



Government of Canada  
Fisheries and Oceans

Gouvernement du Canada  
Pêches et Océans

*1st draft.*

**MECTS - SSCMHG:**  
03-FCR-302

To: / Neil Bellefontaine  
A:

Date: January 7, 2004

Subject: / **HADD AUTHORIZATION - PROPOSED HARBOUR IMPROVEMENTS, EAST**  
Objet: **SIDE, PORT L'HEBERT, QUEENS COUNTY, NOVA SCOTIA**

From / De: Faith Scattolon

Via:

For Signature / Pour Signature

Information

For Comments / Pour commentaires

Material for the Minister / Documents à l'intention du ministre

Remarks: /  
Remarques:

**DISTRIBUTION**

*1st draft status BN*

Drafting Officer / Rédacteur : Tammy Rose \_\_\_\_\_  
Ted Potter \_\_\_\_\_  
Paul Boudreau \_\_\_\_\_  
Faith Scattolon \_\_\_\_\_

BRIEFING NOTE FOR NEIL BELLEFONTAINE

**PROPOSED HARBOUR DEVELOPMENT  
TIVERTON, DIGBY COUNTY, NOVA SCOTIA**

(Information Only)

**SUMMARY**

- The Department of Fisheries and Oceans – Small Craft Harbours, Maritimes Region, are proposing to develop the harbour in the Tiverton, Digby County, NS.
- The project is proposed to take place from November, 2003 to March 31, 2008.

**Background**

- Fisheries and Oceans Canada (DFO) – Small Craft Harbours Branch (SCH) have proposed to develop a harbour in Petit Passage, Tiverton, Digby County, NS. The development will include the construction of a breakwater, floating dock and service area. In addition the area will be dredged 2m below chart datum.
- DFO is the Responsible Authority (RA) for the project as the Small Craft Harbours Branch is the proponent. Public Works and Government Services Canada (PWGSC) prepared the Environmental Screening Report. Habitat Management Division (HMD) is reviewing the Environmental Screening under the *Canadian Environmental Assessment Act* (CEAA).
- The proposed breakwater for this project will extend approximately 220m into Petit Passage. Petit Passage is a high energy area with a mean tidal range of 4.6 meters. In addition, strong currents of approximately 7 knots flow through this area.

- Upon reviewing the Environmental Screening , HMD identified many issues that were not addressed. There are significant concerns pertaining to the effects the project may impose on oceanography. In turn, there are significant concerns as to how changes in the oceanography may impact on safe navigation of the local ferry service located approximately 100m south of the proposed area.
- A series of questions identifying the deficiencies in the Environmental Screening were sent to PWGSC. HMD is working together with PWGSC to assist with addressing the deficiencies identified.
- As of January 5, 2004, PWGSC confirmed that the proponent will be blasting during the construction and dredging phases of the project. The proponent will be required to submit a detailed blasting plan.
- HMD is reviewing the project under the *Fisheries Act*. A Section 35(2) Authorization will be required for this project.
- A Navigable Waters Protection Program (NWPP) application for approval has been filed with NWPP.

#### **Analysis/ DFO Comment**

- DFO-HMD will be able to come to a decision on the EA provided that all pertinent information is addressed in the Environmental Screening as requested.

#### **Recommendation / Next Steps**

- based upon the determination of the CEAA screening report, a Section 35(2) Authorization may be issued.
- A letter of intent may be requested of the proponent

Tammy Rose/Paul Boudreau/Faith Scattolon