HARBOUR DEVELOPMENT Lark Harbour Newfoundland and Labrador

Environmental Registration Document

Submitted to the Government of Newfoundland and Labrador
Department of Environment, Climate Change and Municipalities
Environmental Assessment Division

Prepared For: Fisheries and Oceans Canada, Small Craft Harbours (SCH)

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1.0 NAME OF UNDERTAKING

Harbour Development, Lark Harbour, Newfoundland and Labrador (NL).

2.0 PROPONENT

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3.0 THE UNDERTAKING

3.1 Name of the Undertaking

Harbour Development - Lark Harbour, NL

3.2 Purpose/Rationale/Need for the Undertaking

The proposed undertaking represents the removal of the existing finger pier wharf and construction of a new marginal wharf, launchway, and breakwater. New floating docks and a gangway will be installed and the uplands will be infilled and graded to accommodate access to the new infrastructure. The harbour basin will also be dredged to provide safe access to the new infrastructure.

Recent fish landings and total landed values at Lark Harbour have declined in the last few years due in part to limited access to the existing infrastructure as a result of marine sediment build up

and limited space for users. This project is designed to demolish the existing wharf facility and construct a new facility that will better meet the needs of the current users. As the marine environment surrounding the project site is known to experience strong wave action and heavy ice accumulation, a breakwater will be constructed on the outer face of the new wharf infrastructure to ensure structural longevity and safe access and use of the facility. Completion of this work will ensure that fishers have safe berthing, offloading and storage facilities within the harbour.

4.0 DESCRIPTION OF THE UNDERTAKING

This project involves the removal of a finger pier wharf consisting of timber cribs with a concrete deck. The current infrastructure will be replaced with a new marginal wharf, launchway, breakwater and floating docks. The basin will also be dredged to a depth of -4.0m below LNT.

Scope of work for this project includes the following:

- Demolition of the existing wharf and disposal of the waste material at an approved location.
- Excavation of marine sediments down to bedrock where new infrastructure crib work will be placed and dredging of the harbour basin to -4.0m below LNT. All materials will be reused in the infilling component of the project.
- Development of the uplands (rock fill and granulars) including grading, paving and infilling a 1,700m² area below the high water mark. Total surface area for uplands development is 4,200m².
- Construction of a new marginal wharf complete with a reinforced concrete deck. Wharf
 construction consists of rock filled timber cribs seated on a rock mattress. Mattress side
 slopes will be protected with 1 tonne scour protection rock. Ancillary components will
 consist of treated timber wheelguard, untreated fenders, untreated ladders, type "A"
 mooring cleats and electrical systems (including power pedestals and lights).
- Construction of a concrete launchway on the west side of the property. Launchway construction will consist of pre-cast concrete panels bolted down to new treated rock filled timber cribs.
- Construction of a new rubble mounded breakwater on the east side of the property measuring approximately 145m in length from the existing shoreline to the seaward end to the toe of the slope. Breakwater construction will consist of polypropylene geogrid at the footprint, rock fill core, filter stone and 3-6 tonne armourstone. Crest elevation of the new breakwater is +4.6m with respect to low normal tide.
- Installation of two (2) 16.5m long floating docks. Docks will be anchored in place using pre-cast concrete blocks and chains. A wooden gangway will be installed to access the docks.

The proposed project is to reconstruct an already existing structure, therefore, alternative locations were not considered. The project will be phased over three (3) construction seasons to accommodate DFO funding.

4.1 Geographical Location

The Project site is located within the community of Lark Harbour approximately 47 km northwest of Corner Brook. The Lark Harbour SCH facility is located in Lark Harbour at coordinates 49° 06' 4.83" N, 58° 21' 49.00" W (Appendix A, Figure 1). The site is accessible by taking Route 450 west from Corner Brook along the south shore of the Humber Arm. It is the last village on Route 450. It sits on the north shore of Lark Harbour which flows out to the Bay of Islands. On the south side of Lark Harbour is Blow Me Down Provincial Park (Appendix A, Photo 4).

