

GUIDELINES

for

Environmental Preview Report

for the

(Crémaillère Harbour Marine Port Development)

Honourable Eddie Joyce

Minister

Department of Municipal Affairs and Environment

March 2018

ENVIRONMENTAL PREVIEW REPORT GUIDELINES

The following guidelines are intended to assist the proponent, Great Northern Port Inc. with the preparation of the Environmental Preview Report (EPR) for the Crémaillère Harbour Marine Port Development. The EPR is a report that presents the results of an investigation based on readily available information that supplements the information already provided by the proponent upon registration of the undertaking. The purpose of the information in the EPR is to assist the Minister of Municipal Affairs and Environment in making a determination as to whether an Environmental Impact Statement (EIS) will be required for the proposed undertaking. The EPR is expected to be as concise as possible while presenting the comprehensive information necessary to make an informed decision.

The EPR should include and update the information provided in the original registration and focus on the information gaps identified during the government and public review of the registration. The EPR should address the information gaps in sufficient detail to enable the Minister of Municipal Affairs and Environment to make an informed decision as to the potential for significant environmental effect from the undertaking.

The contents of the EPR should be organized according to the following format:

1. NAME OF UNDERTAKING:

The undertaking has been assigned the Name “Crémaillère Harbour Marine Port Development.”

2. PROPONENT:

Name the proponent and the corporate body, if any, and state the mailing and e-mail address.

Name the chief executive officer if a corporate body, and telephone number, fax number and e-mail address.

Name the principal contact person for purposes of environmental assessment and state the official title, telephone number, fax number and e-mail address.

3. THE UNDERTAKING:

State the nature of the project.

State the purpose/rationale/need for the project. If the proposal is in response to an established need, this should be clearly stated. Identify needs that are immediate as well as potential future needs.

Describe the requirement for proximity to the Arctic and Northwest Passage and discuss the reliability of consistent commercial shipping routes in this area.

Explain the rationale for this project considering similar port developments and dry dock facilities exist in the province (e.g. Bull Arm, Argentinia, Cow Head, Marystown, St. John's, Nain) and at northerly ports, such as Greenland.

Explain the rationale for this project considering services are available at the nearby port at St. Anthony (St. Anthony has existing ballast treatment, ore storage capacity, and ability to accommodate larger vessels).

4. DESCRIPTION OF THE UNDERTAKING:

Provide complete information concerning the preferred choice of location, design, construction standards, maintenance standards, etc.

4.1 Geographical Location/Physical Components/Existing Environment:

- Provide an accurate description of the proposed site, access road, facilities and equipment, including GPS location coordinates. Attach an original base map (1:25,000 scale) and/or recent air photos.
- Provide information regarding ownership and/or zoning of the land upon which the project is to be located and any restrictions imposed by that ownership or zoning, including municipal ownership/zoning, Crown, and private land.
- This project involves Crown land application 151500, the majority of which is located in the Rural zone according to the Town of St. Anthony Development Regulations, 2017-2027; "Industrial Uses" may be considered at Council's discretion in the Rural zone, subject to Condition 2 (Discretionary Use Classes) of the Rural Use Zone Table. If Council chooses to consider the proposed discretionary use, then in accordance with subsection 32(3) of the Town's Development Regulations, Council must post a written notice, including a synopsis of the proposed development, on the Town's website at least ten (10) days prior to the date scheduled for Council to consider the application. If the Town does not have a website, then the notice will be circulated, at the expense of the applicant, to all persons whose land is in the immediate vicinity. Council must consider any objections or representations received on the matter advertised. If Council has satisfied the public notification requirements outlined under section 32 of the Town's

Development Regulations and is satisfied that the application is not contrary to the Town's Municipal Plan, Development Regulations, scheme, and to the public interest, then it may permit the discretionary use application. The EPR should describe compliance with the approval process.

- A portion of the site is located inside the Goose Cove East Public Water Supply area which does not permit industrial uses. The boundary of the application will require modification to avoid overlap with this area. Indicate if the application has been amended with Crown lands.
- Describe the requirement for an ice free harbour when access to and from the harbour may be restricted due to sea ice.

4.2 Construction:

State the time period in which proposed construction will proceed (if staged, list each stage and its approximate duration) and proposed date of first physical construction-related activity.

