

GUIDELINES

for an

Environmental Preview Report

for the

Fermeuse Offshore Marine Base

Honourable Dan Crummell
Minister
Department of Environment and Conservation

May 4, 2015

ENVIRONMENTAL PREVIEW REPORT GUIDELINES

The following guidelines are intended to assist the proponent, Fermeuse Enterprises Limited, with the preparation of the Environmental Preview Report (EPR) for the proposed Fermeuse Offshore Marine Base. The EPR is a report that presents the results of an investigation based on readily available information that supplements the information already provided by the proponent upon registration of the undertaking. The purpose of the information in the EPR is to assist the Minister of Environment and Conservation in making a determination as to whether an Environmental Impact Statement (EIS) will be required for the proposed undertaking. The EPR is expected to be as concise as possible while presenting the comprehensive information necessary to make an informed decision.

The EPR should include and update the information provided in the original registration and focus on the information gaps identified during the government and public review of the registration. The EPR should address the information gaps in sufficient detail to enable the Minister of Environment and Conservation to make an informed decision as to the potential for significant environmental effects from the undertaking.

The contents of the EPR should be organized according to the following format:

1. NAME OF UNDERTAKING:

The undertaking has been given the name "Fermeuse Offshore Marine Base."

2. PROPONENT:

Name the proponent and the corporate body, if any, and state the mailing address.

Name the chief executive officer if a corporate body, telephone number, and E-mail address.

Name the principal contact person for purposes of environmental assessment and state the official title, telephone number, and E-mail address.

3. THE UNDERTAKING:

State the nature of the Project.

State the purpose/rationale/need for the Project from the perspective of the proponent. If the proposal is in response to an established need, this should be clearly stated. Identify needs that are immediate as well as potential future needs. Identify any broader private or public sector policies, plans or programs to which the objectives of the Project contribute, i.e. job creation programs, equal opportunity employment plans, local employment and recruitment strategies, economic development plans, research opportunities, business innovation programs, etc. Identify any potential opportunities to partner with local business, i.e. vessel maintenance and repairs.

4. DESCRIPTION OF THE UNDERTAKING:

Provide complete information concerning the preferred choice of location, design, construction standards, maintenance standards, etc.

Explain why Fermeuse Harbour was selected as the location for this facility.

Describe the design of new buildings to be constructed, particularly in relation to compliance with recent updates (Section 9.36) of the National Building Code, which include energy efficiency requirements. Incorporate local climate change projections, flood risk-mapping, sea-level rise and coastal erosion information into project design, construction and maintenance. Local climate information can be found at the following web links:

Sea Level Rise:

http://www.nr.gov.nl.ca/mines&en/geosurvey/publications/CR2010/2010_Batterson-Liverman.pdf

Climate Change Projections:

http://www.turnbackthetide.ca/whatsnew/2013/NL_Climate_Projections_Full_Report.pdf

Flood Risk Mapping:

<http://www.env.gov.nl.ca/env/waterres/flooding/frm.html>

Coastal Erosion:

<http://www.nr.gov.nl.ca/nr/mines/geoscience/publications/currentresearch/2014/Irvine-2014.pdf>

4.1 Geographical Location/Physical Components/Existing Environment

Provide an accurate description of the location of proposed site, access road, facilities and equipment, including GPS location coordinates. Describe the proposed site and surrounding land and marine environment prior to project

development. Give a detailed physical and biological description of Lumley Cove, particularly areas where infilling is proposed. Clearly indicate proximity of the site relative to existing residential areas, transportation routes, structures, cabins, trails, water bodies, floodplains, wetlands and wildlife migration corridors. Identify any nearby tourist attractions, hiking trails, scheduled salmon rivers, interpretative sites, look-off points, parks, ecological reserves, wilderness reserves, etc. Attach an original base map (1:25,000 scale) and/or recent air photos, identifying the above-noted features.

Provide a detailed site plan of the proposed offshore marine base facility, identifying all features, including:

- buildings and structures
- wharves, berths and servicing quays
- infill and in-water work areas
- crane and heavy lift areas
- laydown areas
- fabrication areas
- bulk storage areas
- fuel storage tanks
- hazardous materials storage
- water and sewer lines
- site power plant
- site lighting structures
- perimeter fencing

Provide a visual rendering of the envisioned fully developed facility from various vantage points.