4.2 Physical Features

The DFO-SCH property is located in the community of Lark Harbour, on the southern side of the Bay of Islands, approximately 47km northwest of Corner Brook, NL. The property is currently operated by the Harbour Authority of Lark Harbour-York Harbour-Little Port and used for recreational and commercial fishing purposes. Property operations include boat storage, boat maintenance and refuelling activities, storage of miscellaneous fishing supplies, loading and unloading fishing vessels and boat mooring. A topographic map and site photo are provided in Appendix A. The existing SCH facility includes an access road and a finger pier wharf (Appendix A, Photo 2). Nearby the wharf is a private slipway and a few private sheds. There is a partially paved access road leading to the project site. Project footprint and boundaries are outlined in Appendix A, Photo 1.

The project site will be accessed using an existing paved road. Harbour development will all occur within a new footprint. Wharf replacement will mostly occur within a new footprint to accommodate realignment of the wharf and the addition of a protective breakwater. The project footprint below LNT is broken down into the following areas:

- Launchway (including shoreline protection) = 300m²
- Wharf = $950m^2$
- Breakwater (including out to toe) = 5,800m²
- Basin dredge = 3,150m² (assumes harbour dredge to 4.0m below LNT)
- Infilling (below LNT) = 1,700m²

The total area below LNT effected by the undertaking (new footprint) is estimated at 11,900m².

Total uplands area to be infilled above the high water mark is 2,500m².

Total volume of marine sediments to be removed during basin dredge and crib seat excavation is 7,200m³.

4.2.1 Physical and Biological Environment

4.2.1.1 Physical

The project site is located in the Western Newfoundland Forest ecoregion and is situated within the Serpentine Range Subregion covering 1,451 km². This subregion includes southern Bonne

Bay, Bay of Islands coastal area and the Lewis Hills area. Landscape in this area is often barren or covered with sparse vegetation due to an abundance of serpentine rock. Soils in this subregion range from "eutric brunisols" (basic soils generally found on basic bedrocks such as limestone) in the serpentine barrens, to "humoferric podzols" (brown soils containing mostly inorganic material that occur in relatively dry sites) in the forested areas. The bedrock here is distinct from the rest of the Western Newfoundland Forest in that it has large areas of ophiolites (rocks that were once a part of the oceanic crust). Much of the plateau areas are composed of serpentine rocks that were created over 510 million years ago. The remaining underlying rocks are shales, sandstones, conglomerates, and volcanic rocks about 550 million years old.

This subregion, with its coastal location, has a very humid climate. Generally, the area has some of the most favorable growing conditions on the Island, although in places basic soils restrict what can grow. The Western Newfoundland Forest ecoregion has the highest number of frost-free days on the Island, with typically warm summers and cold winters. The nearest Environment and Climate Change Canada (ECCC) weather station (Corner Brook, 48° 57'N, 57° 57'W) shows an average of 884.5 mm of rain and 401.3 cm of snow annually. Extreme precipitation events of up to 82.8 mm and extreme snow depths of 61.0 cm have been recorded. Temperatures range from an extreme minimum of -31.7°C to an extreme maximum of 35.0°C. The daily average temperature for the Corner Brook weather station is 5.2C (ECCC, 2021).

The predominant vegetation of this subregion includes only a few serpentine hardy plants such as sandwort and alpine campion. Alpine bunchberry, alpine billberry, lapland rosebay, heath moss, thrift, moss campion, butterwort, bluebells, and deer grass grow here. Small valleys below plateaus are characterized by bottlebrush, pitcher plant and maidenhair fern. In coastal areas and protected valleys, vegetation changes to forest cover dominated by balsam fir with wood ferns and feathermoss floor covering. The immediate upland area of the project site is mostly gravel covered, gently sloped and sparsely vegetated with grass, although tree vegetation is present further inland (Appendix A, Photos 2, 3, 4, 5 & 6).

