



IMPACT ASSESSMENT ACT - SIGNIFICANCE OF ENVIRONMENTAL EFFECTS DETERMINATION (SEED) FORM BASIC OR NON-BASIC PROJECT

The purpose of this form is to summarize and document the significant adverse environmental effects of a project as per s.82 of the *Impact Assessment Act* (IAA). Consult the Basic/Non-Basic Project Requirements (s.3.6 of Departmental Procedure) for details and follow the SEED Guidelines (Entry Instructions & Linkages to PATH Record Keeping and IAA Registry). All completed and signed SEED documents shall be uploaded to PATH and the SCHED drive.

GENERAL INFORMATION

1. Project Title: Wharf Replacement, Harbour Grace, NL	
2. Proponent: Fisheries and Oceans Canada-Small Craft Harbours (DFO-SCH)	
3. Other Contacts: Public Services and Procurement Canada (PSPC)	4. Role of each contact: OGD Consultant
5. Source (Contact): Paul Curran, Regional Engineer, DFO-SCH	
6. Received Date or Assessment Start Date: July 9 th , 2021	
7. PATH No(s):	8. DFO File No: 21-HNFL-00484
9. TC File No.: ATL0034 NPP File No: 2021-204914	10. Canadian Impact Assessment Registry Reference No.: 82955

PROJECT DESCRIPTION AND JUSTIFICATION

11. Project Location: The Project site is located within the community of Harbour Grace. The project site is located at coordinates 47° 41' 26.54" N, 53° 13' 5.06" W and is accessible via Route 70 off the Trans-Canada Highway. A map and photo of the project location are provided an Appendix A.
12. Project Summary: The proposed project involves the demolition and removal of an existing timber crib marginal wharf and timber crib finger pier and the construction of a new treated timber crib marginal wharf and finger pier complete with reinforced concrete deck, wheelguard and fenders. Also included is the requirement for dredging the harbour bottom to a depth of -3.0m. All demolition debris (including creosote timber) will be disposed of at an approved waste site.
13. Review of Alternatives: N/A



PROJECT REVIEW

14. Rationale for the Application of Section 82 of IAA:

Project is on federal land and;

- DFO-SCH is proposing the project, as the proponent
- DFO-SCH is proposing to issue *Fisheries Act* Authorization, *Species at Risk Act* Permit or other regulatory approval
- DFO-SCH is proposing to provide financial assistance to another party to enable the project to proceed
- DFO-SCH is proposing to grant a license or interest in federal land to enable the project to proceed
- Other

15. Primary Authority and Rationale for Involvement: DFO-SCH is the proponent

16. Other Authorities and Rationale for Involvement: Transport Canada – Navigation Protection Program and Environmental Programs and Indigenous Relations - *Canadian Navigable Waters Act*.

17. Other Contacts and Nature of Response:

Fisheries and Oceans Canada – Fish and Fish Habitat Protection Program (DFO FFHPP)

DFO FFHPP reviewed the project and provided advice regarding the Implementation Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat. It was determined that the project is not likely to result in the death of fish and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act* (Appendix B).

Newfoundland and Labrador Department of Environment, Climate Change and Municipalities, Water Resources Management Division (NLDECCM WRMD)

NLDECCM WRMD issued a Permit to Alter a Body of Water for dredging and infilling components of the project (Appendix B).

Service NL (SNL)

Digital Government and Service NL – Service NL, approved the disposal of dredged material at an approved landfill (Appendix B).

Pollution Prevention (PP)

Environment and Climate Change - Pollution Prevention Division, has approved the disposal of the creosote timber at an approved landfill (Appendix B).

18. Nature of Project:

- | | | |
|--|---|---|
| <input type="checkbox"/> Building and Property Development | <input type="checkbox"/> Remediation and conservation | <input type="checkbox"/> Airport and Airfields |
| <input type="checkbox"/> Mines and Minerals | <input type="checkbox"/> Maintenance Activities (fences, walls) | <input type="checkbox"/> Dams and Reservoirs |
| <input checked="" type="checkbox"/> Ports and Harbours | <input type="checkbox"/> Nuclear Energy | <input type="checkbox"/> Railways |
| <input type="checkbox"/> Oil and Gas | <input type="checkbox"/> Bridges | <input type="checkbox"/> Hydroelectric Energy |
| <input type="checkbox"/> Highways and Roads | <input type="checkbox"/> Waste Management | <input type="checkbox"/> Alternative Energy |
| <input type="checkbox"/> Water Management | <input type="checkbox"/> Agriculture | <input type="checkbox"/> Other, not otherwise specified |
| <input type="checkbox"/> Recreation and Tourism | <input type="checkbox"/> Forestry | |



19. Scope of Project and the Assessment (details of the project subject to review):

Project Description

Construction/Installation

The proposed Project includes the demolition and removal of an existing timber crib marginal wharf and timber crib finger pier and the construction of a new treated timber crib marginal wharf and finger pier complete with reinforced concrete deck, wheelguard and fenders.

Dredging

The project will also involve dredging of the harbour bottom to -3.0 meters. Sediment material will be transported to a landfill for disposal. It is anticipated that equipment such as excavators, dump trucks and loaders will be used for dredging. To reach the dredge area, a floating barge or a temporary access road may be utilized. It should be noted that the final decision on dredging methods will be determined by the successful contractor and executed upon approval by the DFO representative.

Schedule

The proposed work is expected to commence January 2022, pending funding and approvals. The work is expected to be completed within 120 weeks.

Operation / Maintenance

DFO-SCH's Environmental Management Plan (EMP) and site-specific Emergency Response Plans cover operational aspects of environmental management at Small Craft Harbour facilities and constitute the basis for the environmentally responsible management of harbour operations (i.e., fuelling, waste disposal, activities at the property and on the water). The proposed physical works will adhere to these environmental management standards established by DFO-SCH. The proposed project is intended to improve continued operations at the Harbour Grace SCH.

Maintenance of the Small Craft Harbours infrastructure will be conducted on an as-needed basis and will undergo separate impact assessment and legislative review as future stand-alone project(s).

Environmental effects resulting from the operation and maintenance of the proposed physical works are not considered further in this assessment.

Abandonment / Decommissioning

There is currently no plan to decommission or abandon the Harbour Grace SCH. The very nature of the proposed project is intended to ensure the viability and safety of the harbour facility primarily for commercial fisheries and navigation.

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 DFO policies. The decommissioning of facilities would undergo separate impact assessment and legislative review as future stand-alone project.

Environmental effects resulting from the abandonment or decommissioning of the proposed physical works or the SCH facility are not considered further in this assessment.

Accidents and Malfunctions

Accidents and malfunctions have the potential to occur when undertaking a physical activity. Potential environmental effects resulting from accidents and malfunctions over the course of the proposed project are, therefore, considered in this assessment.

ENVIRONMENTAL SETTING

20. Environment Description:

Physical Environment



The project site is located within the community of Harbour Grace Conception Bay on the Avalon Peninsula in the province of Newfoundland and Labrador. The project site at coordinates 47° 41' 26.54" N, 53° 13' 5.06" W and is accessible via Route 70 off the Trans-Canada Highway. The general surrounding area is surrounded by low to moderate slope, granite rock with a moderate cover of grass, native shrub, and coniferous vegetation. The general project site is well developed with marina, harbour, and commercial infrastructure. Sand, gravel, and cobble with small areas of bedrock outcrops are predominant along the shoreline outside the project limits. A topographic map and site photo are provided in Appendix A.

