

ENVIRONMENTAL ASSESSMENT ANNUAL COMPLIANCE REPORT

March 2016

For the

City of Quinte West Municipal Marina

EA 03-04-01

EAIMS 11100

Prepared by:
City of Quinte West

In association with:
Shoreplan Engineering Ltd

March 2016



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Compliance Reporting (Condition 5)

Environmental Assessment Act
Section 9
Notice of Approval to Proceed with the Undertaking

Re: An Environmental Assessment for a proposed Municipal Marina
Proponent: The Corporation of the City of Quinte West
EA File No.: EA 03-04-01
EAIMS File No.: 11100

VERSION	DATE	STATUS	COMMENTS
01	2016-03-31		Submitted to MoE

Environmental Assessment Compliance Report

This Annual Compliance Report fulfills part of Condition 5 of the Notice of Approval to Proceed with the Undertaking, dated March 26th, 2014.

1. Introduction

Compliance Monitoring and Reporting is a standard condition of approval for projects subject to the Environmental Assessment Act. The objective of EA Compliance Monitoring is to ensure that all aspects of the project are undertaken in compliance with the approved EA, and subsequent approvals, and to make sure that all commitments made during the EA planning process are adhered to. It also monitors to ensure the implementation and operation occurs as per design, and within the range of predicted effects. The Ministry of the Environment required that any conditions imposed as part of the EA approval are monitored and recorded for compliance.

A Compliance Monitoring Program was developed in fulfillment of Condition 4 of the Notice of Approval to Proceed with the Undertaking. A copy of the Compliance Monitoring Program is provided in Appendix 1. This document summarizes the commitments identified in the EA for each stage of the project, conditions contained within the Notice of Approval, and conditions contained within the permits and approvals. It also provided an implementation schedule.

This second annual Compliance Report covers all project activities that occurred in the 12 months since March 26, 2015, and the submission of the initial Compliance Report. Within this period the construction of the Quinte West Municipal Marina Project has been completed, and is operational. This report is organized according to the Compliance Monitoring Program. Section 2 reports on the monitoring commitments identified in the Environmental Assessment (EA), relevant to the time period of this Report. Section 3 provides a summary of the documents prepared over the last 12 months, in fulfillment of conditions contained within the Notice of Approval. Section 4 provides summary of the conditions of the permits and approvals and documents fulfillment of the conditions of the permits and approvals that have occurred since March 2015. Section 5 reviews the implementation schedule and provides an updated schedule based on the activities of the last year. This Compliance Report should be read in conjunction with the first annual Compliance Report (CR#1) dated March 2015, and does not contain duplicated materials, unless required.

Appendices containing all documents, relevant correspondence, and activity reports generated within the last 12 months are provided at the end of this report. Appendix 1 provides documents that fulfill the conditions contained within the Notice of Approval. Appendix 2 contains correspondence related to the Permits and Approvals. Appendix 3 and 4 documents the monitoring activities carried out during the last year. Appendix 5 contains notifications and correspondence related to communications and consultation as required by the approved Community Communications Plan and Aboriginal Community Consultation Plan.

2. Environmental Assessment Commitments

Section 7.0 Monitoring Program and Schedule of the Environmental Assessment provides the proponents commitments. Section 2 of the Compliance Monitoring Program (CMP) summarizes these commitments according to the stage of the project.

Table 1 to 4 of the CMP provides lists of the commitments identified during the EA for each stage of the project and provides a reference to the section of the EA report where the commitment was made. These tables are included in the report. Each table has been updated to include the date that the commitment was fulfilled, and a reference link to the document that describes the fulfillment. The tables will be used to track the progress of the project and will be included in future compliance reports. The monitoring commitments made in the EA were based on our understanding of the project at that time. During the permitting and implementation of the project, the mitigation measures and monitoring were modified or adapted to the findings of the monitoring programs. The table of commitments may be expanded or modified during the life of the project to adapt to these changes.

Over the past 12 months the project construction stage has been completed, and the marina is now operational. The following provides a brief description of the monitoring commitments related to works undertaken within the last 12 months, and the document that describes the fulfillment.

2.1. Planning and Detailed Design

Monitoring activities expected during the planning and detailed design stage which were included in the CMP are included within the first annual Compliance Report (CR#1) dated March 2015.