The project site is located approximately 0.65km northwest of Blow Me Down Provincial Park (Appendix A, Photo 4). This is a smaller park located on Route 450 west of Corner Brook and the Trans-Canada Highway, on a small peninsula between Lark Harbour and York Harbour at the mouth of the Bay of Islands. Here you'll find a Dryopteris-Hylocomium-Balsam Fir forest with Red Maple being common and Yellow Birch found in protected valleys. The Blow Me Down Mountains cover 200 km² and rise to a height of 750 meters at Round Hill and has a coastline measuring 2.26km². The mountains contain some of the best exposures of ophiolitic rock on earth. These are sections of the Earth's oceanic crust and upper mantle that have been uplifted and exposed, primarily by the glacier carved gulches in this area.

Common wildlife found in this ecoregion include caribou, moose, mink, snowshoe hare, lynx, black bear, red fox, beaver, muskrat and otter. Little brown bat, eastern chipmunk, masked shrew and the red squirrel also are known to find habitat in this ecoregion.

Birds found in forested areas include the bald eagle, osprey, yellow-bellied flycatcher, American robin, and tree swallow. A variety of finches, such as white-winged crossbill and pine grosbeak,

also occur in the forests, along with a number of warblers: blackpoll warbler, black-and-white warbler, ovenbird, and northern waterthrush, for example (PAA, 2008).

In shrublands, marshes, bogs, and other open areas song sparrow, mourning warbler, and Lincoln's sparrow find habitat. Aquatic birds include spotted sandpiper, black duck, red-breasted merganser, and common tern. Rock and willow ptarmigan inhabit the higher elevations that occur inland along the edge of the Long Range Mountains. A seabird colony containing more than 500 pairs of black-legged kittiwakes is located in the Bay of Islands (PAA, 2008).

Rivers and ponds in this ecoregion are occupied by arctic char, Atlantic salmon, brook trout, rainbow smelt, American eel, black-spotted stickleback, three-spine stickleback, and nine-spine stickleback. There is only one amphibian and no reptiles recorded for this subregion. The green frog, an introduced species, inhabits small quiet ponds and marshes in low numbers (PAA, 2008).

4.2.1.2 Biological

A search of the Atlantic Canada Conservation Data Centre (ACCDC) database was conducted on December 6, 2022 that produced a list of rare / unique species (i.e., plants and animals) 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); No species were reported within this buffer.

A search of the Government of Canada Open Maps database was conducted on December 7, 2022 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 the following Schedule 1 Species at Risk with distribution ranges that are within 5 km of the project site: Red Crossbill (Loxia curvirostra percna), Short-eared Owl (Asio flammeus), Mountain Holly Fern (Polystichum scopulinum), Olive—sided Flycatcher (Contopus cooperi), Red knot (Calidris canutus rufa), Rusty Blackbird (Euphagus carolinus), Bank Swallow (Riparia riparia) and Gypsy Cuckoo Bumble Bee (Bombus bohemicus).

A search of the DFO Aquatic Species at Risk database was conducted on December 7, 2022 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), Atlantic Wolffish (Anarhichas lupus), North Atlantic Right Whale (Eubalaena glacialis), Leatherback Sea Turtle (Dermochelys coriacea), White Shark (Carcharodon carcharias) and Northern Wolffish (Anarhichas denticulatus).

Table 4.1 Species at Risk Distribution Ranges within 5km of the Project Site

Common Name	Scientific Name	Provincial Ranking	COSEWIC Ranking	SARA Ranking
Oommon Name	Ocicitano Manie	1 Tovillolai Kalikilig	COOLINIO Ranking	OANA Nanking

