

REDACTED

From: Rosalia Galante
Sent: Monday, January 12, 2004 11:40 AM
To: Don Maynard
Subject: Tiverton Harbour Development (Need bit of help)

FYI...(see Ted Potter's email below). We have prepared a Letter of Intent. As far as the finalization of the CEAA...the ball sits in my court on this one - I need to get answers back to Habitat regarding issues/questions they had with the CEAA Screening for the project. The Navigation issue he states below will be addressed when I return the answers to Habitat (5 pages of questions unanswered!). It's a bit daunting but the PM (Paul Rowe) and I worked on them before Christmas and now it's Jan 12!

The Navigation issue has to do with the breakwater structure affecting the current in Petit Passage (and subsequent effects on Ferry vessel). This was question that Habitat had included in their 5 pp of questions and we went to Paul Davison for his input and he used the scientific paper(s) that Habitat provided us for background/information.

Something I need your help with (in terms of how to deal with) is BLASTING issues. Habitat (Tammy Rose) has approached two sections (Diadromous Fish Division and Anadromous Fish Div) for their input on if the proposed project would affect respective fish species. She has heard back from both and has even double-checked with some of them to make sure she had it right. There are virtually no identified effects that we must mitigate against. Also - I have copies of those emails sent and those returned (Tammay forwarded them to me...you can bet I'll be quoting them in the revised CEAA). Since there are no specific effects to mitigate against, blasting in general then can be mitigated with our usual text:

Dredging of the new basin may consist of blasting of bedrock bottom to attain desired dredge depth. The blasting that may be required as part of the minor dredging component (to be conducted before the breakwater is complete) will be conducted behind a partially constructed breakwater over the winter months. The partial structure will help to minimize the shockwave out into the waters of Petit Passage. In addition, blasting associated with the minor dredging component is being performed during the low period (i.e., winter) in the aquatic biological cycle. The remaining blasting that may be required as part of the major dredging component (to be conducted after the breakwater is complete) will be conducted behind the completed breakwater. The completed breakwater structure will minimize the shockwave in the waters of Petit Passage.

If blasting is required, DFO-HMB must be contacted prior to commencing the work (i.e., Mr. Thomas Wheaton (902) 527-5596). A blasting plan must be submitted to DFO-HMB and approved by DFO, prior to the commencement of any blasting work. The contingency and mitigation measures outlined in the site and project specific EPP (i.e., Blasting-Section 2.5) provided in Appendix E will be strictly adhered to if blasting is required. In addition, if blasting is required, the planning process will follow the recommendations stated in the document "Wright, D.G., and G.E. Hopky. 1998. Guidelines for the use of explosives in or near Canadian fisheries waters. Can. Tech. Rep. Fish. Aquat. Sci. 2107: iv +34p". A rescue plan to displace fish at the footprint of the impacted area will be developed and provided to DFO-HMB prior to commencement of any blasting at the project site.

which is already in there (and she has already read and reviewed). Something though has come up because Tammy contacted me on Thursday regarding the EA and how it deals with blasting. She explained to me that the Contractor (not us) will have to provide to Habitat a Blasting Plan for approval and that that will be considered in the CEAA as well. I tried to explain that that thinking is ultimately flawed because the CEAA is supposed to be finalized before the tender goes out so it's "cart before the horse" problem. Anyways, she said she had to provide me with a Blasting Factsheet (2 pp) that I've seen before (Andrew had provided me with one for Dennis Point) and although this requirement for the submission of a blasting plan and that it will be considered in the finalization of the CEAA was not included in her 5 pp of questions, it is something new to be dealt with. I need your help on this. Perhaps the solution is simply to reference the FACTSHEET she has provided me with too (in addition to "Wright, D.G., and G.E. Hopky. 1998").

Lastly - see below email and how Habitat will "provide the CEAA Screening to Bob O'Boyle, Associate Director Science, for an Expert Opinion from our Oceans Sciences Division". What do you think about that?

Rosa

-----Original Message-----

From: Potter, Ted
Sent: Friday, January 09, 2004 10:42 AM
To: Wheaton, Thomas; Hubbard, Gary; Rosalia Galante
Cc: Clarke, Alan J (Yarmouth); Rose, Tammy Lee Anne
Subject: RE: TIVERTON LETTER OF INTENT

Hi All,

We will move forward with the Authorization with the completion of an **acceptable** CEAA screening. The question of potential interference with Navigation needs to be addressed fully. The Screening will be sent to Bob O'Boyle, Associate Director Science, for an Expert Opinion from our Oceans Sciences Division. We will move forward on this as quickly as possible.

Ted

-----Original Message-----

From: Wheaton, Thomas
Sent: Friday, January 09, 2004 10:03 AM
To: Hubbard, Gary; Galante, Rosalia: PWGSC
Cc: Clarke, Alan J (Yarmouth); Potter, Ted
Subject: RE: TIVERTON LETTER OF INTENT

Sounds good Gary - as far as I know Ted and Tammy are working on the Authorization.

Cheers

Thomas J. Wheaton
A.Area Habitat Chief
Southwest Nova Scotia
Office: 902-527-5596
email: wheatont@mar.dfo-mpo.gc.ca

-----Original Message-----

From: Hubbard, Gary
Sent: January 9, 2004 9:59 AM
To: Wheaton, Thomas; Galante, Rosalia: PWGSC
Cc: Clarke, Alan J (Yarmouth); Potter, Ted
Subject: RE: TIVERTON LETTER OF INTENT

I have read the letter over and it looks OK. I will sign and forward to Rosalia, in the meantime I would hope that the letter of authorization for Neil's signature is being prepared so that we can get the CEAA completed next week.

-----Original Message-----

From: Wheaton, Thomas
Sent: January 9, 2004 9:45 AM
To: Hubbard, Gary; Galante, Rosalia: PWGSC
Cc: Clarke, Alan J (Yarmouth); Potter, Ted
Subject: TIVERTON LETTER OF INTENT
Importance: High

Gary:

I am attaching the revised Final version of the LOI - as noted in Rosalia's email, the square metres of fish habitat have been revised and I also added a to Point 1 under Terms of Conditions to include a Monitoring component.

<< File: HADD Letter of Intent TJW rev.DOC >>
Any questions, please call

Thomas J. Wheaton
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