2.2. Construction

The following monitoring activities were expected during the construction of the marina and were identified in the CMP. These activities included:

- Agency notification of project commencement
- Transport Canada notification of project commencement
- Public notification of project commencement
- Funding of Project
- Adherence to by-laws
- Construction activities
- Docks/ Floating Breakwaters meet specifications
- Function of silt/turbidity curtains and erosion control measures
- Fish salvage and release activities
- Sampling and testing of dredged material
- Monitoring turbidity for removal of turbidity curtain
- Monitoring algal blooms and reporting blooms to MOE Spills Action Centre



- Monitoring existing river flow gauges during dredging operation
- Coordinate as built drawings
- Haul and Receiving Site Records
- Legal Survey for purchase of water lot
- Inspection of structures after installation/construction
- Inspection of electrical service
- Fish habitat compensation plan

The construction of the Quinte West Municipal Marina was separated into two construction projects. The first project was the Quinte West Municipal Marina Dredging and Shore Protection Project and the second is the Quinte West Municipal Marina Breakwaters and Docks Project. Notification of Project Commencement was included in the March 2015 Compliance Report (CR#1).

The dredging and shore protection project started construction on August 7, 2014, and was completed on November 7, 2014. The work included dredging bottom sediment from the marina basin area, disposing the dredge material at a landfill and constructing shoreline protection along the existing shorelines at Bayshore Park. The above mentioned monitoring activities and documentation related to this part of the construction project are included within the first Compliance Report (CR#1) dated March 2015.

On October 22, 2015 Shoreplan Engineering Limited carried out a visual inspection of the shoreline protection. No deficiencies were identified at that time.

The second project, Quinte West Municipal Marina Breakwaters and Docks Project was divided into three phases. Tender drawings and specifications were provided in CR#1. Phase 1 work included the installation of the floating breakwaters and docks in the south marina basin. Phase 1 was substantially completed on June 30, 2015. Phase 2 work included the installation of the main docks and some of the finger docks in the north basin. This work was substantially completed November 10, 2015. The installation of the final docks is currently underway. The floating docks and breakwaters were supplied based on performance specifications. The contractor was required to provide shop drawings and design reports regarding the performance and structural design of the docks and breakwaters. These submissions, as well as meeting minutes, certificate of publication and an "As built" drawing showing the location of the breakwaters and are provided in Appendix 4.

2.3. Operation

The Quinte West Municipal Marina, also known as Trent Port Marina, commenced operations in June 2015. Recently, it was reviewed under the Clean Marine Program and obtained blue flag status.

The marina basin had significant growth of aquatic vegetation during the 2015 boating season. MNR was contacted regarding a permit to cut the aquatic vegetation that was growing within the marina basin. Following a review of the type of aquatic macrophytes that were growing in the marina basin, it was determined that it was an invasive species. No work permit was required by MNR. MNR provided rules to follow regarding the removal of the aquatic material. Copies of the emails which include the "rules" are provided in Appendix 2



2.4. Closure and Decommissioning

The Quinte West Municipal Marina is operational. There are no monitoring activities related to Closure or Decommissioning to report.

Table 1 EA Monitoring Commitments during Detailed Design

Stage	EA Commitment	Section Describing Commitment in EA	Date	Document Describing Commitment Fulfillment
Detailed Design	Ensure compliance with terms of the grant	Section 3.1.3	Grant received all conditions met	Appendix 5 (CR#1)
	Prepare detailed design based on design criteria, mitigation measures, and approval conditions of the EA	Sections 6.4.1 & 6.5	July 17, 2014	Appendix 3 (CR#1)
	Carry out Stage 2 Archaeological Assessment if required by detailed design	Section 6.5.3	June 10, 2014	Appendix 1 (CR#1)
	Prepare dredging plan including details of dredging operation, sediment sampling program and soil management	Section 6.5	June 17, 2014	Appendix 1 (CR#1)
	Prepare detailed design drawings and specifications	Section 6.4.1	June 03, 2014	Appendix 3 (CR#1)
	Prepare fish habitat compensation plan in consultation with DFO, LTC and MNR	Section 6.5.1	July, 2014	Appendix 1 (CR#1)
	Obtain all approvals, permits, and authorizations	Section 10	July 17, 2014	Appendix 2 (CR#1)
	Develop detailed monitoring plan based on the final design, conditions of approvals and permits.	Section 7.0	August 01, 2014	Appendix 1 (CR#1)
	Prepare and submit to MOE as part of the annual compliance report	Section 7.0	March 31, 2016	This document