Red Crossbill	Loxia curvirostra percna	Endangered	Endangered	Endangered
Short Eared Owl	Asio flammeus	Vulnerable	Special Concern	Special Concern
Mountain Holly Fern	Polystichum scopulinum	None	Threatened	Threatened
Olive-Sided Flycatcher	Contopus cooperi	Threatened	Special Concern	Threatened
Red knot	Calidris canutus rufa	Endangered	Special Concern	Endangered
Rusty Blackbird	Euphagus carolinus	Vulnerable (Non-breeding)	Special Concern	Special Concern
Bank Swallow	Riparia riparia	None	Threatened	Threatened
Gypsy Cuckoo Bumble Bee	Bombus bohemicus	None	Endangered	Endangered

Table 4.2 Aquatic Species at Risk Distribution Ranges within 1km of the Project Site

Common Name	Scientific Name	COSEWIC/SARA Ranking
Fin Whale	Balaenoptera physalus	Special Concern
Blue Whale	Balaenoptera musculus	Endangered
Spotted Wolffish	Anarhichas minor	Threatened
Atlantic Wolffish	Anarhichas lupus	Special Concern
North Atlantic Right Whale	Eubalaena glacialis	Endangered
Leatherback Sea Turtle	Dermochelys coriacea	Endangered
White Shark	Carcharodon carcharias	Endangered
Northern Wolffish	Anarhichas denticulatus	Threatened

4.3 Construction

Commencement of this project is subject to DFO-SCH operational priorities and funding. Replacement of the wharf and construction of the breakwater is expected to require 35 months to complete. The first physical construction on site will be during site preparation and demolition which is expected to commence in the summer of 2023 pending funding and approvals.

Construction activities will include:

Demolition, removal and reconstruction of the finger pier wharf. This will be accomplished
using machine mounted equipment (e.g., pneumatic hammer). Demolished materials will
removed from the site using heavy equipment and transported to an approved waste

disposal location (e.g. regional landfill). The new wharf will be constructed in a new footprint to accommodate a new configuration (Appendix A, Photo 1). Concrete for the new finger pier wharf and associated structures will be placed on-site. Armor stone will be placed using an excavator.

- The existing gravel area adjacent to the wharf access road will be utilized for a construction lay-down area.
- Equipment and tools will be transported to the project site using local roads.
- Waste material (including treated timber waste) will be transported from the project site
 and disposed of at an approved waste disposal location as per guidance received from
 the province.

The most probable sources of potential pollutants are related to the use of equipment. Accidental spills of equipment fuel/oil, sedimentation from disturbances to shoreline areas and establishment of laydown area are also a possibility. Other sources of potential pollutants include solid waste from construction and domestic waste from work crews.

DFO-SCH had the treated wharf timber sampled and are awaiting the analytical results to provide to the NL Department Environment, Climate Change and Municipalities, Pollution Prevention Division to determine if the timber is suitable for landfill disposal. Timber samples will be analyzed for benzo(a)pyrene, m/p-cresol, total cresol, and pentachlo-rophenol using the Toxicity Characteristic Leaching Procedure (TCLP). Based on the results, the Province will provide approval and instruction for proper disposal at a designated facility.

The project will be assessed pursuant to Section 67 of the *Canadian Environmental Assessment Act* (2012) or Section 82 of the *Impact Assessment Act*. All mitigations prescribed as part of that process will be implemented during project activities. The following mitigation measures will also be utilized to minimize potential interactions with the environment:

Fish / Fish Habitat and Water

- A Request for Review for the project will be submitted to Fisheries and Oceans Canada,
 Fisheries Protection Program.
- Minimize duration of in-water work. Limit the duration of in-water works to only activity
 related to the above noted 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.
- Rock material should not be end dumped; rather, it should be placed on station using an excavator or similar equipment.
- No temporary or permanent increase in the proposed project footprint below the high water mark.
- Operate machinery on land in stable dry areas, or from stable floating platforms.
- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- All materials placed in or near water should be clean and free of fines, concrete or any other deleterious substance and of sufficient size to resist displacement by wave action.

- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in the watercourse has been handled and treated in a manner to prevent the release of leaching of substances into the water that may be deleterious to fish.
- Implement erosion and sediment control measures (sediment booms/curtains) for the site that minimizes risk of sedimentation of the waterbody during all phases of the project.
- If there is any run-off of concrete or associated water, it should be directed to a drainage control device such as a settling pond and appropriately managed. No concrete run-off is allowed to enter the water.
- Dispose all demolition material, especially any demolished timber and concrete, at an approved waste disposal site.
- 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 (https://www.dfo-mpo.gc.ca/species-especes/ais-eae/index-eng.html):
 - 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.

Wildlife

- There is a zero tolerance policy regarding the harassment, disturbance, and feeding of wildlife whilst working on the project.
- Local speed limits should be adhered to in order to minimize negative effects to wildlife.
- Work site boundaries will be fenced off to prevent inadvertent loss or alteration of habitat outside of the project footprint and fenced to deter wildlife from entering the site, minimizing human-wildlife interactions.
- If there are large flocks of marine or migratory birds near the project during sound producing activities work may need to be paused to allow birds to resume normal activity if birds continually flush or appear agitated by the activities.
- Through site induction and toolbox sessions, project personnel will be educated on the
 wildlife (particularly species at risk) expected to occur in the area as outlined in the project
 Significance of Environmental Effects Determination (SEED) document.
- All vehicles on site, when not in use, must be locked and all windows must be closed.

Species at Risk

- All work to be conducted in accordance with the Species at Risk Act, 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 *Species at Risk Act* 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.
- If species at risk are reported, contractor will consult with the SCH Project Manager and determine potential impacts to species at risk as well as perform any modifications to construction activities that may be required to protect species at risk.

Birds (including MBCA) and Bird Habitat

- The contractor is responsible to ensure a spill kit is on site. Equipment within the spill kit should be adequate for the proposed project. In case of a spill, the contractor should contact Environment Canada at 1-800-563-9089.
- All construction equipment must be fitted with standard and well maintained noise suppression devices. Appropriate dust suppression methods are to be employed when required. Air filters should be used to minimize exhaust emissions.
- Vegetation removal should be avoided or kept to a minimum.
- Migratory birds, their eggs, nests and young are protected under the MBCA. All work to
 be conducted in accordance with the Migratory Birds Convention Act (MBCA), which
 outlines that no migratory bird nests or eggs will be moved or obstructed during the
 construction or operation phase of the project. It is recommended that vegetation clearing
 not take place during the breeding season until fledglings have left parental territories.
- 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.

Soil (surface and subsurface)

- Work should be scheduled to avoid periods of heavy precipitation. Erosion control structures (temporary matting, geotextile filter fabric) are to be used, as appropriate, to prevent erosion runoff or sediment laden water during the construction phase.
- Any exposed soil must be minimized by limiting the area exposed at any one time and by limiting the time that any one area is exposed. All stockpiled soil must be covered and/or dyked to prevent erosion or runoff of sediment-laden water from leaving the site. Whenever possible, exposed soil should be replanted or sodded to ensure soil stabilization.
- All wastes must be recycled where possible or otherwise disposed of appropriately.
- Fill material is to be free of contaminants and from an approved quarry site.
- Machinery must be checked for leakage of lubricants or fuel and must be in good working order. Refueling must be done at least 100 m from any waterbody. Basic petroleum spill cleanup equipment should be on site. All spills or leaks should be promptly contained, cleaned up and reported to the 24 hour environmental emergencies reporting system (1-800-563-9089).

- Containers of petroleum products or chemicals that may be required on site will be tightly sealed against corrosion and rust, and surrounded by an impermeable barrier in a dry, water-tight building or shed with an impermeable floor.
- Waste oils and used lubricating oil will be retained in a tank or closed container and disposed of by a company licensed for handling and disposing of used oil products.
- Mechanical inspections will be conducted routinely on equipment to search for leaks.
 Leaks will be repaired immediately.

Water and Aquatic Species and Habitat

- 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.
- Erosion and sediment control measures (sediment curtains) will be implemented to minimize the 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) over pack 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 liters (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.