Provide information regarding ownership and/or zoning of the land upon which the Project is to be located and any restrictions imposed by that ownership or zoning, i.e. municipal land and zoning, private land, Crown land, East Coast Trail, etc.

4.2 Construction:

State the total project construction period (if staged, list each stage and its approximate duration) and proposed date of first physical construction-related activity.

Provide details, materials, methods, schedule, and location of all planned construction activities.

Indicate site preparation activities that will be undertaken including vegetative clearing, grubbing, topsoil stripping, excavating, infilling and landscaping.

Describe any new road construction and upgrading of existing roads that will be required to accommodate vehicular access to and within the proposed project area.

Describe the potential sources of pollutants during the construction period(s) including light and noise pollution, airborne emissions and dust, hazardous liquids and liquid effluents, solid waste materials, surface water drainage, soil erosion, sedimentation, siltation and re-suspension of marine pollutants.

Describe existing structures inside the project footprint and identify any existing structures that will be demolished, disassembled and/or removed to accommodate this facility, i.e. existing wharves, storage tanks, houses, etc.

Provide an inventory of surface water bodies and private and public wells that are located within a one kilometer radius of blasting activities during construction.

Define plans for water, sewer and electrical services for the facility, indicating whether existing municipal infrastructure can accommodate the demands associated with the Project. Identify the drinking water source for the base, as either the Town of Fermeuse municipal system or a separate private supply. Identify expected water usage from the base during each phase of construction and whether there is sufficient capacity at the source of supply and/or capacity in the distribution system of the public drinking water system of the Town of Fermeuse. Identify the location of wastewater discharge, whether using the municipal system of the Town of Fermeuse or a separate private system. Specify plans for the Town's sewer outfall, which currently discharges at Sheep's Head, within the proposed project area. Ensure that the capacity of the Town of Fermeuse wastewater collection system is adequate to accept wastewater flows from the base, if connected to the public wastewater system, for each phase of construction of the base.

Provide a detailed description of each anticipated employment position associated with the construction of the Project, including the following: 4-digit National Occupation Classification (NOC 2006) codes; the number of positions associated with each code; the approximate timelines for each position; an indication of whether positions identified are full-time or part-time; an estimate of the number of apprentices (by level and trade/4-digit NOC code) and journeypersons required; qualifications, certifications and other requirements associated with key positions including the need for, location and availability of related training opportunities; the anticipated source of the workforce, including an estimate of local area and provincial employment, recruitment strategies, and clarification on which positions would be direct hires and which would be from contracted companies carrying out project work; the provision of quarterly employment summary reports including information on the number employed by

4-digit NOC 2006, the number full-time/part-time employees, the number of apprentices (by level) and journeypersons, gender and source of the workforce.

Describe women's employment strategies that will be incorporated into hiring plans during the construction phase of the Project.

Specify anticipated living accommodations for the Project workforce during construction phases (i.e. local housing market, worker camps, commercial accommodations, etc.).

Describe measures that will be undertaken to ensure that activities associated with the construction of an Offshore Marine Base are conducted in compliance with the *Occupational Health and Safety Act, O.C. 2012-005* and its Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per *OHS Act s.10*.

Provide an archeological impact assessment from Sheep's Head to Steel Point prior to any ground disturbing activities. Provide an overview of the history of Fermeuse Harbour including informant interviews with residents knowledgeable of the history and land tenure of Lumley Cove.

Provide side-scan sonar imaging of the sea bottom for the entire area between Sheep's Head and Steel Point (similar data may be substituted and made available to a Marine Archaeologist for interpretation). Provide historical information on the sea bed at Fermeuse Harbour from informant interviews with local fishermen and recreational divers familiar with the Project area including knowledge of shipwrecks, unusual findings, etc.