Table 2 EA Monitoring Commitment during Construction

Stage	EA Commitment	Section Describing Commitment in EA	Date	Document Describing Commitment Fulfillment
Construction	Notify approval agencies of project commencement	Section 10	July 22, 2014	Appendix 2 (CR#1)
	Notify Transport Canada of project commencement	Section 6.5.4.3	July 17, 2014 and August 7, 2014	Appendix 4 (CR#1)
	Notify public of project commencement	Sections 6.5.2 & 6.5.3	July 24, 2014	Appendix 5 (CR#1)
	Monitor funding of the project	Section 3.1.3		Appendix 5 (CR#1)
	Adhere to conditions of approvals, permits, authorizations and by-laws	Section 10	Ongoing	Appendix 2 (CR#1) Appendix 2 (CR#2)
	Monitor construction activities to ensure the project is carried out according to the specifications, dredging plan, and other plans developed during detailed design.	Section 6.5	October 22, 2015	Appendix 4 (CR#1) Appendix 4 (CR#2)
	Ensure breakwaters and docks meet performance specifications	Section 6.5.4	February 4, 2016	Appendix 4 (CR#2)
	Monitor function of turbidity/silt curtain and other erosion control measures to ensure efficacy	Sections 6.5.1.3 & 6.5.1.4	November 17, 2014	Appendix 4 (CR#1)
	Monitor algal blooms and report any to the MOE Spills Action Centre	Section 6.5.1.3	November 17, 2014	Appendix 4 (CR#1)
	Monitor turbidity to determine if turbidity curtain can be removed after dredging	Section 6.5.1.3 & 6.5.1.4	September 30, 2014	Appendix 4 (CR#1)

Stage	EA Commitment	Section Describing Commitment in EA	Date	Document Describing Commitment Fulfillment
	operation or construction			
	Monitor existing river flow gauges during dredging operation	Section 6.5.1.3	September 30, 2014	Appendix 4 (CR#1)
	Monitor and document fish salvage and release activities and provide documentation to MNR as part of Science License Collection Permit	Section 6.5.1.1	September 30, 2014	Appendix 2 (CR#1)
	Sample and test dredge material according to O.Reg 153/04 and retain analysis results	Section 6.5.1.4	October 31, 2014	Appendix 4 (CR#1)
	Monitor and retain hauling and receiving site records	Section 6.5.1.4	N/A	
	Coordinate As Built drawings		November 2014 September 2015	Appendix 4 (CR#1) Appendix 4 (CR#2)
	Carry out legal survey for acquisition of water lot	Section 10	Ongoing	
	Inspect structures during and after installation and construction	Section 6.5.	November 7, 2014 Ongoing	Appendix 4 (CR#1)
	Inspect electrical service and obtain certification	Section 6.5	May 14, 2015	Appendix 4 (CR#2)
	Monitor fish habitat compensation measures as required by DFO authorization	Section 6.5.1.1	March 12, 2015 December 31, 2015 Ongoing	Appendix 2 (CR#1) Appendix 2 (CR#2)
	Prepare and submit to MOE as part of the annual CR	Section 7.0	March 26, 2015 March 31, 2016	This document

Table 3 EA Commitments during Marina Operation

Stage	EA Commitment	Section Describing Commitment in EA	Date	Document Describing Commitment Fulfillment
Operation	Inspect structures near end of warranty period	Section 6.5.4	October 22, 2015 (Dredging and Shore Protection Project)	Appendix 4 (CR#2)
	Inspect structures annually by marina staff	Section 6.5.4	Ongoing	
	Inspect structures every 5 years by qualified engineer	Section 6.5.4		
	Clean Marine Practices Audit (self assessment program)	Section 6.5.1.3	In progress	
	Obtain permits from approval agencies (LTC and MNR) for removal of aquatic material	Section 10	September 22, 2015	Appendix 2 (CR#2)
	Obtain all approvals, permits or authorizations for maintenance dredging (if required) and monitor dredging activities according to the applicable construction activities	Sections 6.5.1.3, 6.5.1.4 & 10		
	Prepare and submit to MOE as part of the annual compliance report	Section 7.0	March 31, 2016	This Document

Table 4 EA Commitments during Decommissioning

Stage	EA Commitment	Section Describing Commitment in EA	Date	Document Describing Commitment Fulfillment
Decommissioning	Notify Transport Canada of closure	Section 6.5.4.3		
	Notify public of closure	Section 6.5.2 & 6.5.3		
	Monitor removal and disposal of floating docks, breakwaters and anchors	Section 6.5		
	Monitor removal and disposal of access ramps and other landside features	Section 6.5		
	Monitor termination electrical and water service	Section 6.5		
	Prepare and submit to MOE as part of the annual compliance report	Section 7.0		

3. Conditions contained within Notice of Approval

In addition to the commitments made within the EA, a number of specific conditions were included within the Notice of Approval that will be monitored for completion and included within Annual Compliance Reports. The following provides the conditions within the Notice of Approval and the document that fulfills these conditions.