Develop a Women's Employment Plan (WEP) in consultation with the Women's Policy Office (WPO) that meets the approval of the Deputy Minister of WPO. The WEP should include commitments and accountability measures (including contractors and sub-contractors) that promote the employment and leadership of women through each phase of the project. Acknowledge support for an annual report and an annual meeting with WPO representatives to discuss any issues with designing and implementing the WEP.

The details, materials, methods, schedule, and location of **all** planned construction activities must be presented, including:

- A more detailed description of the Ballast Wastewater/Bilge Disposal Facility construction.
- A more detailed description of the Graving Dock construction which includes:
 - the excavation process including blasting operations;
 - the approximate volumes of excavated materials;
 - how and where excavated materials will be managed and disposed of,
 - monitoring procedures to ensure that the material is suitable for its destination;
 - pit dewatering requirements during construction and operation, and monitoring, treatment and disposal methods for this water; and
 - any plans for coverage or enclosure of the graving dock as a method to shield ships from satellite detection.
- A more detailed description of the Bulk Ore Loading/Offloading/Storage area construction.

- Whether quarry materials (e.g. aggregate, fill, rock, stone, gravel, sand, clay, borrow material, etc.) required for the project will be sourced, either from a site permitted under the Quarry Materials Act, 1998, or from an external source as a by-product of development and for which royalties have been paid under the Quarry Materials Act, 1998, or from within the legal boundary of the project site.
- Commitment to adhere to the Department of Municipal Affairs and Environment's guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses.
- The volume of traffic generated by construction and full buildout of the marine port development to inform any requirement for further traffic analysis or mitigating requirements for highway safety. A Traffic Impact Statement may be required.
- Consideration of building envelope design and construction best practices in energy efficiency with respect to the construction of new industrial and commercial buildings.
- Acknowledgement that prior to the start of construction, all building drawings shall be registered with Service NL for Compliance with Fire and Life Safety and Building Accessibility requirements.
- Acknowledgement that for any in-ground sewage disposal, an engineering study may be required to ensure that on-site conditions are acceptable.
- Statement if any activities associated with the marine port require dredging, and if so, a description of how dredged materials are to be managed and whether any disposal at sea (and associated permit) is required.
- Description of how activities associated with this project are in compliance with the Occupational Health and Safety Act and its Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per OHS Act s.10.
- Description of how project construction considers any future requirement to decommission and rehabilitate the area.

4.3 Operation and Maintenance:

All aspects of the operation and maintenance of the proposed development should be presented in detail, including:

- A more detailed description of the Ballast Wastewater / Bilge Disposal Facility operation that identifies:
 - the treatment processes to be employed;
 - where and how the treated water is to be released;
 - how discharges will comply with the Environmental Control Water and Sewage Regulations;
 - the approximate volumes of water to be treated and released; and
 - the types of waste that will be captured by the process and the method of disposal.

- A more detailed description of the Bulk Ore Loading/Offloading/Storage facility operation which includes characterization of the ore, potential environmental effects, and mitigating measures associated with this activity.

- A more detailed description of the operation of the Graving Dock.

- Acknowledgement that prior to the start of construction, a comprehensive Waste Management Plan and a Contingency Plan addressing all activities and potential issues associated with this development will be required. These will require review and approval by the Pollution Prevention Division, Department of Municipal Affairs and Environment.

- Acknowledgement the requirement to register all petroleum storage tanks with Service NL.

- Consideration of the applicability of the following *Canadian Environmental Protection Act* regulations for substances stored or used on site: *Environmental Emergency Regulations*, *Interprovincial Movement of Hazardous Waste Regulations*, and *New Substances Notifications Regulations*. In addition, any reporting requirements under the National Pollutant Release Inventory should be identified.

- Description of the adequacy of the proposed water source to provide a reliable and safe supply of potable and/or commercial water. The project area is in close proximity to the water supply areas for the towns of St. Anthony and Goose Cove East.

5. ALTERNATIVES

Alternative means of carrying out the project to meet the stated purpose and rationale must be provided.