Describe potential causes of resource conflicts during the construction phase(s) including temporary disruption of marine and vehicular traffic, interference with resource harvesters and harvesting activities, destruction of fish habitat as the result of infilling, adverse impacts on surface and groundwater within one kilometer of blasting operations, demolition of existing public wharves, impacts on the East Coast Trail, impacts on the quality of life for residents who live within and nearby the Project footprint, and impacts of noise and light on human, terrestrial, marine and avian life.

4.3 Operation and Maintenance:

All aspects of the operation and maintenance of the proposed marine offshore base shall be presented in detail, including those related to site utilities and infrastructure, buildings and structures, fabrication and laydown areas, the storage and handling of bulk and hazardous materials, marine vessels, fixed and

mobile equipment including transport vehicles, site drainage, solid waste disposal, site security, and fire protection services.

Describe fabrication and production activities that will occur at the facility and list materials and substances that will be used and the resultant compounds.

Describe marine vessel service and maintenance activities that will be undertaken at the facility.

Describe plan to ensure that that drinking water supplied to marine vessels from the marine offshore base meets the Guidelines for Canadian Drinking Water Quality.

Provide an inventory of surface water bodies and private and public wells that are located within a one kilometer radius of blasting activities during operations.

Provide a comprehensive list of chemicals to be used and /or stored during the construction and operations phases, including chemical state and estimated volume.

Provide a detailed description of each anticipated employment position associated with the operation of the Project, including the following: 4-digit National Occupation Classification (NOC 2006) codes; the number of positions associated with each code; the approximate timelines for each position; an indication of whether positions identified are full-time or part-time; an estimate of the number of apprentices (by level and trade/4-digit NOC code) and journeypersons required; qualifications, certifications and other requirements associated with key positions including the need for, location and availability of related training opportunities; the anticipated source of the workforce, including an estimate of local area and provincial employment, recruitment strategies, and clarification on which positions would be direct hires and which would be from contracted companies carrying out project work; the provision of quarterly employment summary reports including information on the number employed by 4-digit NOC 2006, the number full-time/part-time employees, the number of apprentices (by level) and journeypersons, gender and source of the workforce.

Describe women's employment strategies that will be incorporated into hiring plans during the operations phase of the Project

Specify anticipated living accommodations for the Project workforce during operations (i.e. local housing market, worker camps, commercial accommodations, etc.).

Describe measures that will be undertaken to ensure that activities associated with the operation of an Offshore Marine Base are conducted in compliance with

the *Occupational Health and Safety Act, O.C. 2012-005* and its Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per *OHS Act s.10*.

Identify a communications strategy for apprising municipal officials and stakeholders of construction and operation activities associated with the Project.

Define how fire protection services will be provided at the facility.

Although a complete list of Project activities is required by the EPR, the emphasis should be on those with the greatest potential to have environmental effects. Sufficient information should be included to predict the environmental effects of operating and maintaining an offshore marine base facility in Fermeuse harbour.

5. ALTERNATIVES

The EPR must identify and describe alternative means and locations of carrying out the Project that are technically and economically feasible. The following steps for addressing alternative means and locations are recommended:

- Identify any alternative means and locations to carry out the Project;
- Provide reasons for the rejection of alternative sites.

6. POTENTIAL ENVIRONMENTAL EFFECTS and MITIGATION:

Provide detailed information regarding the potential effects of the proposed facility on the environment and details of proposed mitigations.

Potential environmental effects associated with the construction and operation of a marine offshore base include, but are not limited to the following:

- Increased marine and vehicular traffic, noise, light and dust;
- Migratory birds becoming stranded on the Project site during construction and operations phases;
- Fabrication and production activities;
- Materials associated with the demolition, disassembling and/or removal of structures;
- Impact of blasting operations on private property, as well as surface and groundwater within a one kilometer range of blasting;
- Increased demands on municipal infrastructure and services;
- New road construction and upgrading of existing roads;
- Storage and handling of hazardous and non-hazardous materials and waste;

- Erosion and sedimentation resulting from on land activities;
- In-filling of fish habitat, sedimentation and re-suspension of sediments and contaminants resulting from in water activities;
- Discharges from project work involving the use of cement, concrete, mortars and other lime containing materials that may have a high pH;
- Greenhouse gas production by heavy equipment;
- Visibility of the facility from public areas;
- Resource conflicts during construction and operations phases.