Marine sediment sampling and timber sampling were conducted in October 2021 in the Project area to characterize sediment in the vicinity of the wharf replacement, as well as determine if the timber was suitable for landfill disposal.

Sediment sample analysis included but was not limited to petroleum hydrocarbons (PHCs), polycyclic aromatic hydrocarbons (PAHs) and metals. Four sediment samples were collected in the vicinity of the existing wharf. The four (4) sediment samples analyzed revealed:

- All four samples tested within the CCME Industrial Soil Quality Guidelines for arsenic (Soil Update 7.0: September 2007);
- None of the samples exceeded CCME Human health guidelines based on carcinogenic effects of PAH's: Polycyclic Aromatic Hydrocarbons (2010) Table 1; *SQG based on incremental lifetime cancer risk (ILCR) of 10⁻⁵;
- All four samples tested within CCME Environmental health guidelines for an industrial site: Polycyclic Aromatic Hydrocarbons (2010);
- Modified Total Petroleum Hydrocarbons (TPH) were detected in the samples but below the 1000mg/kg guidance;
- All samples tested below the CCME Industrial Soil Quality Guidelines for BTEX parameters identified for landfill disposal (Soil Update 7.0: September 2007);
- PCB's were NOT detected in any of the four samples;

Four (4) creosote timber samples were collected and analyzed for benzo(a)pyrene, m/p-cresol, total cresol, and pentachlorophenol using the Toxicity Characteristic Leaching Procedure (TCLP). All samples tested within the provincial guidelines for Total cresol, Benzo(a)pyrene (TCLP) and Pentachlorophenol was not detected in the four samples. Environment and Climate Change - Pollution Prevention Division, has approved the disposal of the creosote timber at an approved landfill (Appendix B).

Canadian Climate Normals (1981-2010) for the Holyrood weather station (47° 27'N, 53° 06'W) indicate that the project area receives an average of 1015.0 mm of rain and 174.4 cm of snow annually. Extreme precipitation events of up to 83 mm and extreme snow depths of 116 cm have been recorded. Temperatures range from an extreme minimum of -27°C to an extreme maximum of 34.5°C. The daily average temperature for the Holyrood weather station is 6.3°C.

Biological Environment

Fauna within the general area of the Project is limited to nearshore fish species such as cunner, tomcod, sculpin, winter flounder, and lobster. While marine mammals such as whales and seals are common in the general area, it is unlikely that they frequent the immediate vicinity of the Project site. There are no known terrestrial wildlife or animal habitats in the immediate project area. There are no known aquaculture sites or lobster pounds in the immediate area. Gulls, crows, turrs, puffins, eagles, hawks, osprey, and several species of seabirds and songbirds are common throughout the general project area.

Harbour Grace is located within the Maritimes Barrens, Northeastern Barrens ecoregion. The Maritime Barrens Ecoregion extends from the east coast of Newfoundland to the west coast through the south central portion of the island. This ecoregion has the coldest summers with frequent fog and strong winds. Winters are relatively mild with intermittent snow cover particularly near the coastline. Annual precipitation exceeds 1250 mm.

Species at Risk (Aquatic and Terrestrial)

A search of the Atlantic Canada Conservation Data Centre (ACCDC) database was conducted on November 17, 2021 that produced a list of rare / unique species (i.e., plants and animals) observed within a 5 km buffer zone (standard ACCDC procedure) of the site of the proposed work. All species were cross-referenced with Schedule 1 of the Species at Risk Act



(SARA). Results showed Red Crossbill (*Loxia curvirostra*), Rusty Blackbird (*Euphagus carolinus*) and Monarch Butterfly (*Danaus plexippus*) species were observed within this buffer.

A search of the Government of Canada Open Maps database was conducted on October 29, 2021 that produced a list of rare/unique species (i.e., plants and animals) with distribution ranges near the site of the proposed work. All species were cross-referenced with Schedule 1 of the Species at Risk Act (SARA). Results showed that no Schedule 1 Species at Risk with distribution ranges that are within 5 km of the project site.

A search of the DFO Aquatic Species at Risk database was conducted on October 29, 2021 which produced a list of aquatic species at risk and the presence of their critical habitat potentially found within a 1km buffer (standard NASAR procedure) of the site of the proposed work. Results showed that the project site is within the distribution range of the following aquatic species at risk: Fin Whale (*Balaenoptera physalus*), Blue Whale (*Balaenoptera musculus*), Spotted Wolffish (*Anarhichas minor*), North Atlantic Right Whale (*Eubalaena glacialis*), Leatherback Sea Turtle (*Dermochelys coriacea*) and White Shark (*Carcharodon carcharias*).

Human Environment

Harbour Grace is located about 45 km northwest of the provincial capital, St. John's. The town has a population of 2,995 (2016) engaged primarily in fishing and fish processing.

OTHER CONSIDERATIONS

21. Adverse Impact on the rights of Indigenous People of Canada:

PSPC and Transport Canada carried out an Indigenous Assessment on behalf of DFO-SCH at Harbour Grace SCH in accordance with DFO-SCH's Preliminary Duty to Consult Assessment Guide. This Guide is intended to provide basic information to DFO-SCH and to assist its Program Managers in making informed, prudent decisions that take into account statutory and other legal obligations, as well as policy objectives, related to Indigenous and treaty rights. The Supreme Court of Canada has held that the Crown has a duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact potential or established Indigenous or treaty rights. While there may be other reasons to undertake consultations (e.g., good governance, policy-based, etc.), three elements are required for a legal duty to consult to arise:

1. There is contemplated or proposed Crown conduct.
2. The Crown has knowledge of potential or established Indigenous or treaty rights.
3. The potential or established Indigenous or treaty rights may be adversely impacted by the Crown.

Based on a preliminary assessment conducted by PSPC, on behalf of DFO-SCH and in conjunction with Transport Canada, the legal duty to consult does not exist in this case as; the Crown does not have knowledge of potential or established Indigenous or treaty rights in the Harbour Grace area; and there are no potential or established Indigenous or treaty rights that may be adversely impacted by the Crown in completing the Harbour Grace project.

22. Indigenous knowledge provided in respect of the project:

Given the small scale, the temporal and spatial bounds and the current environmental setting of the proposed works, Indigenous Knowledge was not sought for this project.

23. Community knowledge provided in respect of the project:

Given the small scale, the temporal and spatial bounds and the current environmental setting of the proposed works, public consultation beyond that already discussed (Section 21) was not deemed warranted. Any available community knowledge is discussed in the applicable Environmental Description setting (Section 20).

24. Summary of public notification:

The project was posted to the public Navigation Protection Project Registry on September 22, 2021, and the public *Impact Assessment Act* Registry on September 1, 2021. Both notices were posted for the required 30-day public comment period.



ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES

25. Evaluation of Environmental Effects and Determination of Significance:

Methodology

The environmental effects evaluation methodology used in this form focuses the evaluation of those environmental components of greatest concern. Other concerns identified should also added on to the existing form. The Valued Components (VCs) most likely to be affected by the project as described are indicated in *Table 1: Potential Project/Environment Interactions Matrix*. VCs were selected based on ecological importance to the existing environment, the relative sensitivity of environmental components to project influences and their relative social, cultural or economic importance. The potential impacts resulting from the interactions are also identified in Table 1 as positive or negative in nature.

