	Pierre de carapace (1-3 Tonne):	t	6400		
2.19	35 70 00	Crampons d'amarrage	Ch.	16		
TOTAL DES PRIX CALCULÉS (TPC) Excluant les taxes applicable(s)						

**MONTANT TOTAL DE LA SOUMISSION (MF +TPC)**

Excluant les taxes applicable(s)



## **Paragraphs 34.4(2)(b) and 35(2)(b) *Fisheries Act* Authorization**

### **Authorization issued to**

Department of Fisheries and Oceans – Small Craft Harbours (*hereafter referred to as the "Proponent"*)

Attention to:

Mr. Raymond Losier

Senior Project Engineer

Fisheries and Oceans Canada – Small Craft Harbours (DFO-SCH)

### **Location of Proposed Project**

Nearest community (city, town, village): Val-Comeau

Municipality, district, township, county: Gloucester County

Province: NB

Name of watercourse, waterbody: Big Tracadie River

Longitude and latitude, UTM Coordinates: 47°27'57"N, -64°53'01"W

### **Description of Proposed Project**

The proposed project of which the work, undertaking or activity authorized is a part involves:

The proposed project will take place at a developed Department of Fisheries and Oceans Small Craft Harbour (DFO-SCH) facility servicing the commercial fishery in Val-Comeau, NB.

The project includes the construction of a containment cell located west of the existing service area and dredging activities within the entrance channel of the harbour and east of recently refurbished structure 405. The proposed schedule for construction activities is for work to commence in 2022 and to be completed by March 2024.

### **Description of Authorized work(s), undertaking(s) or activity(ies) likely to result in the death of fish by means other than fishing:**

The work(s), undertaking(s), or activity(ies) associated with the proposed project described above, that are likely to result in the death of fish by means other than fishing, are:

The containment cell construction and dredging activities inside the Val-Comeau Harbour will result in the death of fish based on the Underwater Benthic Habitat Survey

(UBHS) conducted in 2017. According to the UBHS, some of the areas affected by the works, undertakings and activities are high sensitivity habitat (eelgrass) that provide feeding, spawning, nursing and rearing grounds for a variety of fishes and invertebrates. The following species will likely be impacted by the proposed activities: Periwinkle, which was prevalent with dense eelgrass patches and Northern rock barnacle, especially present where substrate is heavily covered with shell debris. Rock crabs, Brown shrimps, Northern moon snails, Blue mussels, Horse mussels and unidentified fish species were also common throughout the project area.

**Description of Authorized work(s), undertaking(s) or activity(ies) likely to result in the harmful alteration, disruption or destruction of fish habitat:**

The work(s), undertaking(s), or activity(ies) associated with the proposed project described above, that are likely to result in the harmful alteration, disruption or destruction of fish habitat, are:

In the proposed containment cell area, half of the substrate is comprised of sand/silt with dense eelgrass patches while the other half is characterized by a sand/silt/clay barren seafloor covered in dead eelgrass. The dredging area consists mostly of sand/silt with small patches of gravel and/or mollusc shell debris. In general, macrofloral cover is low (some Irish moss), and the dominant flora is eelgrass, which is present in patches from 5% cover throughout project area to 60-100% of dense cover in the outermost parts of the wharf.

**The authorized work(s), undertaking(s), or activity(ies) are likely to result in the following impacts to fish and fish habitat:**

The infill from the construction of the containment cell will result in a death of fish and the destruction of 5298 m<sup>2</sup> of fish habitat and the dredging of the harbour basin will result in the harmful alteration of 3563 m<sup>2</sup> of fish habitat and possible death of fish.

Productive and sensitive habitat (eelgrass) supporting multiple life functions of fish will be permanently destroyed or altered resulting from proposed project. Sessile and slow moving species including rock crabs and benthic shrimps will also likely be impacted.

**Conditions of Authorization**

The above described work, undertaking or activity must be carried on in accordance with the following conditions.

1. **Conditions that relate to the period during which the work, undertaking or activity can be carried on**
  - 1.1 The work, undertaking or activity that is/are authorized to be carried on during the following period:



From the date signed by the Regional Director General, DFO Gulf Region to March 31, 2024.

