

Notice of Determination

July 27th, 2026 – Transport Canada and the Port of Quebec has determined that the rehabilitation of Wharves 78 and 79 at the Davie Shipyard is not likely to cause significant adverse environmental effects.

This determination was based on a consideration of the following factors:

- Impacts on rights of Indigenous Peoples;
- Indigenous knowledge;
- Community knowledge;
- Comments received from the public; and
- Technically and economically feasible mitigation measures.

Mitigation measures taken into account for this determination are as follows:

- Ensure that all workers review the mitigation measures and all site-specific considerations before work begins.
- Submit a mobilization plan that delineates, on an already disturbed area (e.g., road, gravel surface), the access routes to the site as well as the various areas required for the project—such as the work area, staging area, storage area, equipment cleaning area, and parking lots—and specifies the duration of their use. These areas must have been approved by the Davie representative.
- Avoid sensitive areas (wildlife, flora, cultural resources) and any related restricted activity zones designated by Chantier Davie. If other sensitive areas are found, stop work immediately and notify the client's representative to determine the next steps.
- If animals are observed on or near the job site, ensure they are safely and properly guided away from the site to keep them away from areas of potential conflict or accidents, and report any sightings to the Davie representative. Ensure compliance with legal requirements related to species at risk.
- Pay particular attention to marine wildlife, especially marine mammals (e.g., noise generated by construction activities).
- If nests, dens, roosts, hibernation sites, or birthing areas are discovered, suspend work and immediately contact the client's designated personnel for instructions.
- Identify the key points of contact, as well as their respective roles and responsibilities, before beginning work, and share this information with all workers on site.
- Comply with all laws, regulations, standards, codes, and best practices relating to public health and safety, noise, and any other risks associated with the work being performed.
- Select equipment appropriate for the nature of the work to be performed. For example, avoid using heavy machinery if hand tools are sufficient.

- Turn off the engines of machinery, tools, and noisy equipment during work stoppages or breaks.
- Implement effective measures to limit the entry of sediment and debris from the construction site into aquatic and marine environments (e.g., sediment barriers, turbidity curtains, berms, sediment traps, sedimentation basins, temporary slope stabilization, and diversion of water to vegetated areas). These measures must remain effective during the closures of the construction site and during heavy rains. Care must be taken to limit the movement of particles into the body of water when removing equipment.
- All erosion control and sediment control measures must be in place before work begins.
- Intercept stormwater runoff from outside the construction site and keep it off the job site by directing it to stabilized facilities or areas.
- Rainwater and runoff in work areas must be contained and sampled. If they exceed applicable standards, they must be treated. If there is no risk of contamination at the construction site, stormwater and runoff must be diverted onto land into a vegetated buffer zone for infiltration, away from bodies of water and bare soil, or directed to a sedimentation basin or filtration structure to reduce the amount of particulate matter entering waterways. The standard discharge limit at the outlet of the outfall for suspended solids, as the maximum permitted discharge concentration, is 25 mg/L. This concentration is in addition to the background level.
- Obtain authorization from the Davie representative before discharging any water into the environment.
- Do not discharge any excavated material, waste, or debris into the aquatic environment. Remove any debris accidentally introduced into the aquatic or marine environment as soon as possible.
- Ensure that no harmful substances are submerged, discharged into the aquatic and/or marine environment, or placed in a location that could contaminate the aquatic and/or marine environment, as required by the Fisheries Act and the Migratory Birds Convention Act, 1994.
- No snow removed during snow removal operations may be disposed of in waterways or the river.
- Use retention tanks (110% capacity) or impermeable fuel mats with a berm for all stationary equipment and machinery (generators, compressors, etc.) located along the riverbank, and inspect the facilities during rainy periods to prevent overflow.
- Portable toilets must be installed away from storm drains, environmentally sensitive areas (trees, canals, etc.), and paved roads. Ensure that they are securely anchored to the ground.
- Do not paint, damage, or mark natural features (e.g., rocks, trees) on or around the construction site for surveying or other purposes without first obtaining authorization from a Davie representative.
- Comply with current municipal regulations regarding noise, work schedules, and nuisances.
- Manage the construction site in a way that minimizes work that generates significant noise.
- Whenever possible, schedule noisy activities to minimize the impact on visitors and nearby residents. Take measures to prevent noise transmission into the marine environment to protect marine mammals.
- Install noise barriers for equipment that generates constant noise (e.g., generators, etc.).
- Comply with the conditions of the approval issued under the Canadian Navigable Waters Act (CNWA). The requirements and mitigation measures recommended by Transport Canada may include, among other things, the signage to be installed.
- Ensure the unimpeded passage of boats through the Davie construction site.
- Keep construction vehicles and equipment in good condition and maintain them regularly. Immediately repair or remove from the site any vehicles or equipment that are leaking.