Gender-based Analysis Plus (GBA+) provides a framework to describe the full scope of potential positive and negative effects under the *Impact Assessment Act*. The application of GBA+ to impact assessment seeks to understand, describe and, where possible, mitigate adverse impacts on diverse populations. GBA+ is an analytical tool that will be utilized during the undertaking of this assessment as per the guidance provided by the IAA on *Gender-based Analysis Plus in Impact Assessment*. As such, the intention is to ensure that, as applicable, multiple community-relevant, diverse subgroups have been considered and proposed mitigation, where relevant, clearly addresses any issues identified.

The VC interactions identified in Table 1 must be supplemented with a determination of significance for each resulting effect in order to assign adequate measures to mitigate a negative effect if negative and, if possible, enhance a positive effect. The significance of project-related impacts is determined in consideration of the impact's frequency, duration, and geographical extent as well as magnitude relative to natural or background levels, and whether they are reversible in nature. These criteria are described in *Table 2: Assessment Criteria for Determination of Significance*.

A description of each potential effect, its' projected significance and assigned mitigation measures are detailed in Table 3 of Section 26.

The evaluation of effects, the determination of significance of the environmental effects and assignment of mitigation measures are all based on:

- information provided by the proponent;
- a review of project related activities;
- an appraisal of the environmental setting, and identification of resources at risk;
- the identification of potential impacts within the temporal and spatial bounds;
- community / indigenous knowledge;
- professional judgement of the assessor; and
- specialist advice/knowledge from experts.

Scoping

This environmental effects evaluation considers the full range of project / environment interactions and the environmental factors that could be affected by the project as defined above and the significance. The proposed project is anticipated to commence within the aforementioned timeframe; however, this timeline is subject to approvals and funding. As such, the temporal scope for the proposed project cover a 5-year period from the time of this assessment in order to account for this uncertainty. This assessment should, therefore, be considered accurate until October 29, 2026 unless a review of the information presented in this assessment prior to the end of the 5-year period prompts a re-assessment to ensure accuracy (e.g., legislative changes, changes in physical, biological, socio-economic features, input from ongoing Indigenous consultations, etc.).

As previously noted, physical activities such as maintenance, repair, replacement, or decommissioning of the proposed physical works are subject to their own stand-alone assessment at the time of need, therefore, are not considered further in this assessment.

Environmental effects of the project on navigation are taken into consideration as part of the SEED only when the effects are indirect, i.e. resulting from a change in the environment affecting navigation. Direct effects on navigation are not considered in the SEED, but any measures necessary to mitigate direct effects will be included as terms and conditions associated with work approved or permitted pursuant to the *Canadian Navigable Waters Act (CNWA)*.

The coastal environment surrounding this marine based project does not provide the appropriate habitat for the Red



Crossbill, Short-eared Owl, Bank Swallow, Blue Felt Lichen, and Gypsy Cuckoo Bumble Bee, Fin Whale Blue Whale, Spotted Wolffish, North Atlantic Right Whale, Leatherback Sea Turtle and White Shark, so there is no negative interaction expected between the species and the project. The effects of the project on these species are not considered further in this assessment.



Table 1: Potential Project / Environment Interactions Matrix

Valued Components (VCs)	Section 7(1)(a) (Environmental Legislation)			Section 7(1)(c) and (d) (Indigenous Interests)				Other Impacts & Due Diligence											
	Fish (Fisheries Act)	SARA	Birds (MBCA)	Physical and Cultural Heritage	Land and Resource Use for Traditional Purposes	Structure, Site, or Thing of HAPA Significance	Health, Social or Economic Conditions	Physical and Cultural Heritage	Structure, Site, or Thing of HAPA Significance	Health, Social or Economic Conditions	Water (marine, ground, surface, drainage, water levels, flow etc.)	Wetlands	Terrestrial Species* and Habitat	Aquatic Species* and Habitat	Terrestrial Soils	Marine Sediments	Air Quality	Sensory Disturbance (air/water, noise and vibration)	Others (i.e. land/landscapes)
Wharf Reconstruction, Harbour Grace, NL																			
Construction/Installation	-	-	-				-			-	-			-		-	-	-	
Dredging	-	-	-				-			-	-			-		-	-	-	
Accidents / Malfunctions	-	-	-				-			-	-			-		-			

*Non-Species at Risk

HAPA = Historical, Archaeological, Paleontological or Architectural

N/A = Not Applicable

“+” = potential positive interaction; “-” = potential negative interaction; “+/-” = potential positive and negative interactions.



Table 2: Assessment Criteria for Determination of Significance

Magnitude	Magnitude, in general terms, may vary among issues, but is a factor that accounts for size, intensity, concentration, importance, volume and social or monetary value. It is rated as compared with background conditions, protective standards or normal variability.	
	Small	Relative to natural or background levels
	Moderate	Relative to natural or background levels
	Large	Relative to natural or background levels
Reversibility	Reversible	Effects can be reversed
	Irreversible	Effects are permanent
Geographic Extent	Immediate	Confined to project site
	Local	Effects beyond immediate project site but not regional in scale
	Regional	Effects on a wide scale
Duration	Short-term	Between 0 and 6 months in duration
	Medium-term	Between 6 months and 2 years
	Long-term	Beyond 2 years
Frequency	Once	Occurs only once
	Intermittent	Occurs occasionally at irregular intervals
	Continuous	Occurs on a regular basis and regular intervals



26. Potential Environmental Effects and Mitigation Measures for the Project:

Table 3: Description and Significance of Potential Environmental Effects and Recommended Mitigation Measures

Potential Environmental Effects	Mitigation Measures
Valued Component: Fish	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> Sedimentation as a result of construction activities may negatively affect fish and quality of potential fish habitat within the Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent</i> Disturbance of fish species from equipment use in the marine environment. <i>Significance: Moderate, Reversible, Local, Short-term, and Intermittent.</i> Project activities will result in the destruction of potential fish habitat. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> <p>Dredging:</p> <ul style="list-style-type: none"> Sedimentation as a result of construction activities may negatively affect fish and quality of potential fish habitat within the Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent</i> Disturbance of fish species from equipment use in the marine environment. <i>Significance: Moderate, Reversible, Local, Short-term, and Intermittent.</i> Temporary alteration of fish habitat from the removal of benthic sediments within the dredge footprint. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> Project activities will result in the destruction of potential fish habitat. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> <p>Accidents/Malfunctions:</p> <ul style="list-style-type: none"> Release of hazardous materials and/or heavy machinery fuel/fluids into waterway. <i>Significance: Moderate, Reversible, Immediate, Short-term, and Once.</i> 	<ul style="list-style-type: none"> Limit the duration of in-water works to only activity related to the project elements so that it does not diminish the ability of fish to carry out one or more of their life processes (spawning, rearing, feeding, migrating). Conduct in-water undertakings and activities during periods of low tide and low wind/wave conditions. Implement erosion and sedimentation controls as needed to avoid the introduction of sediment into any waterbody during all phases of work <ul style="list-style-type: none"> Install effective erosion and sediment control measures prior to beginning work in order to stabilize all erodible areas; Regularly inspect and maintain the erosion and sediment control measures and structures during all phases of the project; Regularly monitor the watercourse for signs of sedimentation during all phases of the project and take corrective action; Keep the erosion and sediment control measures in place until all disturbed ground has been permanently stabilized; Remove all exposed, non-biodegradable sediment control materials once the site is stabilized; Schedule work to avoid wet, windy, and rainy periods that may result in high flow volumes and/or increase erosion and sedimentation; Minimize the amount of dredged material removed by only dredging to the area and depth required; Dredged or excavated material may be re-used for the laydown area as described, i.e., placed/capped within a rock berm. However, any un-used dredge spoils should be disposed of at an approved site above the high water mark of any waterbody. If necessary, adequate sedimentation and erosion control measures should be deployed around stored dredge material; Operate machinery on land in stable, dry areas or from stable floating platforms. All materials placed in or near water should be clean and free of fines or any other deleterious substance and of sufficient size to resist displacement by wave action. Dredge material may be re-used for the laydown area provided it is placed/capped within a rock berm to avoid sedimentation. Armour stone should be blocky, angular shape and comprised of mixed gradation so that the smaller rock fill the voids between the larger rock to provide compaction and stability. Rock material should not be end dumped; rather, it should be placed on station using an excavator or similar equipment. When works are completed, shoreline and approaches should be restored to original condition. Be aware of AIS species in the area and take precautions with respect to any vessel traffic and gear movement between affected and unaffected areas to prevent introductions and spread.



