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BRIEFING NOTE FOR THE REGIONAL DIRECTOR-GENERAL

HADD AUTHORIZATION  
PROPOSED HARBOUR DEVELOPMENT (BREAKWATER, FLOATING  
DOCKS, DREDGING AND SERVICE AREA) AT TIVERTON, DIGBY COUNTY,  
NOVA SCOTIA

(Information Only)

**SUMMARY**

- The Department of Fisheries and Oceans – Small Craft Harbours, Maritimes Region, applied for an Authorization under Section 35(2) of the *Fisheries Act* on August 20, 2003 proposing harbour improvements. The project is proposed to take place from February 2004 to March 31, 2008.
- The work includes infilling approximately fifteen thousand two hundred thirty one (15231 m<sup>2</sup>) square metres and dredging approximately five thousand two hundred fourteen (5214 m<sup>2</sup>) square metres of ocean/harbour bottom substrate.
- Habitat Management Division, Area Habitat Chief, Thomas Wheaton, reviewed the proposal, and determined a HADD Authorization was required before the project could proceed.
- Navigable Waters Protection Program, Environment Canada, NS Dept of Natural Resources, NS Department of Transportation and NS Department of Environment and Labour were consulted.
- In support of the HADD process, Small Craft Harbours has provided a letter of intent to provide compensation for sixty one thousand three hundred thirty five square meters (61335 m<sup>2</sup>) of fish habitat.
- The environmental assessment, conducted according to the *Canadian Environmental Assessment Act* (CEAA), has been concluded. The project, taking into account mitigation and the letter of intent, is not likely to cause significant adverse environmental effects. The project can be supported.

### **Background**

- DFO – Small Craft Harbours Branch (SCH) have proposed to develop a harbour. This development will include construction of a breakwater and service/ parking area (15231 m<sup>2</sup>) and to dredge the proposed area 2.0m below chart datum (5214m<sup>2</sup>). This work will cause a harmful alteration, disruption or destruction (HADD) to 21445 m<sup>2</sup> of ocean/harbour bottom substrate. Habitat Management Division (HMD) requested the proponent to submit an application for a *Fisheries Act*, section 35(2) Authorization.
- DFO is the Responsible Authority (RA) for the project as the SCH Branch is the proponent. The project will take place on SCH property. The project is receiving federal funding. Public Works and Government Services prepared the Environmental Screening Report on behalf of Small Craft Harbours.
- There have been no formal public meetings concerning this work. The previous Minister of Fisheries and Oceans Canada, the Honourable Robert Thibault announced the project. The local Harbour Authority, who represent the local fishermen are aware of the project and support it. There are no First Nations using the Tiverton, Petit Passage facility.
- DFO Diadramous Fish Division and DFO Ocean Sciences reviewed and provided input concerning the proposed harbour development.
- DFO will be monitoring the project over the next 5 years to ensure compliance with the *Fisheries Act* Authorization.
- A template for preparation of a Fish Habitat Compensation Plan is included as Appendix B of the Authorization.

### **Recommendation / Next Steps**

- Approval of the Section 35(2) Authorization is recommended based upon the determination of the CEAA screening report, significant effects not likely, and the compensation that will be provided.

T. Rose/P. Boudreau/F. Scattolon



Government of Canada  
Fisheries and Oceans

Gouvernement du Canada  
Pêches et Océans

To: / À: Neil Bellefontaine

Date: February 4, 2004

Subject: / **HADD AUTHORIZATION**

Objet: **PROPOSED HARBOUR DEVELOPMENT (BREAKWATER, FLOATING DOCKS, DREDGING AND SERVICE AREA) AT TIVERTON, DIGBY COUNTY, NOVA SCOTIA**

From / De: Paul Boudreau

Via: Faith Scattolon

For Signature / Pour Signature

Information

For Comments / Pour commentaires

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

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Remarques :

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