Vegetation

- Disturbed areas will be restored through manual re-seeding.
- Construction fencing will be placed on site to avoid any disturbance to adjacent vegetated areas outside of the project footprint.

Air Quality and Sensory Disturbance

- All construction equipment must be fitted with standard and well maintained noise suppression devices. Appropriate dust suppression methods are to be employed when required. Air filters should be sued to minimize exhaust emissions.
- Construction equipment will be turned off when not in use, where practical, to minimize idling.
- Project activities must be carried out during times acceptable to local authorities and smaller, less disruptive equipment will be used where possible.

Health, Social or Economic Conditions

- 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.
- 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.
- 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) over pack 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.
- Project personnel will receive training or be provided training material to minimize human-Polar Bear interactions and ensure awareness and safe response to Polar Bear occurrences on site.

4.4 Operation

The new facility will be utilized by local and transient fishers and recreational boaters for berthing, offloading and storage. The facility will be overseen by a DFO-SCH Area Manager and managed, operated and maintained by a local Harbour Authority (not-for profit).

Routine maintenance and repair projects will be carried out by DFO-SCH on an as-required basis over the estimated life of the new infrastructure (wharf = 35yrs., breakwater = 75yrs.).

Reasonably foreseeable pollutants occurring during the operational phase of the proposed project are limited to accidental discharges of fuel or oil and solid waste disposal. DFO-SCH's Environmental Management Plan (EMP) and site-specific Emergency Response Plans cover operational aspects of environmental management at SCH 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.

Potential resource conflicts are not anticipated as a result of the operation of the proposed project.

4.5 Occupations

All construction work will be carried out by a successful contractor overseen by DFO-SCH. Contract work is expected to take 140 weeks to complete beginning September 2023 (pending funding and approvals). Approximately 16 contract employees and 3 DFO-SCH employees will be required for construction and project management of the DFO-SCH facility at Lark Harbour. The project will be operated by DFO-SCH staff with on site representation and volunteer management support from the local Harbour Authority of Lark Harbour.

The following list¹ outlines occupations which may be employed during the design and construction period:

- 1 Project Manager 0711 Contractor/Construction
- 1 Office Administrator 1221 Contractor/Construction
- 1 Project Supervisor/Foreman 7302 Contractor/Construction
- 1 OHS Representative 2263 Contractor/Construction
- 2 Carpenters 7271 Contractor/Construction
- 6 Laborers 7611 Contractor/Construction
- 1 Surveyors 2154 Contractor/Construction
- 4 Equipment Operator 7521 Contractor/Construction
- 1 Site Inspector 2264 Construction
- 1 Professional Engineer 0211 Entire Project
- 1 Engineering Technologist 2231 Construction Design (Engineering)
- 1 Office Administrator 1221 Entire Project (Engineering)

4.6 Project Related Documents

Project-related documents already generated by or for the proponent are as follows:

- Significance of Environmental Effects Determination (SEED) (IAA)
- Permits and Approvals listed in Section 5.0 of this document.

5.0 APPROVAL OF THE UNDERTAKING

Table 5.1 is a list of the expected permits and approvals required for this project.

^{1 -} This list represents only an approximation of the number and type of occupations that may be produced as a result of the proposed project. Actual occupations created as a result of the proposed project will ultimately be determined by the successful contractor which was not yet awarded at the time of this report submission. Occupations are expected to be comparable to those created for similar construction projects throughout the Province.