	<ul style="list-style-type: none"> ○ All equipment used in water should be cleaned, drained and dried on land before and after use for the purposes of preventing the introduction or spread of aquatic invasive/non-indigenous species; and ○ Report any AIS and non-indigenous species to DFO at 1-855-862-1815 or AISEAE.XNFL@dfo-mpo.gc.ca. ○ Timbers used in the construction of the pile wharf should be treated with an anti-fouling paint from the low water mark to approximately 1 meter from the bottom substrate to deter the colonization of the vase tunicate (<i>Ciona intestinalis</i>). ○ Every effort should be made to remove populations from wharves and surrounding structures. ○ Surveys and monitoring for vase tunicate in Newfoundland are effective tools in early detection. Early detection of recently established populations may provide an opportunity to control, contain, or ideally eradicate new populations before they spread. • Cement will be poured and formed away from the shoreline to reduce the potential of runoff or an accidental release of concrete mixture to the marine environment • On site, crews must have emergency spill clean-up equipment adequate for the activity involved, and it must be on site. Spill equipment will include, as a minimum, at least one 250 L (i.e., 55 gallon) overpack spill kit containing items to prevent a spill from spreading; absorbent booms, pillows, and mats; rubber gloves; and plastic disposal bags. All spills or leaks must be promptly contained, cleaned up, and reported to the 24-Hour Environmental Emergencies Report System (1-800-565-1633). Note that this applies to spills to the aquatic environment or anything on land over 70 litres (L). • Dredged material must be transported in water tight trucks, containers or other suitable means to prevent leakage during transport.
<p>Valued Component: SARA</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> • Construction activities at the site or natural events (e.g., rainfall) could result in disruption of endangered species. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> • Project activities may result in the damaging or destruction of the residence of an endangered species. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> 	<ul style="list-style-type: none"> • All work to be conducted in accordance with the <i>Species at Risk Act</i>, which outlines that no protected species, their residence and critical habitat be moved or obstructed during the construction or operation phase of the project. • Species listed under the <i>Species at Risk Act</i> shall not be approached throughout the construction or operation phase of the project. • All construction materials shall be removed from the site upon project completion.
<p>Valued Component: Birds (MBCA)</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> • Construction activities at the site or natural events (e.g., rainfall) could result in disruption of bird species. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> • Project activities may result in the destruction of potential bird habitat. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> 	<ul style="list-style-type: none"> • All work to be conducted in accordance with the <i>Migratory Birds Convention Act</i>, which outlines that no migratory bird nests or eggs will be moved or obstructed during the construction or operation phase of the project. • Concentrations of seabirds, waterfowl, or shorebirds shall not be approached when anchoring equipment, accessing wharves, or ferrying supplies. • All construction materials shall be removed from the site upon project completion.
<p>Valued Component: Health, Social or Economic Conditions</p>	
<p>Construction/Installation:</p>	<ul style="list-style-type: none"> • Site access must be restricted to authorized personnel only. • Project employees will be equipped with the proper Personal Protective Equipment for Project tasks, and work will comply with provincial occupational health and safety regulations.



<ul style="list-style-type: none"> Potential for safety hazards to workers during construction activities. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent</i> <p>Dredging:</p> <ul style="list-style-type: none"> Potential for safety hazards to workers during dredging. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent</i> 	<ul style="list-style-type: none"> Develop a response plan that is to be implemented in the event of an accidental sediment release or spill of a deleterious substance and keep an emergency spill kit on site with staff trained in its use. <ul style="list-style-type: none"> On site, crews must have emergency spill clean-up equipment adequate for the activity involved, and it must be on site. Spill equipment will include, as a minimum, at least one 250 L (i.e., 55 gallon) overpack spill kit containing items to prevent a spill from spreading; absorbent booms, pillows, and mats; rubber gloves; and plastic disposal bags. All spills or leaks must be promptly contained, cleaned up, and reported to the 24-Hour Environmental Emergencies Report System (1-800-565-1633). Note that this applies to spills to the aquatic environment or anything on land over 70 litres (L). Weather conditions are to be assessed on a daily basis to determine the risk of extreme weather in the project area. Avoid work during periods which Environment and Climate Change Canada has issued rainfall or wave warning for the work area. Excess dredged spoils are to be transported to an approved waste disposal site.
<p>Valued Component: Water (marine, ground, surface, drainage, water levels, flow, etc.)</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> Sedimentation as a result of construction activities may negatively affect water quality at the immediate Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Construction activities taking place near the shoreline may result in runoff/erosion. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Construction-related refuse may be deposited in the waterbody, decreasing marine water quality. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Disturbance of fish species from equipment use in the marine environment. <i>Significance: Moderate, Reversible, Local, Short-term, and Intermittent.</i> <p>Dredging:</p> <ul style="list-style-type: none"> Sedimentation as a result of dredging may negatively affect water quality at the immediate Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Construction-related refuse may be deposited in the waterbody, decreasing marine water quality. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> <p>Accidents/Malfunctions:</p> <ul style="list-style-type: none"> Release of hazardous materials and/or heavy machinery fuel/fluids into waterway. <i>Significance: Moderate, Reversible, Immediate, Short-term, and Once.</i> 	<ul style="list-style-type: none"> Reduce duration of in-water work wherever possible. Construction activities that involve in-water work will be conducted during periods of low flow, or at low tide, to further reduce the potential for effects on water quality. An Erosion and Sediment Control Plan will be developed for the site that minimizes risk of sedimentation to the marine environment. Construction material and debris are not to become waterborne. Do not dispose of any materials or waste into marine environment. Cement will be poured and formed away from the shoreline, to reduce the potential of runoff or an accidental release of concrete mixture to the marine environment. Any hazardous materials produced as a result of this project are to be transported off-site for disposal/treatment at an approved waste handling facility, pursuant to applicable provincial and federal regulations/legislation. All equipment to be used in or over the marine environment is to be free from leaks or coating of hydrocarbon-based fluids and/or lubricants harmful to the environment. Hoses and tanks are to be inspected on a regular basis to prevent fractures and breaks. On site, crews must have emergency spill clean-up equipment adequate for the activity involved, and it must be on site. Spill equipment will include, as a minimum, at least one 250 L (i.e., 55 gallon) overpack spill kit containing items to prevent a spill from spreading; absorbent booms, pillows, and mats; rubber gloves; and plastic disposal bags. All spills or leaks must be promptly contained, cleaned up, and reported to the 24-Hour Environmental Emergencies Report System (1-800-565-1633). Note that this applies to spills to the aquatic environment or anything on land over 70 litres (L). All materials placed in or near water should be clean and free of fines or any other deleterious substance and of sufficient size to resist displacement by wave action. Dredge material may be re-used for the laydown area provided it is placed/capped within a rock berm to avoid sedimentation. Rock material should not be end dumped; rather, it should be placed on station using an excavator or similar equipment. When works are completed, shoreline and approaches should be restored to original condition.