The EPR must identify and describe alternative means and locations of carrying out the Project that are technically and economically feasible. The following steps for addressing alternative means and locations are recommended:

- Identify any alternative means and locations to carry out the Project;
- Identify the environmental effects of each alternative means and location;
- Identify the **preferred** means and location;
- Provide reasons for the rejection of alternative sites.

Include information from previous project related studies describing alternate locations that were considered, including the expansion of existing sites, reasons for rejection, and reasons supporting the proposed site as the preferred location.

Alternative locations should be clearly outlined on maps of a suitable scale (i.e. 1:50,000, 1:25,000).

In particular, the EPR should address:

- The suitability of using existing facilities and/or existing brownfield harbour sites.
- The need for year round shipping when some industries in Labrador (e.g. mining) may stockpile and ship seasonally or use land based methods of transport.

6. **POTENTIAL ENVIRONMENTAL EFFECTS and MITIGATION:**

Potential environmental effects associated with the construction and operation of a marine port development include, but are not limited to, the following:

- damage or loss to historic resources;
- impacts to wildlife, including plants, avifauna, fish, and marine mammals and their habitats;
- erosion and sedimentation of waterbodies resulting from on-land and in-water activities;
- impacts to water quality from materials and techniques used in construction; and
- alteration of water level viewsapes which may interfere with recreational and commercial activities.

Provide detailed information regarding the potential effects of the project on the environment and the proposed mitigation to be used to avoid adverse environmental effects, including:

- Results of a terrestrial and underwater Historic Resources Impact Assessments conducted in consultation with the Provincial Archaeology Office (PAO). It is expected that full remediation of the historic resources will be required if the project is to proceed. This work must begin with the proponent developing a plan for archaeological impact assessment that shall include, but not be limited to a desktop assessment of known and potential historic resources; stage one archaeological assessment, and mitigation strategies for impacted

historic resources.

- Commitment to the development of an overall Environmental Protection Plan (EPP) for this project which includes an Avifauna Management Plan (AMP). The EPR should indicate that prior to any clearing activities, field surveys for species protected under the Canadian Species at Risk Act and the provincial Endangered Species Act will be conducted. This includes surveys for the Short-eared Owl and botanical surveys for rare plants that occur along the beaches and the cliffs. Survey results should inform beneficial practices and mitigating measures utilized in the AMP and EPP.
- Description of how the AMP will consider the number and distribution of species protected under the Migratory Birds Convention Act; as well as bald eagles, raptors and other species inhabiting the area.
- Description of beneficial practices and mitigating measures that will:
 - monitor the use of the port by birds;
 - minimize and prevent destruction and harm to nests, eggs and nesting birds during the breeding season (April 15th through August 15th for landbirds and April 1st through August 30th for seabirds) during construction and operations; including descriptions of how nests are to be avoided and details on buffers when nests are found;
 - prevent birds and their habitat from contamination with oil or other deleterious substances;
 - prevent nesting in stockpiles and attraction to light;
 - deal with stranded birds;
 - facilitate Common Eider breeding and overwintering ;
 - prevent disturbance to Harlequin Ducks, Short-eared Owls, and other federally and provincially listed avian species at risk; and
 - ensure recommended practices for working on shorelines are followed.
- Description of methods that will be used to avoid or minimize the impacts of the project on wetlands.
- Description of methods that will be used to prevent erosion and sedimentation from on-land and in-water activities.
- Measures to monitor water quality and ensure that any waste water, effluent, or runoff leaving the site will conform to the requirements of the *Environmental Control Water and Sewage Regulations, 2003*.
- Description of measures that address potential impacts to water quality from the use of dust suppression materials, pressure treated wood, concrete materials, and blasting operations.
- The occurrence and distribution of fish species and fish habitat in the project area. Describe potential impacts of the proposed project on fish and fish

habitat, along with implementation of best practices and mitigation measures to avoid negative effects.

