



Government of Canada
Fisheries and Oceans

Gouvernement du Canada
Pêches et Océans

To: Larry Murray
A:

Date: April 30, 2003

Subject:

Objet: **Proposed Wharf, Beaver Harbour, Charlotte County,
New Brunswick**

From/De: Neil Bellefontaine

Via: Sue Kirby

For Signature/Pour Signature

Information

For Comments/Pour commentaires

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

Remarks:

DISTRIBUTION

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MEMORANDUM FOR THE MINISTER

PROPOSED WHARF, GULF OPERATORS LTD,
BEAVER HARBOUR, CHARLOTTE COUNTY, NEW BRUNSWICK

(Information Only)

SUMMARY

- The proponent, Gulf Operators Ltd., submitted an application to the Navigable Waters Protection Program (July 5, 2002), for an approval pursuant section 5(1) of the *Navigable Waters Protection Act* (NWPA) to allow the construction of a large wharf in Beaver Harbour, Charlotte County, New Brunswick.
- Approvals under this section of the NWPA require an environmental assessment, and the project was forwarded to the Habitat Management Division on November 12, 2002.
- The overall project includes the construction of a large gravel pit, 5 kilometers of access road, watercourse crossings, storage area, related infrastructure, and the large wharf. In addition, it will include the transport of the aggregate from the wharf to American markets, using large vessels, over a period of 15-16 years.
- Based on the capacity of the gravel pit and the design of the wharf, the Canadian Environmental Assessment Agency believes the project will be subject to a comprehensive study.
- At this time DFO is still awaiting a project description. Meanwhile, the proposal is being met with considerable local opposition due to environmental concerns.

Background

- Gulf Operators Ltd., an affiliate of J.D. Irving Ltd; propose to mine gravel on a 350 acre parcel of land near Beaver Harbour, Charlotte County, New Brunswick. The operation proposes to annually mine approximately 1,000,000 tonnes of gravel over a period of 16 years.
- To access American markets, Gulf Operators Ltd. propose to construct a large wharf facility, 300 meters in length, at the nearest deep-water harbour located in Beaver Harbour. The proponent believes that shipping through existing ports, like Bayside or Saint John would not be economically feasible.
- The project also includes the construction of 5 km of private road and watercourse crossings to link the gravel pit to the wharf.
- The aggregate would be mined using heavy equipment, loaded into large trucks, and hauled to a storage site near the wharf facility. Once each week, a large vessel, greater than 40,000 DWT, would berth at the wharf and load the aggregate over a 24 hour period.
- The wharf will require an approval pursuant section 5(1) of the *Navigable Waters Protection Act* and be subject to the *Canadian Environmental Assessment Act*.
- The Canadian Environmental Assessment Agency identified the capacity of the gravel pit (*CEAA Comprehensive Study List PART V, section 18(i) greater than 1,000,000 tonnes per annum*) and the size of the wharf (*CEAA Comprehensive Study List, PART IX, section 28(c) vessel capacity is greater than 25,000 DWT*) as project thresholds that would require an assessment at the Comprehensive Study level.
- Representatives from DFO (Habitat Management and Navigable Waters), the Canadian Environmental Assessment Agency, and the New Brunswick Department of Environment and Local Government attended a meeting with the proponent (April 10, 2003) to discuss the scope of the project and regulatory concerns.
- The project remains conceptual and the Habitat Management Division has not determined if the construction or operation will result in a harmful alteration, disruption or destruction of fish habitat (HADD) and if the issuance of an authorization pursuant section 35.(2) of the *Fisheries Act* is warranted.

- The proposal was incomplete and additional information including a project description and environment impact statement was requested on November 19, 2002.
- The proponent was contacted on several occasions and reminded of the outstanding information request from DFO.
- In follow up to the advertising required by the Navigable Waters Protection Program, a number of letters were forwarded to DFO for consideration. These letters identified a number of concerns including noise, dust, groundwater resource, commercial fisheries, aquaculture sites, as well as impacts of ecologically sensitive resources like harlequin ducks and right whales.
- At the invitation of the proponent, DFO attended an open house and a public meeting on April 22, 2003 in Pennfield in which more than 300 local citizens voiced their concerns over the proposed project.

Recommendation/Next steps

- At this time DFO is still awaiting a project description.
- DFO regional staff will continue to participate in any public consultations on this project proposal.

T. Currie/N. Bellefontaine/S. Kirby