	<ul style="list-style-type: none"> Vessels (including barges) should be compliant with all <i>Canada Shipping Act, 2001</i> requirements for inspection, which includes certification of the vessel and adequate training and appropriate certificate of competency for the operators. Ensure that all vessels will have procedures in place to ensure safeguards against marine pollution: awareness training of all employees, means of retention of waste oil on board and discharge to shore based reception facilities, capacity of responding to and clean-up of accidental spill caused by vessels involved in any particular project. Dredged material must be transported in water tight trucks, containers or other suitable means to prevent leakage during transport.
<p>Valued Component: Aquatic Species and Habitat</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> Sedimentation as a result of construction activities may negatively affect aquatic species and quality of potential aquatic habitat within the Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Smothering of sessile and slow-moving benthic species during infilling and placement of armour stone within the project footprint. <i>Significance: Small, Irreversible, Immediate, Short-term, and Intermittent.</i> Disturbance of aquatic species from equipment use in the marine environment. <i>Significance: Moderate, Reversible, Local, Short-term, and Intermittent.</i> Permanent loss of habitat used by aquatic species within the Project area. <i>Significance: Small, Irreversible, Immediate, Long-term, Once.</i> <p>Dredging:</p> <ul style="list-style-type: none"> Sedimentation as a result of dredging activities may negatively affect aquatic species and quality of potential aquatic habitat within the Project site. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Disturbance of aquatic species from equipment use in the marine environment. <i>Significance: Moderate, Reversible, Local, Short-term, and Intermittent.</i> Temporary alteration of aquatic habitat from the removal of benthic sediments within the dredge footprint. <i>Significance: Moderate, Reversible, Immediate, Medium-term, and Once.</i> Permanent loss of habitat used by aquatic species within the Project area. <i>Significance: Small, Irreversible, Immediate, Long-term, Once.</i> <p>Accidents/Malfunctions:</p> <ul style="list-style-type: none"> Release of hazardous materials and/or heavy machinery fuel/fluids into waterway. <i>Significance: Moderate, Reversible, Immediate, Short-term, and Once.</i> 	<ul style="list-style-type: none"> Reduce duration of in-water work wherever possible. Construction activities that involve in-water work will be conducted during periods of low flow, or at low tide, to further reduce the potential for effects on aquatic species and habitat. An Erosion and Sediment Control Plan will be developed for the site that minimizes risk of sedimentation to the marine environment. Construction material and debris are not to become waterborne. Do not dispose of any materials or waste into marine environment. Any hazardous materials produced as a result of this project are to be transported off-site for disposal/treatment at an approved waste handling facility, pursuant to applicable provincial and federal regulations/legislation. Cement will be poured and formed away from the shoreline, to reduce the potential of runoff or an accidental release of concrete mixture to the marine environment. Excess dredged spoils are to be transported to an approved waste disposal site. All equipment to be used in or over the marine environment is to be free from leaks or coating of hydrocarbon-based fluids and/or lubricants harmful to the environment. Hoses and tanks are to be inspected on a regular basis to prevent fractures and breaks. On site, crews must have emergency spill clean-up equipment adequate for the activity involved, and it must be on site. Spill equipment will include, as a minimum, at least one 250 L (i.e., 55 gallon) overpack spill kit containing items to prevent a spill from spreading; absorbent booms, pillows, and mats; rubber gloves; and plastic disposal bags. All spills or leaks must be promptly contained, cleaned up, and reported to the 24-Hour Environmental Emergencies Report System (1-800-565-1633). Note that this applies to spills to the aquatic environment or anything on land over 70 litres (L). All materials placed in or near water should be clean and free of fines or any other deleterious substance and of sufficient size to resist displacement by wave action. Dredge material may be re-used for the laydown area provided it is placed/capped within a rock berm to avoid sedimentation. Rock material should not be end dumped; rather, it should be placed on station using an excavator or similar equipment. When works are completed, shoreline and approaches should be restored to original condition. Dredged material must be transported in water tight trucks, containers or other suitable means to prevent leakage during transport.
<p>Valued Component: Marine Sediments</p>	



<p>Construction/Installation:</p> <ul style="list-style-type: none"> Construction activities at the site or natural events (e.g., rainfall) could result in erosion/sedimentation events. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Exposed soils may erode. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> <p>Dredging:</p> <ul style="list-style-type: none"> Dredging activities at the site or natural events (e.g., rainfall) could result in erosion/sedimentation events. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> Exposed dredge spoils may erode. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> <p>Accidents/Malfunctions:</p> <ul style="list-style-type: none"> Release of hazardous materials and/or heavy machinery fuel/fluids into waterway. <i>Significance: Moderate, Reversible, Immediate, Short-term, and Once.</i> 	<ul style="list-style-type: none"> Reduce duration of in-water work wherever possible. Construction activities that involve in-water work will be conducted during periods of low flow, or at low tide, to further reduce aggregation of marine sediment. An Erosion and Sediment Control Plan will be developed for the site that minimizes risk of sedimentation to the marine environment. Construction material and debris are not to become waterborne. Do not dispose of any materials or waste into marine environment. Cement will be poured and formed away from the shoreline, to reduce the potential of run off or an accidental release of concrete mixture to the marine environment. Any hazardous materials produced as a result of this project are to be transported off-site for disposal/treatment at an approved waste handling facility, pursuant to applicable provincial and federal regulations/legislation. Excess dredged spoils are to be transported to an approved waste disposal site. All equipment to be used in or over the marine environment is to be free from leaks or coating of hydrocarbon-based fluids and/or lubricants harmful to the environment. Hoses and tanks are to be inspected on a regular basis to prevent fractures and breaks. On site, crews must have emergency spill clean-up equipment adequate for the activity involved, and it must be on site. Spill equipment will include, as a minimum, at least one 250 L (i.e., 55 gallon) overpack spill kit containing items to prevent a spill from spreading; absorbent booms, pillows, and mats; rubber gloves; and plastic disposal bags. All spills or leaks must be promptly contained, cleaned up, and reported to the 24-Hour Environmental Emergencies Report System (1-800-565-1633). Note that this applies to spills to the aquatic environment or anything on land over 70 litres (L). All materials placed in or near water should be clean and free of fines or any other deleterious substance and of sufficient size to resist displacement by wave action. Rock material should not be end dumped; rather, it should be placed on station using an excavator or similar equipment. When works are completed, shoreline and approaches should be restored to original condition. Dredged material must be transported in water tight trucks, containers or other suitable means to prevent leakage during transport.
<p>Valued Component: Air Quality</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> Construction activities may result in nuisance effects due to an increase in dust. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> <p>Dredging:</p> <p>Dredging activities may result in nuisance effects due to an increase in dust. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i></p>	<ul style="list-style-type: none"> Where feasible, mitigation measures, such as dust suppressors, will be implemented to reduce the potential for increased dust during Project activities. All construction materials shall be removed from the site upon project completion. Construction equipment will be turned off when not in use, where practical, to minimize idling.
<p>Valued Component: Sensory Disturbance (air/water, noise, and/or vibration)</p>	
<p>Construction/Installation:</p> <ul style="list-style-type: none"> Construction activities may result in nuisance effects due to an increase in dust and noise, and the use of heavy equipment. <i>Significance: Small, Reversible, Immediate, Short-term, and Intermittent.</i> 	<ul style="list-style-type: none"> Project activities must be carried out during times acceptable to local authorities and smaller, less disruptive equipment will be used where possible. Where feasible, mitigation measures, such as dust suppressors, will be implemented to reduce the potential for increased dust during Project activities.