Table 5.1 Expected Permits and Regulatory Authorities

Approvals/ Permits	Regulatory Authority
NL Environmental Assessment Registration ²	NL Department of Environment, Climate Change and Municipalities, Environmental Assessment Division
DFO - Request for Review (RFR) ³	DFO, Fish and Fish Habitat Protection Program
Permit to Alter a Body of Water ⁴	NL Department of Environment, Climate Change and Municipalities, Water Resources Division
Approval under Canadian Navigable Waters Act 5	Transport Canada, Navigation Protection Program
Approval to Dispose of Treated Timber Waste ⁶	NL Department of Environment, Climate Change and Municipalities, Pollution Prevention Division
Canadian Impact Assessment Act Registration 7	Impact Assessment Agency of Canada
Municipal Approval Letter 8	Town of Lark Harbour

Notes:

- 2 This document; provincial permits are expected to be issued following release from further environmental assessment.
- 3 An RFR was submitted to DFO Fish and Fish Habitat Protection Program.
- 4 An application was submitted to the Province on February 8, 2023.
- 5 As per the Canadian Navigable Waters Act (CNWA) for Works on non-scheduled waters, this project was posted to the CNWA Public Registry and in the community of Lark Harbour for a duration of 30-days.
- 6 Timber sampling was conducted and results will be submitted to the Province for approval to dispose at an designated facility.
- 7 This project was posted on the public *Impact Assessment Act* Registry on February 1, 2023 for a 30 day comment period.
- 8 A letter of project approval was obtained from the town council on November 29, 2022.

6.0 ABORIGINAL CONSULTATION

PSPC and Transport Canada carried out an Indigenous Assessment on behalf of DFO-SCH at Lark Harbour 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 Lark Harbour area; and there are no potential or established Indigenous or treaty rights that may be adversely impacted by the Crown in completing the Lark Harbour 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.

A contractor will be awarded the work through a federal contract bidding process with no discrimination to gender, race or age.

7.0 SCHEDULE

The proposed project is expected to commence in the Fall of 2023, pending funding and approvals and construction would occur over a 35 month period. This date has been chosen in order to successfully complete the project within the allocated DFO-SCH funding window.

8.0 FUNDING

The total cost estimate for all phases of the proposed project, as provided by the proponent, is approximately \$10.0 million dollars (Canadian). Funds will be provided by Small Craft Harbours, Fisheries and Oceans Canada.

9.0 REFERENCES

Environment and Climate Change Canada (ECCC). 2021. Canadian Climate Normals 1981-2010. Corner Brook Climate Station, Newfoundland and Labrador. Accessed March 9, 2023. <u>Canadian Climate Normals 1981-2010 Station Data - Climate - Environment and Climate Change Canada (weather.gc.ca)</u>

Important Bird Areas Canada (2020) Map Viewer. Accessed March 9, 2023. http://www.ibacanada.ca/mapviewer.jsp?lang=en

Wikipedia. Lark Harbour (2023) Accessed on March 9, 2022. <u>Lark Harbour - Wikipedia</u>
Parks Canada, 2023. Blow Me Down Provincial Park. Accessed February 16, 2023. <u>Blow Me Down Provincial Park - ParksNL</u>

Protected Areas Association of Newfoundland and Labrador, 2008. Western Newfoundland Forest – Serpentine Range Subregion. Accessed February 23, 2023. Island_1a_serpentine_range-edits_nov_2008.cdr (parksnl.ca)

Wikipedia. Lark Harbour (2021) Accessed on February 6, 2023. Lark Harbour - Wikipedia