- When work involves soil disturbance, prevent sediment erosion by installing appropriate control measures (e.g., perimeter sediment barriers) and analyzing water drainage on the job site.
- Ensure that the exhaust and emission control systems of machinery, equipment, and all other construction materials are maintained in good working order.
- Comply with current municipal regulations regarding airborne dust emissions.
- Avoid handling and transporting materials that can easily erode or when a dust plume is visible.
- Dump trucks transporting materials (soil, concrete, granular materials, and any other type of material) must be equipped with watertight tarps.
- Implement appropriate measures to reduce dust emissions into the air (e.g., watering dry materials, sweeping, using tarps, etc.).
- Ensure that machinery is clean and free of invasive species and harmful weeds upon arrival at the site and maintain it in this condition thereafter.
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- Implement appropriate measures to reduce airborne dust emissions (e.g., watering dry materials, sweeping, using tarps, etc.).
- Ensure that machinery is clean and free of invasive species and harmful weeds upon arrival at the site, and maintain it in this condition thereafter. At the end of the work, thoroughly clean any equipment that has come into contact with invasive alien species to prevent their spread to new areas, and dispose of waste in accordance with current regulations. Restore the washing and removal area to its original condition.
- Avoid storing materials in areas where milkweed plants are present. The plants must be protected from early May through late October, or until the first frost.
- Limit storage areas to durable surfaces or areas that have already been disturbed. If this is not possible, the proposed storage areas must be approved by the Davie representative. Equipment and machinery may not be stored above the root systems of trees.
- Limit vehicle access routes and staging areas to existing roads, parking lots, and other disturbed areas. A layout plan for heavy equipment parking areas and a layout plan for storage areas for containers and/or demolition debris are required. If undisturbed areas must be used, install soil protection measures (e.g., laying down a geotextile fabric and wood chips or gravel). Protective measures must prevent rutting, particularly when the ground is saturated with water.
- Comply with all laws, regulations, standards, and preventive health and safety measures relating to lockout procedures, storage, signage, communication, maintenance of the storage area, and the handling and disposal of hazardous materials present on the job site.
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- Store, maintain, and refuel machinery and equipment (compressors, heaters, generators, etc.) on a level surface, outside the tree canopy, and as far away as possible from waterways. Petroleum equipment must be located at least 30 m from a wetland or body of water during refueling, repair, or storage.

- Provide all construction sites with appropriate containers for the temporary and secure storage of hazardous waste, which must be sorted by category.
- Store petrochemicals, paints, and chemicals as far away as possible from waterways and keep them securely locked overnight in a facility approved by the Davie representative.
- Avoid excavating during periods when the soil is saturated, when there is heavy rain and runoff, strong winds, or wet snow.
- Limit the time excavated materials are stored on site.
- Any temporary pile of unconsolidated material located within 30 meters of an aquatic environment and left in place for more than 24 hours must be protected with a sediment barrier and covered with a waterproof tarp to prevent sediment from being carried into the water body.
- Use clean backfill material that is free of contaminants and unwanted species.
- Any soil brought onto Davie property must be topsoil that meets the most recent standards set by the Bureau de Normalisation du Québec.
- A permit is required before any excavation work may be carried out.
- Excavation is prohibited within the riparian zone (30 m) of watercourses, wetlands, lakes, and marine environments without authorization from a Davie representative.
- Manage excavated material (storage and disposal) based on its type (e.g., topsoil, fill), volume, and level of contamination (e.g., generic criteria, recommendations) in accordance with applicable federal, provincial, and municipal laws and regulations.
- Take the necessary precautions during the temporary storage of excavated material to control the dispersion of fine particles and prevent contamination of underlying and adjacent soils.
- Do not store excavated contaminated materials near the body of water. If site conditions do not allow for on-site storage, plan the excavation taking into account the operating hours of authorized disposal sites.
- If necessary, characterize the excess excavated material to determine the degree of contamination and manage its disposal appropriately.
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- All machinery that comes into contact with contaminated material must be properly cleaned before being used in other areas.
- When disposing of soil off-site, retain all documents or records certifying its disposal at sites authorized by the MELCCFP based on its level of contamination.
- Comply with Environment and Climate Change Canada's (ECCC) Code of Practice for Reducing Volatile Organic Compound Emissions from Fluidized Asphalt and Asphalt Emulsion.
- Only vegetable oil is acceptable as formwork oil.
- Provide for measures to recover all debris and residues resulting from concrete demolition and the preparation of concrete components (e.g., tarps, geotextiles, shelters, etc.).
- Provide a system to prevent pieces of concrete from falling into the water. Also provide turbidity curtains to contain any sediment that might fall into the water. Install these curtains before work begins and remove them once all sediment has settled.
- Clean up construction debris as work progresses and dispose of it at sites authorized by the MELCCFP.

