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Application for Approval

General Information

Registry Number

5269

Application Title

Dartmouth Cove Waterfront Access Project

TC File Number

N/A

Are you the riparian property owner?

No

Is the body of water listed on the schedule to the CNWA?

Yes

Are you representing an Indigenous group?

No

Is the work near/on First Nations reserve or land claim?

No

Are you applying for a Governor in Council exemption to the prohibitions (sections 21 to 24 of the CNWA)?

No

Does this project involve throwing or depositing materials in water?

Yes

Does this project involve dewatering a body of water?

No

Work Site Information

Province/Territory

Nova Scotia

Geographical Area (nearest municipality/county/district)

Halifax Regional Municipality

Official and/or local name(s) of the body of water (Waterways)

N/A

Enter the name of the waterway

N/A

Site location such as Lot, Concession, Section, Township, Range, Meridian, 911 Address, Property, Identification etc...

The Project Area (i.e., the potential area that is proposed to be infilled) is located in Halifax Regional Municipality, Nova Scotia, in the marine waters of Dartmouth Cove, which is on the eastern shore of Halifax Harbour (the Harbour) and immediately south of the portion of the Harbour that is commonly referred to as "the Narrows". The Project Area comprises a private water lot (PID #00114132) that occupies approximately 2.7 hectares (ha) and is owned by 4197847 Nova Scotia Limited.

WGS 84 (degrees, minutes, seconds)

Latitude: 44° 39' 51.185" N

Longitude: 63° 33' 29.965" W

The nearest community is Dartmouth, Halifax Regional Municipality, Halifax County, Nova Scotia

Legal Land Description

The Project Area (i.e., the potential area that is proposed to be infilled) is located in Halifax Regional Municipality, Nova Scotia, in the marine waters of Dartmouth Cove, which is on the eastern shore of Halifax Harbour (the Harbour) and immediately south of the portion of the Harbour that is commonly referred to as “the Narrows”. The Project Area comprises a private water lot (PID #00114132) that occupies approximately 2.7 hectares (ha) and is owned by 4197847 Nova Scotia Limited. Legal property survey attached.

Site Location

Latitude

44.664167

Longitude

-63.558056

Canadian Hydrographic Chart Number

N/A

Topographic Map Number

N/A

Project Information

Work Item 1

Work Type

Fill

Work Subtype

N/A

Work Statuses

- Place

Work Sub-Status

Permanent

Prohibition Type

N/A

Brief project description

The Project Area will be infilled with approximately 99,700 cubic metres (m³) of material, including approximately 41,900 m³ of sulphide-bearing material (i.e., pyritic slate) from local excavation projects and approximately 57,800 m³ of non-acidic quarry rock. The resultant sloped infill area will be entirely contained within the Project Area (see figure). Sulphide-bearing rock will be placed only below the lowest low tide level (-1.281 m CGVD 2013 vertical datum) and limited to a maximum water depth of 1.0 m below lowest low tide (i.e., -2.281 m CGVD 2013 vertical datum). This material will then be capped with non-sulphide rock, which will be placed from a depth of 1.0 m below lowest low tide to a geodetic elevation of 2.1 m (Figure 2). All material to be used for fill will be free of polluting substances.

Fill will be placed by end-dumping from tandem trucks. An excavator will be used to push the infill material into the water lot, working seaward from the existing shoreline. A silt curtain will be installed around the Project Area prior to the commencement of in-water Project activities. Infilling activities will be visually monitored, and additional mitigation will be implemented as necessary in the event that a visible sediment plume migrates beyond the silt curtain. No dredging is expected to be conducted prior to infilling.

To access the Project Area, a temporary gravel access road is proposed on the western side of the property to Maitland Street.

The intention is for the infilled Project Area to provide enhanced waterfront access and land that will eventually enable future development. Although the design of the future development structure is contingent upon infill approval, it is anticipated that it will have a minimum geodetic elevation of 3.17 m (CGVD 2013 vertical datum).

Method of construction

Fill will be placed by end-dumping from tandem trucks. An excavator will be used to push the infill material into the water lot, working seaward from the existing shoreline. A silt curtain will be installed around the Project Area prior to the commencement of in-water Project activities. Infilling activities will be visually monitored, and additional mitigation will be implemented as necessary in the event that a visible sediment plume migrates beyond the silt curtain.

Anticipated impacts

Once complete, Project infilling activities will result in the permanent loss of water column and benthic fish habitat within the approximately 2.7 ha Project Area. This will be partially offset through the addition of sloped backfill consisting of hard substrate (i.e., pyritic slate and non-acidic quarry rock). The existing benthic habitat within the Project Area is of relatively poor quality and low productivity. The majority of the infill area is predominantly covered by soft silty sand, with localized areas of mixed substrate and hard substrate. Benthic macrofauna were found to be present in lower abundances in areas with soft substrates and in higher abundances in areas dominated by hard substrates. Marine macroflora were generally concentrated in areas with hard substrates, although a small eelgrass patch approximately 3 m in diameter was encountered on substrate consisting of silt and sand.

Without the application of appropriate mitigation measures, marine infilling activities could result in water quality effects, including increased turbidity and siltation, resuspension of contaminated sediments, and the introduction of debris or other contaminants that may be present in the fill material. Although it is unlikely that

contaminated sediment would be transported to areas that are currently unaffected by contaminants (i.e., silt deposits), these water quality effects could incrementally degrade adjacent habitat.

The Applicant is also seeking authorization under paragraphs 34.4(2)(b) and 35(2)(b) of the Fisheries Act. A Project-specific Offsetting Plan will be developed and implemented to mitigate residual Project-related effects on fish and fish habitat through habitat restoration and enhancement. It is proposed that the Offsetting Plan for the Project, including an associated implementation schedule, be developed in consultation with DFO-FFHPP separately from this Application for Authorization.

Expected Construction Start Date

2022-08-01

Expected Construction End Date

2028-08-01

Environmental Review Information

Is the work located on Federal lands?

No

Is the project a designated project under the Physical Activities Regulations under the Impact Assessment Act?

No

Is the project subject to Northern Environmental Assessment (EA) Regime(s)?

No

If yes, identify the northern EA regime(s) that apply

N/A

Other Federal Organizations Involved

• Fisheries and Oceans Canada (DFO)

If 'Other', Please Specify

N/A

Submission Date

2022-03-24