- 1.2 The Proponent must notify the DFO Fish and Fish Habitat Protection Program (DFO-FFHPP) at least 48 hours before starting their project. Such notification should be directed to Gilles Paulin at our Moncton office at (506) 851-2985, or by email at [gilles.paulin@dfo-mpo.gc.ca](mailto:gilles.paulin@dfo-mpo.gc.ca)
- 1.3 If the Proponent cannot complete the work, undertaking or activity during this period, Fisheries and Oceans Canada (DFO) must be notified in advance of the expiration of the above time period. An application for amendment, suspension or cancellation of the authorization should be submitted to DFO.
- 1.4 The periods during which other conditions of this authorization must be complied with are provided in their respective sections below.
2. **Conditions that relate to measures and standards to avoid and mitigate impacts to fish and fish habitat, including impacts to aquatic species at risk, their critical habitat and/or the residences of their individuals as well as the introduction of non-indigenous species.**
  - 2.1 Sediment and erosion control:
    - 2.2.1 Sediment and erosion control measures must be in place and shall be upgraded and maintained, such that release of sediment is avoided at the location of the authorized work, undertaking, or activity.
  - 2.2 List of measures and standards to avoid and mitigate impacts to fish and fish habitat:
    - 2.2.1 The proponent must consider timing work activities and other mitigation measures, as appropriate, to avoid interactions with potential fisheries or impacts to fish and fish habitat outside of the authorized area as a result of the dredge and/or disposal activities.
    - 2.2.2 Death of fish: Appropriate measures must be taken during the construction of the containment cell:
      - Capture, relocate and monitor for fish trapped within isolated, enclosed, or dewatered areas;
      - Dewater gradually to reduce the potential for stranding fish.
    - 2.2.3 Aquatic invasive species: All equipment must be clean and free of aquatic invasive species prior to entering and leaving the waters of Val-Comeau Harbour.

2.3 Contingency measures:

2.3.1 If changes occur in the turbidity of the water with the vicinity of the Val-Comeau Harbour as a result of any WUAs associated with this project, the work shall immediately stop to determine if further mitigation measures are required.

2.3.2 A response plan must be implemented immediately in the event of a sediment release or spill of a deleterious substance and an emergency spill kit must be kept on-site.

2.4 Dates by which these measures and standards shall be implemented:

2.4.1 Measures and standards to avoid impacts to fish and fish habitat shall be implemented prior to the initiation of works and during all periods of work associated with this project.

**3. Conditions that relate to monitoring and reporting of measures and standards to avoid and mitigate impacts to fish and fish habitat as well as the introduction of non-indigenous species.**

3.1 Monitoring of avoidance and mitigation measures: The Proponent shall monitor the implementation of avoidance and mitigation measures referred to in section 2 of this authorization and provide a progress report of proposed works, undertakings and activities to DFO-FFHPP, on a monthly basis for the duration of the proposed project, and indicate whether the measures and standards to avoid and mitigate impacts to fish and fish habitat including impacts to aquatic species at risk, as well as the introduction of non-indigenous species were conducted according to the conditions of this authorization. This shall be done, by:

3.1.1 Demonstration of effective implementation and functioning of mitigation measures and corrective actions; describe event(s) requiring attention, dated photographs, chronology (time stamp) of events and results of corrective measures.

3.1.2 Contingency measures: Providing details of any contingency measures that were followed, to prevent impacts greater than those covered by this authorization in the event that mitigation measures did not function as described.

3.2 Other monitoring and reporting conditions: The proponent must submit to DFO-FFHPP an “as-built” report within one year of the completion of the in-water construction. The “as-built” report must confirm the location and surface area of all new construction and any dredging activities.

**4 Conditions that relate to offsetting**

4.1 Letter of intent:

- 4.1.1 A letter of intent was provided as part of the previously approved *Fisheries Act* authorization issued on June 9, 2020, where DFO-SCH committed to provide no later than March 31, 2021 a detailed marine habitat compensation plan (MHCP) to offset for the harmful alteration, disruption or destruction of fish habitat that would result from the proposed project at the Val-Comeau SCH facility.
- 4.1.2 A MHCP was provided by DFO-SCH to DFO-FFHPP for review and approval on August 24, 2020.

#### 4.2 Scale and description of offsetting measures:

- 4.2.1 DFO SCH proposes to restore approximately, or 109,000 m<sup>2</sup>, of freshwater wetland to salt marsh habitat and to connect approximately 1,600 m<sup>2</sup> (two unnamed tributaries) of disconnected riverine fish habitat for migratory species. The restoration of the site will be achieved through the mechanical removal of the water control infrastructure, the tide gate, and a 50 meter long section of the berm bisected by the main channel.
- 4.2.2 The Rivière du Nord impoundment is an anthropogenic freshwater wetland located in the estuary of the of Rivière du Nord located near the town of Caraquet, NB. The impoundment was originally a brackish estuary which was separated from the mouth of Rivière du Nord and Caraquet Bay, Gulf of St. Lawrence, in 1992 through the installation of an approximately 250 meter long berm and concrete tide gate managed by Ducks Unlimited Canada.

