Notice of Determination

August 18 2026 – The authorities have determined that the proposed project of reconstruction of wharf 401 at Millerand Harbour, Magdalen Islands 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 listed below.

The authorities are satisfied that that the carrying out of the project is not likely to cause significant adverse environmental effects.

Therefore, the authorities may carry out the project, exercise any power, perform any duty or function, or provide financial assistance to enable the project to be carried out in whole or in part.

RECONSTRUCTION OF WHARF 401–MILLERAND HARBOUR– MITIGATION MEASURES

Mitigation measures
Air Quality
Use well-maintained and properly functioning heavy machinery and equipment.
Regularly inspect machinery to ensure proper operation and maintain it according to usage recommendations.
When possible, turn off gasoline-powered vehicle and equipment engines when not in use.
Prohibit burning of waste at all times in or near the work area.
Adopt work methods that minimize dust emissions and vehicle exhaust fumes.
Collect and dispose of debris and wood residues (e.g., sawdust) according to applicable regulations. If temporarily stored on-site, materials must be covered or placed in sealed containers.
Monitor excavation work to limit dust plumes and take action if necessary.
Cover piles of fine materials with tarps to prevent wind dispersion.
Noise Environment
Conduct work during regular hours: 7 a.m. to 7 p.m. Monday to Friday, and 8 a.m. to 5 p.m. on Saturday, in compliance with municipal regulations.
Ensure noisy equipment is well-maintained and machinery mufflers are in good condition.
Comply with the Highway Safety Code and regulations regarding load limits and speed limits.
Surface Water Quality
No demolition debris shall be discarded into the water. Floating debris must be immediately retrieved and removed. Debris must be stored at least 30 meters from the water and protected from wind transport.
Avoid abrupt machinery movements during aquatic work to prevent suspended solids (SS) clouds.
Workers must be aware not to unnecessarily disturb sediments during aquatic work.
Install a turbidity curtain (containment) during sediment excavation to prevent SS and potential contaminant dispersion.

Mitigation measures
• Deploy the curtain to minimize fish entrapment. • Remove the curtain at least 24 hours after sediment excavation ends.
For **non-contaminated sediments**, slow excavation or space out periods if turbidity clouds spread beyond the work area.
For **contaminated sediments**, stop work immediately if turbidity clouds spread. Propose corrective measures to the ministry representative before resuming.
Limit machinery movement below the high tide line (HTL) when the area is exposed.
Store excavated materials above the HTL and stabilize or contain them (e.g., waterproof tarp, sediment barrier).
Stop work during adverse weather (strong winds, storms) to prevent material dispersion.
Place stones/materials directly on or near the seabed to limit sediment disturbance.
Machinery must not be stored within 30 m of the shoreline or watercourse, nor operate on aquatic beds.
Refueling, maintenance, and hazardous material storage must occur at least 30 m from the shoreline, or containment measures must be applied.
Ensure machinery is clean and leak-free.
Use biodegradable HF-type lubricating oil for components in contact with surface water.
Imported stones must be clean (non-contaminated).
Storage areas should be at least 30 m from ecologically sensitive zones and watercourses, and 3 m from drainage ditches, on flat or gently sloped terrain (<10%).
Treated Wood Installation (ACC)
Require ACC-treated wood to pass chromotropic acid test confirming proper fixation.
Deliver treated wood under tarps.
Inspect treated wood during construction for surface deposits and dryness. Do not use non-compliant material.
Prefer pre-cut and pre-fabricated wood pieces before pressure treatment.
Do not apply wood treatments on-site, especially if wood is in direct contact with water. Prefer low tide and dry conditions.