Dredging:

- Dredging activities may result in nuisance effects due to an increase in dust and noise, and the use of heavy equipment. *Significance: Small, Reversible, Immediate, Short-term, and Intermittent.*

- Machinery used for the Project should be well muffled to reduce noise for local residents, and local municipality construction by-laws will be adhered to.
- All construction materials shall be removed from the site upon project completion.
- Construction equipment will be turned off when not in use, where practical, to minimize idling.



27. Description of any Significant Adverse Environmental Effects of the project (after considering the application of mitigation measures):

Although the potential exists for short-term and/or medium-term environmental effects during the project, with the implementation of recommended mitigation measures no significant adverse effects are anticipated.

28. Cumulative Effects:

The proposed project under assessment is not projected to have any cumulative effects taking into consideration past and potential likely future projects. There are no other predicated effects that may result from the proposed activities. Project specific mitigation outlined in this assessment (Section 26) will be followed as well as proper safety procedures as per applicable municipal, provincial and federal regulations.

29. Climate Change/Sustainability:

Weather conditions should be assessed on a daily basis to determine the potential risks on the project activities. The Contractor is encouraged to consult Environment Canada's local forecast so that the construction work can be scheduled accordingly.

30. Fisheries Act, Species at Risk Act and/or Migratory Birds Convention Act permits or authorizations and general follow-up of the Mitigation Measures :

N/A

REFERENCES

31. References:

Environment and Climate Change Canada (ECCC). 2021. Canadian Climate Normals 1981-2010. Holyrood Climate Station, Newfoundland and Labrador. Accessed November 17, 2021. [Canadian Climate Normals 1981-2010 Station Data - Climate - Environment and Climate Change Canada \(weather.gc.ca\)](#)

Important Bird Areas Canada (2020) Map Viewer. Accessed November 17, 2021. <http://www.ibacanada.ca/mapviewer.jsp?lang=en>

Wikipedia. Harbour Grace (2021) Accessed on November 17, 2021. [Harbour Grace - Wikipedia](#)



CONCLUSION

32. Conclusion on Significance of Adverse Environmental Effects (Sections 82-83):

The federal authorities have evaluated the project in accordance with Section 82 of the *Impact Assessment Act*, 2019. On the basis of this evaluation, the departments have determined that the project is not likely to cause significant adverse environmental effects with mitigation and therefore can proceed using mitigation measures as outlined.

Prepared by: _____

Date: December 14, 2021

Name: Natasha Legge

Title: Environmental Specialist, Public Services and Procurement Canada

Reviewed by: _____

Date: December 14, 2021

Name: Cathy Martin

Title: Senior Environmental Specialist, Public Services and Procurement Canada

Approved by: _____

Date: _____

Name: Tara Wight

Title: Regional Environmental Advisor, DFO – Small Craft Harbours



DECISION

33. Fisheries and Oceans Canada – Small Craft Harbours

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

Approved by: _____

Date: _____

Name: Paul Curran

Title: Regional Engineer, DFO – Small Craft Harbours



34. Transport Canada

Project Title:	Wharf Replacement – Harbour Grace, Newfoundland	
TC File No.:	ATL0034	
NPP File No.:	2021-204914	
Environmental Review Decision:	Taking into account the implementation of any mitigation measures that Transport Canada considers appropriate, the project is <i>not likely</i> 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.	
Reviewed by:	Melissa Ginn <i>Regional Environmental Advisor</i> <i>Environmental Programs and Indigenous Relations</i>	
Signature:		Date:
Mailing Address:	10 Barter's Hill, St. John's, NL	
Tel:	709-351-3200	
Fax:	709-772-3072	
Email:	melissa.ginn@tc.gc.ca	
Approved By:	Kevin LeBlanc <i>Regional Manager</i> <i>Environmental Programs and Indigenous Relations</i>	
Signature:		Date:



APPENDIX A

Map & Aerial Photograph of Project Location

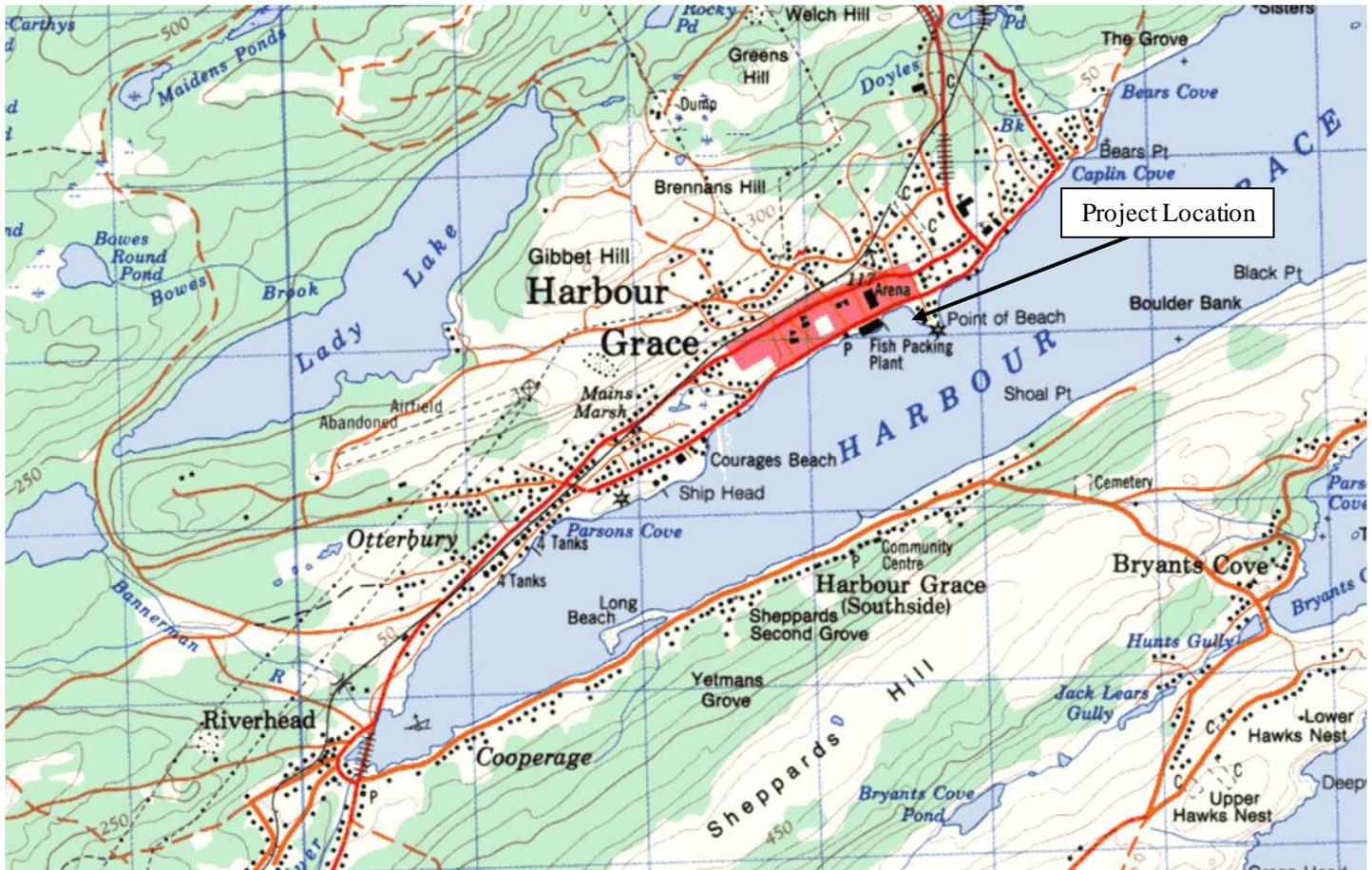


Figure 1 Topo Map of Project Location.