#### 4.3 Offsetting criteria to assess the implementation and effectiveness of the offsetting measures:

- 4.3.1 In recognition of the minimal risk of offset failure, the low time lag between habitat function loss and habitat function gain, and the additional functions provided to fish by the offset project, DFO-FFHPP agrees that this restoration project is acceptable to fulfill the offsetting requirements for this amended *Fisheries Act* authorization.
- 4.3.2 The offsetting project was completed between August and September 2020. Immediately following the removal of the structures, fish species had complete access to the marsh environment.

#### 4.4 Contingency measures:

- 4.4.1 If the results of monitoring as required in section 5 indicate that the offsetting measures as specified and/or are not functioning according to the MHCP (attached to this authorization) as per described in section 4.2, the Proponent shall give written notice to DFO and shall implement the contingency measures and associated monitoring measures, as contained within the approved MHCP, and as set out in section 5 of this authorization, to ensure the implementation of the

offsetting measures is completed and/or functioning as required by this authorization.

4.5 Monitoring measures to ensure offsetting contingency is completed and/or functioning as required:

- 4.5.1 Methods and techniques developed from the monitoring at a similar restoration project by Ducks Unlimited Canada will be applied to this offsetting project.
- 4.5.2 The parameters will be measured at the site and, if appropriate, will be refined and modified, based on feedback received from DFO staff. The proposed criteria will collectively be used to determine the reestablishment of salt marsh habitat.

4.6 Other conditions related to offsetting:

- 4.4.1 The Proponent shall not carry on any work, undertaking or activity that will adversely impact the offsetting measures.

## **5 Conditions that relate to monitoring and reporting of implementation of offsetting measures (described in section 4):**

5.1 Schedule(s) and criteria: The Proponent shall conduct monitoring of the implementation of offsetting measures according to the timeline and criteria provided in the MHCP, referred to in section 4.2.

5.1.1 List of timeline(s) and monitoring and reporting criteria: The proponent shall monitor the site according to baseline conditions and during post restoration as defined in the MHCP.

5.2 List of reports to be provided to DFO: The Proponent shall report to DFO on whether the offsetting measures were conducted according to the conditions of this authorization by providing the following:

- 5.2.1 Post restoration monitoring is proposed to take place during year 1, 3 and 5 following removal of the water control and impoundment infrastructure.
- 5.2.2 A detailed report will be provided including photographs, data collected, methodology of the monitoring and results of the findings for each of the monitoring events, as outlined in the MHCP referred to in section 4.2.

## **Authorization Limitations and Application Conditions**

The Proponent is solely responsible for plans and specifications relating to this authorization and for all design, safety and workmanship aspects of all the works associated with this authorization.

The holder of this authorization is hereby authorized under the authority of Paragraphs 34.4(2)(b) and 35(2)(b) of the *Fisheries Act*, R.S.C., 1985, c.F-14, to carry on the work(s), undertaking(s) and/or activity(ies) that are likely to result in impacts to fish and fish habitat as described herein.

This authorization does not purport to release the applicant from any obligation to obtain permission from or to comply with the requirements of any other regulatory agencies.

This authorization does not permit the deposit of a deleterious substance in water frequented by fish. Subsection 36(3) of the *Fisheries Act* prohibits the deposit of any deleterious substances into waters frequented by fish unless authorized by regulations made by Governor in Council. At the date of issuance of this authorization, no individuals of aquatic species listed under the *Species at Risk Act* (SARA) were identified in the vicinity of the authorized works, undertakings or activities.

It is also your *Duty to Notify* DFO if you have caused, or are about to cause, the unauthorized death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to (<http://www.dfo-mpo.gc.ca/pnw-ppe/CONTACT-eng.html>).

The failure to comply with any condition of this authorization constitutes an offence under Paragraph 40(3)(a) of the *Fisheries Act*, and may result in charges being laid under said Act.

A copy of this authorization should be kept on site while the work is in progress and upon request be provided to relevant federal or provincial officials. The authorization holder is responsible for ensuring work crews are familiar with, and able to adhere to, the conditions.

This authorization cannot be transferred or assigned to another party. If the work(s), undertaking(s) or activity(ies) authorized to be conducted pursuant to this authorization are expected to be sold or transferred, or other circumstances arise that are expected to result in a new Proponent taking over the work(s), undertaking(s) or activity(ies), the Proponent named in this authorization shall advise DFO in advance.

Approved by: \_\_\_\_\_  
Bryan Hulbert  
A/ Regional Manager  
Fish and Fish Habitat Program, Gulf Region  
Fisheries and Oceans Canada