- Completion of the “Application for Review” form located at: www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html. The *Fisheries Act* requires that projects avoid causing [serious harm to fish](#) unless authorized by the Minister of Fisheries and Oceans. A guidance document entitled “Request For Review” will assist you in identification of the necessary information required to complete the application form. If submitting an application please ensure you attach photos/diagrams of the area, fish species in your project area, habitat types (e.g., boulder, cobble, gravels, etc.) and other pertinent information, e.g., if a fishery is located in/near by the project site, etc. The Projects Near Water website, www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html, also provides information on standard measures that can be implemented to assist in achieving compliance with the Fisheries Act (refer to the section entitled “Measures to Avoid Causing Harm to Fish and Fish Habitat”) as well as the Species at Risk Act.
- The occurrence and distribution of marine mammals within the project area. Describe potential impacts of the proposed project on these species, including effects of increased vessel traffic, along with any mitigating measures.

Identify how the project will avoid interference with the rights of other legitimate land owners/user, including:

- Description of mitigating measures to address impacts on viewsapes from water level, commercial boat tour traffic, and non-commercial recreational boating activity during construction and operation.
- Commitment to submit Notice of Works pursuant to the Navigation Protection Act (NPA) for all in water works, falling outside the scope of the Minor Works Orders, proposed to be placed in scheduled waters.

7. DECOMMISSIONING and REHABILITATION:

Describe all aspects of the decommissioning and rehabilitation plans for the project, assuming the eventual need to eliminate the entire project footprint from the landscape.

8. PROJECT- RELATED DOCUMENTS:

Provide a bibliography of all project-related documents already generated by or for the proponent (e.g., feasibility study, engineering reports, etc).

9. PUBLIC INFORMATION MEETING:

An Open House Public Information Session shall be held at a place adjacent to or in the geographical area of the undertaking, or as the minister may determine, in order to:

- a) provide information concerning the undertaking to the people whose environment may be affected by the undertaking;
- b) record and respond to the concerns of the local community regarding the environmental effects of the undertaking; and
- c) present the information gathered to fulfill the requirements of Section 5 of these guidelines.

Additional consideration should be given to providing:

- awareness of the project and consultation on employment opportunities to women's organizations; and
- renderings or simulations of the visual impact of the project on water level viewscapes and residential areas.

You are required to notify the Minister and the public of the scheduled meeting **not fewer than 7 days** before that meeting. Public concerns shall be addressed in a separate section of the EPR.

Protocol for these public sessions will comply with Section 10 of the Environmental Assessment Regulations, 2003. Public notification specifications are outlined in Appendix A.

10. APPROVAL OF THE UNDERTAKING:

Provide a complete list of the main permits, licences, approvals, and other forms of authorization required for the undertaking, together with the names of the authorities responsible for issuing them (e.g., federal government department, provincial government department, municipal council, etc.). A list was provided in the registration but it appears to be incomplete, and these were missing:

- A ballast water storage and treatment system and/or the bulk ore loading/offloading/storage may require a Certificate of Approval from the Pollution Prevention Division (PPD) of the Department of Municipal Affairs and Environment.
- Depending on their capacity, diesel generators may require a Certificate of Approval from the PPD.

The required 10 copies of the EPR, and an electronic version for posting to the Environmental Assessment website, should be sent together with a covering letter to:

Minister
Municipal Affairs and Environment
P.O. Box 8700
St. John's NL A1B 4J6

APPENDIX A

Public Notices

Under the provisions of the Environmental Assessment Regulations 2003, Section 10, and where the approved Guidelines require a public information session(s), the following specified public notification requirements must be met by the proponent prior to each meeting:

PUBLIC NOTICE

Public Information Session on the Proposed

Name of undertaking
Location of undertaking

shall be held at
Date and Time
Location

This session shall be conducted by the Proponent,
Proponent name and contact phone number,
as part of the environmental assessment for this Project.

The purpose of this session is to describe all aspects of the proposed Project, to describe the activities associated with it, and to provide an opportunity for all interested persons to request information or state their concerns.

ALL ARE WELCOME

MINIMUM INFORMATION CONTENT OF PUBLIC ADVERTISEMENT

- Minimum newspaper ad size: 2 column widths. Minimum posted ad size: 7" x 5"
- Minimum newspaper ad coverage: Weekend preceding meeting and 3 consecutive days prior to meeting date; to be run in newspaper locally distributed within meeting area or newspaper with closest local distribution area.
- Minimum posted ad coverage: Local Town or City Hall or Office, and local Post Office, within town or city where meeting is held, to be posted continually for 1 full week prior to meeting date.