Describe specific mitigative measures that will be implemented to minimize the impacts of the above-noted effects, specifically:

Describe activities that will be undertaken and mechanisms that will be put in place to reduce the impacts of increased vehicular and marine traffic, noise and light, on human, marine and terrestrial life.

Describe methods and materials that will be used to suppress dust during site preparation activities and regular operations.

The location of the proposed facility is approximately ten kilometers from the Witless Bay Ecological Reserve, where there are breeding colonies of seabirds, including the Atlantic Puffin, Leach's Storm-Petrel, Common Mure and Black-legged Kittiwake (among other species). The proximity of these colonies increases the likelihood of migratory birds interacting with the base during construction and operation phases, particularly during the breeding season, April 15th to August 15th. Describe mitigative measures that will be implemented to minimize the attraction of seabirds to site lights, minimize risks to birds blown onto the site due to environmental conditions, prevent and contain the accidental release of fuel, and to prevent destruction and harm to nests, eggs and nesting birds during construction and operations.

Indicate plans for resale, reuse, recycling and/or final disposal of the materials resulting from the demolition, disassembling and/or removal of structures that currently exist in the proposed project footprint. Final disposal of materials, if required, should be at an approved site.

Identify methods that will be employed to protect surrounding homes, surface water and groundwater wells from adverse effects resulting from blasting activities.

Identify any additional infrastructure (i.e. water treatment, sewage lift station, new wastewater outfall, wastewater treatment, etc.) that may be required to be added to the Town's public drinking water and wastewater system to accommodate the connection of the base, and ensure that all federal and provincial requirements are met. Describe plans for upgrading municipal infrastructure as required.

Specify plans for the re-location of a public wharf (wharves) that is/are currently located within the Project footprint.

Identify procedures for the safe handling and storage of hazardous materials and waste. Develop, test and implement an environmental emergency contingency plan which includes information regarding the location of on-site spill response equipment and a trained contractor, in the event of a spill.

Develop, test and implement an Environmental Protection Plan to prevent accidental releases, reduce consequences and ensure adequate preparedness and capacity to respond to and recover from any accidental events should they occur.

Identify provisions for the disposal of construction and other non-hazardous wastes (wood, concrete, steel). Identify opportunities for reuse and recycling. Final disposal of materials, if required, should be at an approved site.

Describe mitigative measures that will be undertaken to minimize and control soil erosion and sedimentation during construction activities including vegetative clearing, grubbing, topsoil stripping, road construction, excavating and landscaping.

Define measures that will be implemented to control the release or re-suspension of sediments or contaminants resulting from in-water activities including pile driving, construction of berths and backfilling.

Describe methods that will be used to prevent discharges from project work involving concrete, cement, mortars and other lime-containing construction materials from entering the aquatic environment.

Describe strategies and best available control technologies that will be used to minimize the project's impact on climate change with respect to greenhouse gas emissions. Provide an outline of projected fuel use as well as the estimated greenhouse gas emissions for the project.

Consider the sensitivity of the Project to long-term climate variability and provide a discussion of the potential environmental effects of the environment (e.g. increases in precipitation) on the Project. The EPR shall provide details of planning, design and construction strategies intended to minimize the potential environmental effects of the environment on the Project.

Describe methods that will be implemented to utilize existing site topography, buffer zones and other site features to minimize the visual impact of the Project.

Indicate measures that will be undertaken to resolve potential conflicts during construction and operations phases, including private homes that lie within the Project area.

7. PROJECT- RELATED DOCUMENTS:

Provide a bibliography of all project-related documents already generated by or for the proponent (e.g., feasibility study, engineering reports, etc). Provide information contained in previous studies specific to this project, which will be helpful in filling in gaps identified in the assessment of the initial registration document.

8. PUBLIC INFORMATION MEETING:

An Open House Public Information Session is required to be held in a centralized location within the town of Fermeuse to present the information gathered to fulfill the requirements of Section 5 of these guidelines. You are required to notify the Minister and the public of the scheduled meeting not fewer than 7 days before that meeting. Public concerns should be addressed in a separate section of the EPR. Protocol for these public sessions will comply with Section 10 of the Environmental Assessment Regulations, 2003. Public notification specifications are outlined in Appendix A.