- Excess concrete from concrete pumps must be poured into a confined, watertight area. After hardening, concrete residues must be managed as construction waste and disposed of at an approved facility.
- Mix concrete on tarps as far away as possible from waterways. Prevent fresh, wet, unhardened cement and concrete dust from coming into contact with bodies of water. Concrete mixing operations must be conducted more than 100 m from any waterway or body of water.
- Water used to wash concrete mixers, as well as curing water, must be collected in a watertight basin designed to prevent any runoff into the environment. The concrete mixer washing area must be restored to its original condition upon completion of the work.
- The wash water may be collected by the concrete supplier and returned to the concrete plant for disposal. Otherwise, this water must be contained, sampled, and treated.
- Ensure that wastewater generated during construction is contained and collected. If a treatment system (portable sedimentation basin, filters, or other similar facilities) is to be used, it must prevent contaminants and particles from settling in the drainage systems and flowing into the sewers. Take the necessary steps to determine how to dispose of collected sediment and wastewater, and to ensure compliance with applicable discharge standards, such as CMM Regulation 2008-47 for discharges into the sewer system. It will be the contractor's responsibility to demonstrate compliance with these standards.
- If the water does not meet applicable standards and cannot be treated on site, it must be collected in leak-proof containers and transported to a location authorized by the MELCCFP.
- Water from waterways may not be used to wash equipment or for other construction site operations without prior authorization from the Davie representative.
- Promote the 3RV-E hierarchy—reduction at the source, reuse, recycling, recovery, and disposal—for non-hazardous waste.
- Store all products that may attract animals (e.g., petroleum products, food, recyclable beverage containers, and trash) in a vehicle, a secure building, or wildlife-proof containers. If possible, keep food waste separate from construction debris and dispose of it daily.
- Identify and sort all hazardous or toxic substances (asphalt shingles, concrete debris, creosote-treated wood, asbestos, lead-based paint, mold, animal waste, paint, automotive products, electrical equipment) as well as all pollutants such as gasoline and solvents at the construction site. Handle, store, and dispose of them in accordance with the Canadian Environmental Protection Act (CEPA), the Transportation of Dangerous Goods Act, 1992, WHMIS, and all other applicable laws, regulations, and standards. Materials must be sampled and characterized prior to the dismantling of infrastructure.
- Contain and stabilize non-hazardous residual materials as far away as possible from waterways and at the designated and approved storage area.
- Remove all non-hazardous waste from the job site and provide sufficient containers to store household waste on a daily basis. Containers must be emptied before they reach full capacity. Non-hazardous waste must be free of any contaminants and placed in designated containers according to its type.
- Demonstrate, upon request, that the disposal, reuse, and recycling of residual materials are carried out in accordance with applicable provincial and federal laws. Proof of disposal must be available on-site at all times. The disposal of these residual materials must be carried out properly and in accordance with applicable municipal or provincial regulations at a location or site authorized by the MELCCFP.
- Collect solid waste generated from washing construction equipment and dispose of it properly.

- Regularly maintain portable sanitation facilities and dispose of accumulated waste at an appropriate disposal site. Portable facilities must have sufficient capacity and be managed in a way that prevents waste from being released into the receiving environment.
- Do not build fires or burn or bury construction waste, hazardous substances, or any other materials (e.g., plastic).
- Ensure proper drainage of stormwater, which may include restoring or improving the original drainage conditions.

Transport Canada and the Port of Quebec are satisfied that the carrying out of the project is not likely to cause significant adverse environmental effects. Therefore, Transport Canada and the Port of Quebec can exercise any power, or perform any duty or function, to enable the project to be carried out.