Figure 2 Aerial Photograph of Project Location in Harbour Grace, NL.



Figure 3 Google Earth Photograph of Project Location in Harbour Grace, NL.



APPENDIX B

Regulatory Approvals



Government of Newfoundland and Labrador
Department of Environment, Climate Change and Municipalities
Water Resources Management Division

PERMIT TO ALTER A BODY OF WATER

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 48

Date: JANUARY 06, 2021 File No: 532-02
Permit No: ALT11557-2021
Permit Holder: Department of Fisheries and Oceans - SCH
John Cabot Building, 10 Barter's Hill
St. John's, NL A1C 5X1
paul.curran@dfo-mpo.gc.ca
Attention: Paul Curran
Re: Minor DFO Dredging, Infilling, and Works Projects - Blanket Permit

Permission is hereby given for : routine dredging or beach grading of 3500 cubic metres or less of primarily sand, gravel, cobble and boulder material in order to provide safe navigation at various Department of Fisheries and Oceans' Small Craft Harbours (SCH) facilities around the Province of Newfoundland and Labrador as well as the infilling of 500 square metres or less of DFO SCH leased waterlot to construct new or increase existing service/laydown areas at existing DFO SCH facilities, with reference to the application dated November 26, 2020.

- This Permit does not release the Permit Holder from the obligation to obtain appropriate approvals from other concerned municipal, provincial and federal agencies.
- The Permit Holder must obtain the approval of the Crown Lands Administration Division if the project is being carried out on Crown Land.
- This Permit is subject to the terms and conditions indicated in Appendices A and B (attached).
- It should be noted that prior to any significant changes in the design or installation of the proposed works, or in event of changes in ownership or management of the project, an amendment to this Permit must be obtained from the Department of Environment, Climate Change and Municipalities under Section 49 of the *Water Resources Act*.

(for) MINISTER



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Environment, Climate Change and Municipalities

File No: 532-02
Permit No: ALT11557-2021

APPENDIX A

Terms and Conditions for Permit

Dredging/Debris Removal

1. Dredging activity must only be carried out during periods when wind, wave and tide conditions minimize the dispersion of silt and sediment from the work site.
2. The area to be dredged must be enclosed and isolated from the rest of the body of water through the use of a filter fabric curtain or similar method.
3. Dredged material must be disposed of in accordance with the regional Service NL Centre of the Department of Service NL. The Department of Service NL may require samples to be submitted for testing and analysis.

Infilling

4. The slopes along the perimeter of infilled areas must be no steeper than two horizontal to one vertical (2H:1V).
5. The constructed works must be inspected regularly so that action can be taken to undertake repairs as required.
6. Fill material must be obtained from an approved quarry site. It must not be taken from beaches or streams, and must not be dredged from a body of water.
7. The natural course of any stream must not be altered.
8. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site. Reduction of the natural cross sectional area of any watercourse is not permitted.
9. Infilling must not disrupt the established surface drainage pattern of the area.
10. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site.
11. Before infilling, any vegetation and topsoil must be completely removed and under no circumstances shall it be used as fill material. Topsoil must be stored and reused in final landscaping of the infilled area.
12. The constructed works must comply with all other terms and conditions provided in the Crown Lands grant, lease, or license for occupancy.
13. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.
14. A minimum 15 metre wide vegetated buffer zone must be maintained along the edge of the waterbody in order to provide bank stability and maintain local aesthetics.

Special Conditions



15. The Permit Holder must apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 39 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any minor dredging or associated works that may take place within any Protected Public Water Supply Area servicing any community as indicated in Water Resources Portal available at <https://maps.gov.nl.ca/water/mapbrowser/Default.aspx>.
16. The Permit Holder must apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <https://assembly.nl.ca/legislation/sr/statutes/w04-01.htm> for any minor dredging or associated works that may take place within any designated flood risk area as indicated at <https://www.gov.nl.ca/eccm/waterres/flooding/fm/>
17. The Permit Holder must apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <https://assembly.nl.ca/legislation/sr/statutes/w04-01.htm> for any minor dredging or associated works that may take place within any municipal boundary.
18. Any alteration in or near a freshwater body (including wetlands) requires a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <https://assembly.nl.ca/legislation/sr/statutes/w04-01.htm>. The Permit Holder must avoid work activities in wetlands wherever possible.
19. A water quality monitoring program is not required at this time. However, the Department reserves the right to require that the Permit Holder sample, analyze, and submit results of water quality tests, for the purpose of ensuring that the water quality is maintained within acceptable guidelines. All analyses must be undertaken by a CALA accredited laboratory.
20. Suitable booms must be deployed around work sites to contain any floating debris that might otherwise be carried away. All booms must be properly maintained and remain in place until all work is completed.
21. Creosote treated wood must not be used in the construction of any structures in or within 15 metre of any body of water.
22. If a minor dredging or associated work carried out under this Permit does prohibit, restrict or impede public access along the shoreline reservation then the Permit Holder shall restore the shoreline reservation to the satisfaction of the Minister within sixty (60) days of a written notice.
23. For each minor dredging or associated work carried out under this Permit, the Permit Holder must notify this Department via email to waterinvestigations@gov.nl.ca or facsimile at (709)729-0320, in accordance with a reporting protocol as deemed necessary and appropriate in the opinion of the Minister. Also, each minor dredging or associated work carried out under this Permit shall be subject to the payment of applicable fee by the Permit Holder as stated in the application fee schedules approved by the Minister.
24. The acknowledgment of the receipt of this Permit by the Permit Holder constitutes the acceptance of this Permit and its terms and conditions and requirements stated in Appendices A, B and C.
25. Annually (at the end of the year), the permit holder is required to submit a work done report under this permit along with the applicable fees incurred during the period.

General Alterations

26. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
27. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.