9. APPROVAL OF THE UNDERTAKING:

List the main permits, licences, approvals, and other forms of authorization required for the undertaking, together with the names of the authorities responsible for issuing them (e.g., federal government department, provincial government department, municipal council, etc.).

The Canadian Environmental Assessment Agency advises that the construction, operation, decommissioning and abandonment of a new marine terminal designed to handle ships larger than 25 000 DWT, unless the terminal is located on lands that are routinely and have been historically used as a marine terminal or that are designated for such use in a land-use plan that has been the subject of public consultation, is a designated project under CEAA 2012. If the proposed project meets this or any other description of a designated project, the proponent is required to submit a project description to the Canadian Environmental Assessment Agency.

Contact: Mr. Joseph Vigder, Environmental Assessment Officer, (902) 426-4951

Fisheries and Oceans Canada advises that the proponent should submit a formal application to the Fisheries Protection Program, DFO for assessment by the Program's Regulatory Review Unit during the planning process. The application for review is located at: <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html>. Once completed, the application for review form should be sent to FPP-NL@dfo-mpo.gc.ca.

Contact: Mr. Bret Pilgrim, Fisheries Protection Division, (709) 772-4140

Transport Canada advises that the proponent is required to submit a Notice of Works for the Project, complete with a project description and engineered drawings, so

a complete assessment under the NPA can be completed. Here is the link to our website for further reference. <http://www.tc.gc.ca/eng/programs-621.html>
Contact: Ms. Melissa Ginn, Environmental Officer, (709) 772-3088

10. SUBMISSION OF ENVIRONMENTAL PREVIEW REPORT

The determination that an environmental preview report is required remains in force for three years after the minister has advised the proponent of the requirement. If, after the expiration of three years, a report that complies with the Act and guidelines and requiring no further work has not been submitted, that determination shall be considered to be void and the undertaking must be registered again.

A minimum of 6 copies of the EPR and an electronic version for posting to the Environmental Assessment website should be sent, together with a covering letter, to:

Minister
Environment and Conservation
P.O. Box 8700
St. John's NL A1B 4J6
Attention: Director of Environmental Assessment

Undertakings with an estimated capital cost greater than \$15 million are subject to a schedule of fees in accordance with the Department of Environment and Conservation's Cost Recovery Policy. Fixed fees shall be charged as follows:

Environmental Preview Report (EPR) - \$5,000 in two installments: \$2,000 prior to the issuance of EPR guidelines by the Minister and \$3, 000 on submission of the EPR, payable to the Newfoundland Exchequer Account.

APPENDIX A

Public Notices

Under the provisions of the Environmental Assessment Regulations 2003, Section 10, and where the approved Guidelines require public information session(s), the following specified public notification requirements must be met by the proponent prior to each meeting.

Minimum information content of public advertisement - (Proponent to substitute appropriate information for italicized items):

<p style="text-align: center;">PUBLIC NOTICE</p> <p style="text-align: center;">Public Information Session on the Proposed</p> <p style="text-align: center;"><i>Name of undertaking</i> <i>Location of undertaking</i></p> <p style="text-align: center;">shall be held at <i>Date and Time</i> <i>Location</i></p> <p style="text-align: center;">This session shall be conducted by the Proponent, <i>Proponent name and contact phone number</i>, as part of the environmental assessment for this Project.</p> <p style="text-align: center;">The purpose of this session is to describe all aspects of the proposed Project, to describe the activities associated with it, and to provide an opportunity for all interested persons to request information or state their concerns.</p> <p style="text-align: center;">ALL ARE WELCOME</p>

Minimum newspaper ad size: 2 column widths; Minimum posted ad size: 7" x 5"

Minimum newspaper ad coverage: Weekend preceding meeting and 3 consecutive days prior to meeting date; to be run in newspaper locally distributed within meeting area or newspaper with closest local distribution area.

Minimum posted ad coverage: Local Town or City Hall or Office, and local Post Office, within town or city where meeting is held, to be posted continually for 1 full week prior to meeting date.

