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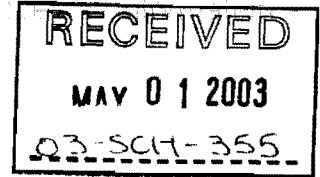
Atlantic Region

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April 4, 2003

Project # 307381 (E)

Gary Hubbard, Area Chief  
Fisheries and Oceans Canada  
Small Craft Harbour Branch - Yarmouth  
215 Main St  
Yarmouth, NS  
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**RE: Review and Analysis of Potential Affects for the Revised Project Description for the Wharf Repair and Infilling at Tiverton, Digby County, Nova Scotia, March/April 2003.**

A revised project description for the above mentioned project resulted in the review and analysis of potential environmental effects and confirmation of no significant adverse residual effects with the specific mitigation measures.

**Revised Project Description:**

The original project description stated that the clean rock fill would be obtained from existing approved quarries. Due to difficulties in stone supply (the original source became unavailable) the contractor chose to supply the rock fill from a recently Provincially approved quarry. The recently approved quarry does not appear to have been enabled (in the context of CEAA, Section 5.(1)) by Tiverton wharf project (the first rock used from this quarry was used for project other than the Tiverton wharf project). Likewise the contract for the project states that the rock is to be sourced from an approved quarry, which ultimately it is. There does not appear to be a clear cause and effect relationship between the establishment of the recently approved quarry and the Tiverton wharf project, therefore in a revised CEAA scoping the construction of this quarry is not included. The operation of a quarry (controlled and regulated by Provincial regulations) was scoped under the original assessment. The location has appeared to change but the Project/Environment Interactions associated with the quarry operation to obtain rock for this project are similar to those originally considered.

The original assessment stated that the work would be completed prior to March 31, 2003. Due to construction delays the project is now not expected to be completed prior to mid to late April.

**Potential Environmental Effects:**

The use of an alternate quarry site could:

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- Encompass a different set of Project/Environment Interactions than originally considered,
- A quarry without Provincial approval would not have a regulated set of environmental checks and balances.

The shifting of the timing of project in the later spring could:

- Have the project interacting with a different set of Project/Environment Interactions than originally considered.

**Mitigation Measures:**

The mitigation measures described in the original Environmental Assessment and Environmental Protection Plan continue to apply. Specific to those mitigation measures is that the rock fill is from an approved quarry.

**Summary:**

The alteration of the location of the quarry (to its present location) that supplies the rock fill is not considered a significant change in project description as long as it is an approved quarry. The shift in timing of this project to be completed in mid to late April instead of the last of March does not appear to have the project adversely interacting with any environmental components or lifecycles that were not considered or mitigated in the original assessment. The potential effects resulting from the change in project description were considered in context of spatial and temporal boundaries (an area surrounding the harbour and upland) and for significance criteria (population and natural variation based) that are appropriate for this project. With the mitigation measures as described in the original assessment and reiterated above, there are no significant adverse environmental effects predicted. The original conclusion of the CEAA determination signed by the DFO representative on February 5, 2003 is considered valid.

If you have any questions, please do not hesitate to contact me at 902-566-7533.

Regards



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