Mitigation measures
Collect and dispose of wood residues (e.g., sawdust) according to regulations. Store temporarily under tarps or in sealed containers.
Soil and Sediment Quality
Select storage sites based on environmental characteristics (accessibility, size, proximity to sensitive areas).
Store contaminated sediments in sealed containers or under waterproof tarps if immediate disposal is not possible.
Manage dredged and excavated materials based on analysis results and in accordance with MELCCFP guidelines.
Recover and clean up any spilled materials during loading or transport.
Avian Fauna
When possible, conduct work between August 16 and April 30, outside migratory bird nesting season.
If work must occur during nesting season, implement a management plan to reduce risks to migratory birds, including:
• Start activities before birds arrive in spring.
• Check for active nests before starting work.
• Use deterrent techniques.
• Apply any other effective method.
Before work begins, check for aquatic bird nests on structures. If found, notify the ministry representative.
If nests with eggs or chicks are found near the work area, protect them with a buffer zone and contact the Canadian Wildlife Service.
Stay at least 300 m away from seabird and aquatic bird colonies during breeding season and avoid disturbing nesting birds.
Avoid discharging waste into water and prevent hydrocarbon spills.
Mammifères marins
If a species at risk (e.g., blue whale, fin whale, North Atlantic right whale, leatherback turtle) is observed within 200 m of aquatic work, stop work until the animal moves away.
Species at Risk
Operators must be aware of the potential presence of leatherback turtles and be able to identify them.

Mitigation measures
If a white shark is observed within 200 m of the work area, suspend work and wait until the animal has moved more than 200 m away.
Invasive Species
Ensure all equipment and machinery are clean and free of invasive species upon arrival and maintain this condition.
For equipment cleaned and stored on land before work: • Provide a written list of equipment, storage location, and planned launch date to the ministry representative.
For equipment already in water: • Demonstrate that floating equipment is free of invasive aquatic species prior to mobilization to the work site • Provide a written inspection report certifying they are free of invasive species before mobilization.
Do not release aquatic invasive species found on equipment or structures back into the water.
Land Use and Residents
Schedule work during regular hours (7 a.m. to 7 p.m.) in compliance with municipal regulations.
Suspend noisy work on Sundays, holidays, and between 7 p.m. and 7 a.m.
Minimize use of engine brakes during equipment/material transport.
Truck drivers must comply with the Highway Safety Code and speed limits.
Restore traffic routes to at least their original condition promptly after work.
Port Activities, Commercial Fishing, and Navigation
Comply with all conditions of approval under the *Canadian Navigable Waters Act*.
Ensure user safety by marking the work zone and installing proper navigation signage.
Implement measures to allow safe harbor use by fishers during work, if needed.
Waste Management
Provide facilities for waste and recyclables.
Separate recyclable and non-recyclable waste.
Ensure no waste is left on-site.

Mitigation measures
Dispose of all waste according to regulations; do not burn, bury, or submerge waste on-site.
Accidents and Failures
Do not discharge hydrocarbons, solvents, thinners, or hazardous substances into watercourses or sewers.
No hazardous material discharge (e.g., oils, wastewater) into water is allowed. Dispose of properly.
Ensure hazardous materials for disposal are managed according to regulations (e.g., wood preservatives, empty containers, sawdust, contaminated soil).
Ensure machinery is well-maintained to prevent leaks.
Identify risks of toxic substance spills and prepare prevention, safety, and emergency response plans.
Handle petroleum hydrocarbons carefully, store at least 30 m from the shoreline, and dispose of according to regulations.
Keep a spill kit on-site and accessible throughout the work.
In case of equipment failure or accidental spill, apply emergency measures, repair immediately, contain and clean the affected area, and send contaminated material to an authorized site.
Report incidents immediately to Environment Canada's emergency line (1-866-283-2333), Coast Guard alert network (1-800-363-4735), and site supervisor.
Recover hydrocarbons and dispose of contaminated soil according to regulations. Display emergency numbers on-site.
If a spill occurs:
• Place contaminated soil/materials on waterproof tarps and cover them.
• Sample according to CEHQ guidelines.
• Analyze for petroleum hydrocarbons (C10–C50), metals, PAHs, and VOCs.
• Manage according to regulations and send to an authorized site.
• Contain contaminated water for characterization or direct handling by a specialized company.