28. Water pumped from excavations or work areas, or any runoff or effluent directed out of work sites, must have silt and turbidity removed by settling ponds, filtration, or other suitable treatment before discharging to a body of water. Effluent discharged into receiving waters must comply with the *Environmental Control Water and Sewage Regulations, 2003*.
29. All operations must be carried out in a manner that prevents damage to land, vegetation, and watercourses, and which prevents pollution of bodies of water.
30. The use of heavy equipment in streams or bodies of water is not permitted. The operation of heavy equipment must be confined to dry stable areas.
31. All vehicles and equipment must be clean and in good repair, free of mud and oil, or other harmful substances that could impair water quality.
32. During the construction of concrete components, formwork must be properly constructed to prevent any fresh concrete from entering a body of water. Dumping of concrete or washing of tools and equipment in any body of water is prohibited.
33. Wood preservatives such as penta, CCA or other such chemicals must not be applied to timber near a body of water. All treated wood or timber must be thoroughly dry before being brought to any work site and installed.
34. Any areas adversely affected by this project must be restored to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if considered necessary in the opinion of this Department.
35. The bed, banks and floodplains of watercourses, or other vulnerable areas affected by this project, must be adequately protected from erosion by seeding, sodding or placing of rip-rap.
36. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
37. Periodic maintenance such as painting, resurfacing, clearing of debris, or minor repairs, must be carried out without causing any physical disruption of any watercourse. Care must be taken to prevent spillage of pollutants into the water.
38. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
39. Sediment and erosion control measures must be installed before starting work. All control measures must be inspected regularly and any necessary repairs made if damage is discovered.
40. Fill material must be of good quality, free of fines or other substances including metals, organics, or chemicals that may be harmful to the receiving waters.
41. The attached Completion Report (Appendix C) for Permit No. 11557 must be completed and returned to this Department upon completion of the approved works. Pictures must be submitted along with the completion report, showing the project site prior to and after development.



42. This Permit is effective from January 6, 2021 and shall expire on January 6, 2023 or earlier if modified, suspended or cancelled by the Minister. Also, this Permit may be renewed by the Minister for such renewal term as the Minister deems appropriate, on such terms and conditions as the Minister considers appropriate and in the public interest, provided the Permit Holder applies for the renewal at least ninety (90) days before the expiry of this Permit.

43. All work must be carried out within the Permit Holder's legal property boundaries.



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Environment, Climate Change and Municipalities

File No: 532-02
Permit No: ALT11557-2021

APPENDIX B

Special Terms and Conditions for Permit

1. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall keep all systems and works in good condition and repair and in accordance with all laws, by-laws, directions, rules and regulations of any governmental authority. The Permit Holder or its agent(s), subcontractor(s), or consultant(s) shall immediately notify the Minister if any problem arises which may threaten the structural stability of the systems and works, endanger public safety and/or the environment or adversely affect others and/or any body of water either in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for all damages suffered by the Minister and Government resulting from any defect in the systems and works, operational deficiencies/inadequacies, or structural failure.
2. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall operate the said Project and its systems and works in a manner which does not cause any water related and/or environmental problems, including but not limited to problems of erosion, deposition, flooding, and deterioration of water quality and groundwater depletion, in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for any and all damages associated with these problems caused as a result of changes, deficiencies, and inadequacies in the operational procedures by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
3. If the Permit Holder or its agent(s), subcontractor(s), or consultant(s) fails to perform, fulfil, or observe any of the terms and conditions, or provisions of this Permit, as determined by this Department, the Minister may, without notice, amend, modify, suspend or cancel this Permit in accordance with the *Water Resources Act*.
4. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) indemnify and hold the Minister and Government harmless against any and all liabilities, losses, claims, demands, damages or expenses including legal expenses of any nature whatsoever whether arising in tort, contract, statute, trust or otherwise resulting directly or indirectly from granting this Permit, systems and works in or outside the said Project areas, or any act or omission of the Permit Holder or its agent(s), subcontractor(s), or consultant(s) in or outside the said Project areas, or arising out of a breach or non-performance of any of the terms and conditions, or provisions of this Permit by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
5. This Permit is subject to all provisions of the *Water Resources Act* and any regulations in effect either at the date of this Permit or hereafter made pursuant thereto or any other relevant legislation enacted by the Province of Newfoundland and Labrador in the future.
6. This Permit shall be construed and interpreted in accordance with the laws of the Province of Newfoundland and Labrador.



File No: 532-02
Permit No: ALT11557-2021

- cc: Amir Ali Khan, Ph.D., P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Environment, Climate Change and Municipalities
P.O. Box 8700
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St. John's, NL A1B 4J6
akhan@gov.nl.ca

- cc: Dean Shute
Manager Operations
Digital Government and Service NL
7-9 Roddick Crescent, Pirate Cave
Harbour Grace
DeanShute@gov.nl.ca

- cc: Ken Russell
Environmental Protection Officer, GSC - Happy Valley - Goose Bay
krussell@gov.nl.ca

- cc: Mr. Rick Curran (Eastern)
Director of Regional Operations Avalon
Digital Government and Service Newfoundland and Labrador
149 Smallwood Drive, Mount Pearl
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rjcurran@gov.nl.ca

- cc: Mr. Wayne Lynch (Central)
Regional Director (Central)
Digital Government and Service Newfoundland and Labrador
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- cc: Ms. Susan Hoddinott (Western/Labrador)
Regional Director
Digital Government and Service Newfoundland and Labrador
PO Box 2006
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SusanHoddinott@gov.nl.ca

- cc: Ms. Tammy McDonald
Manager of Operations (Environmental Health)
Digital Government and Service NL
PO Box 8700
St. John's NL A1B 4J6
TammyMcDonald@gov.nl.ca

- cc: Marine Safety
Transport Canada, Atlantic Regional Headquarters
Airports, Harbours and Ports, and Environmental Services
95 Foundry St.



P.O. Box 42
Moncton, NB E1C 8K6
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cc: Mark McNeil
Public Works and Government Service Canada
Suite 204, 1 Regent Square
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cc: Mr. Shawn Kean
Environmental Services
Public Works & Government Services Canada
John Cabot Building, 10 Barter's Hill
P.O. Box 4600
St. John's, NL A1C 5T2
shawn.kean@pwgsc.gc.ca



Government of Newfoundland and Labrador
Digital Government and Service NL

November 16, 2021

Ms. Natasha Legge
PWGSC
PO Box 4600
10 Barter's Hill
St. John's, NL
A1C 5T2

Wharf Reconstruction, Harbour Grace, NL

Digital Government and Service NL (Government Service Centre) has received and reviewed your request on November 15th, 2021, regarding the above mentioned project. Based on the results of chemical analyses provided, the Government Service Centre has no objections to the disposal of 1200 m³ of dredged material at an approved waste disposal site with prior permission from the owner/operator.

Should you have any questions regarding this matter, please contact me at 709-699-4858.

Regards,

Chelsea Cooper, BET
Environmental Protection Officer



RE: (EXT) Disposal Letter



Jonathan E. Murphy <jemurphy@stjohns.ca>

To Cooper, Chelsea; Natasha N. Legge

Cc Guy Moores

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Wed 2021-11-17 10:05 AM

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Disposal of the referenced dredging materials are approved for disposal at Robin Hood Bay based on the attached analytical data. Please note that dredged materials must be dried to the point there are no free flowing liquids upon disposal. The physical characteristics of the material will depend on whether there are any disposal fees.

If you have any further information on the characteristics of the material, that could help us determine if this can be classified as a suitable cover material.

Let me know if you have any further questions.

Regards,

Jonathan Murphy, P.Eng. | Waste Management Engineer
Waste & Recycling Division | Department of Public Works
City of St. John's
Phone: (709) 576-0355 | Fax: (709) 576-5629
www.stjohns.ca



FW: Harbour Grace Timber Disposal



Hann, Joan <joanhann@gov.nl.ca>
To: Natasha N. Legge

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Thu 2021-10-28 9:02 AM

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Hello Natasha

Thank you for the report referenced above with regards to treated wood waste from Harbour Grace location. Based upon the results provided, the TWW is permitted for disposal to the Robin Hood Bay landfill. Prior permission is required from the landfill operator. During transport all material shall be covered. Please use reasonable caution when handling TWW and ensure all safety regulations are followed. Once the project is completed, all disposal documents shall be forwarded to my attention.
Regards