10.0	SIGNATURES	
Enviror	nmental Assessment Representative	
Date		

APPENDIX A Project Location Maps and Site Photos



Figure 1. Project Location

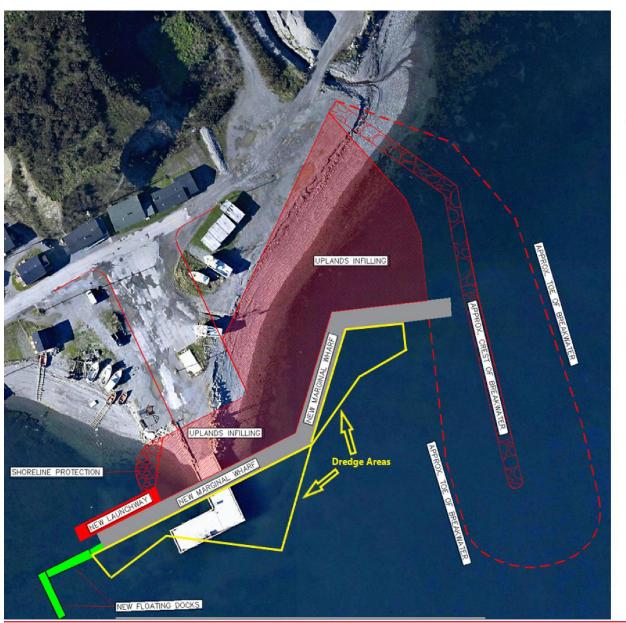


Photo 1. Project Components



Figure 2. Map of Project Access Route



Figure 3. Topographic Map of Project Area

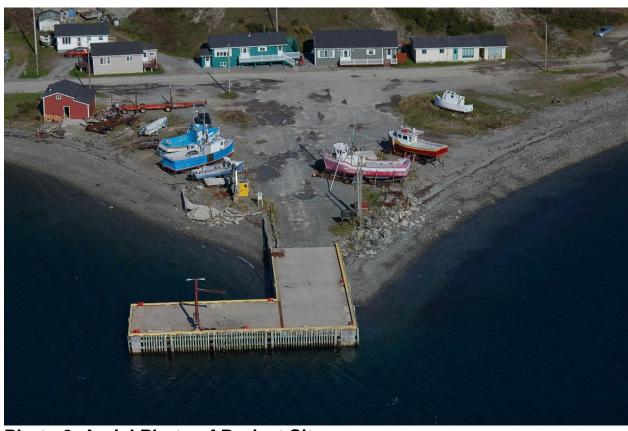


Photo 2. Aerial Photo of Project Site



Photo 3. Aerial Photo of Project Site



Photo 4. Aerial Photo of Project Site



Photo 5. Aerial Photo of Project Site



Photos 6. Aerial Photo of the Project Site

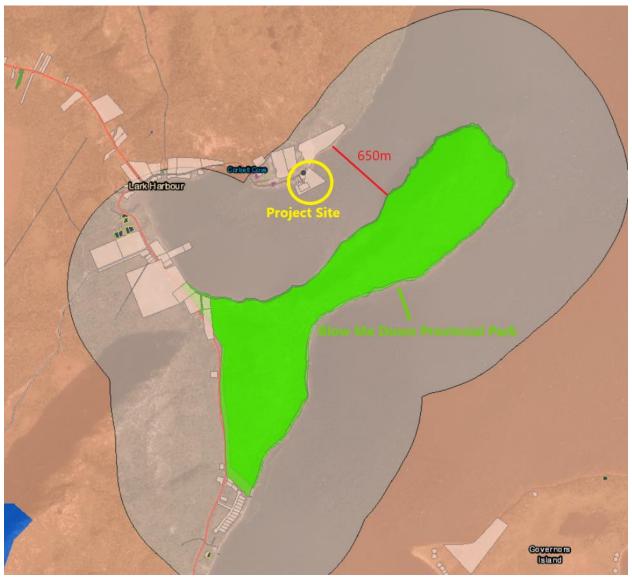
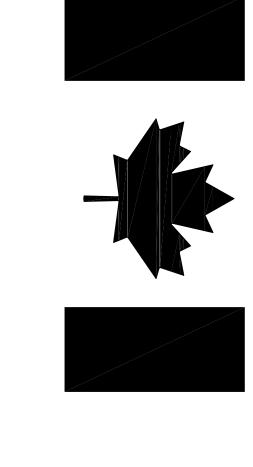


Photo 4. Location of Project near Blow Me Down Provincial Park

APPENDIX B
New Site Plan Drawings



FISHER R

SMALL

RAF

HARBOU

HARBOUR DEVELC LARK HARBOUR NEWFOUNDLAND

PROJECT No. XXX ISSUED FOR REVI

OF DRAWINGS:

SURVEY

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