- a) The Notice of Approval commits the proponent to undertake all requirements contained within the approved EA and any subsequent permits, licenses or approvals. These commitments and conditions are referenced elsewhere in this Compliance Report, CR#1 and appendices.
- b) Specific requirements for placing information related to the project on Public Record, are included, and these will be used for submission and notification of all project milestones and compliance monitoring reports. (See Section 3 e) and Appendix 5)
- c) The proponent was charged to complete and submit the following Plans and Protocols following the approval of the EA.
 - i) A Community Communications Plan
 - ii) A Complaints Protocol
 - iii) An Aboriginal Community Consultation Plan
 - iv) A Stage 2 Archaeological Assessment
 - v) A Surface Water Monitoring and Mitigation Plan
 - vi) A Dredging Plan
 - vii) A Habitat Monitoring and Compensation Plan

The above Plans (included in CR#1, Appendix 1) were completed and placed on public record in accordance with the Notice of Approval, and submitted to MoE for approval prior to project implementation. Each of the plans and protocols are provided in Appendix 1 of CR#1.

- d) The Notice of Approval clarifies that all commitments within the EA, and applicable regulations, apply to any contractors, consultants and sub-consultants, and the proponent will monitor and report the process by which this responsibility is communicated, and undertaken. Upon completion of contracts all project contractors were provided with details of commitments resulting from the EA, Notice of Approval, relevant monitoring plans, and permits and approvals that related to the works being undertaken. This was provided in writing following contract issuance, was detailed within contractor start up meetings, and formed part of regular site meetings. All relevant permits and approvals were held at site offices during the life of the contract.
- e) A Community Consultation Plan and a Complaint Protocol were developed as per conditions 7 and 6 of the Notice of Approval. These Plans are included in CR#1 Appendix 1. The Plans identified the procedures to be implemented to keep interested members of the public informed about information related to the approved Undertaking, and to provide a template process for how inquiries and complaints would be dealt with during design, construction and operation of the undertaking.

The format and extent of public consultation developed during the Environmental Assessment was continued throughout the implementation stages of the project. A commitment was made to provide clear, concise and relevant information through widely accessible formats, and at specific project milestones, to all interested parties.

A Public Contact List was established during the preparation of the Environmental Assessment and is included in Appendix 5. This Contact List was used, and expanded as required, for any information mail outs. The following methods were used to present information to members of the public:

i) City Website – The City website established during the EA process was continued and further developed post EA approval. The project webpage was updated as required and contains information related to the EA, including Notice of Approval; the notice of commencement of construction; Stage 2 Archaeological Assessment; design information and drawing links; links to tenders and contract awards. Links to this webpage were provided on all emails and letter correspondence related to this project. This Annual Compliance Report will be added to the City website for public review.

In addition to the City webpage, a Trent Port Marina website was also established, and continues. This website is linked to the City website, and provides information more targeted at prospective boaters and marina clients. This website has seen the largest use of the two linked sites since the start of project implementation. Information related to marina design, project commencement, marina facilities and rates, and scheduled opening dates are included on this webpage. A monthly newsletter related to the project was initiated in December 2014, and is mailed or emailed to all interested members of the public. Screen prints of both the City and Trent Port Marina websites, plus copies of the monthly newsletters are included in Appendix 5. Both websites provide clear and direct contact information to the relevant City staff based on the subject matter, and potential comment or question.

ii) Newspaper – Regular Newspaper articles and Media releases were posted in local papers to communicate matters such as Marina Opening Dates, docking availability, and Council's decision to install additional docks. These posted notices, media releases and articles are included in Appendix 5. Notification of the completion and submission of this Annual Compliance Report was sent to all contacts and copy of letter is attached in Appendix 5.

iii) Documents – Copies of the Environmental Assessment, Notice of Approval, and resulting Compliance Plans, Notice of Commencement together with project design information and monthly newsletters have been available at City Hall for the duration of the project.

iv) Committees and Council – staff reports presented to Council and standing Committees are included in Appendix 5.

v) General Correspondence – most, if not all public enquiries related to the project since the approval of the EA, have related to the information on the marina services, boating rates, and other information regarding the completed facility from prospective boaters. Since August 2014 the City has established two members of staff (the

Supervisor of Tourism and Special Events, and an Administrative Assistant) to host calls and emails from prospective boating clients. This correspondence is not contained within this compliance document at this time, however can be provided if requested. Any correspondence received that did not relate to boating information is attached in Appendix 5. While the comments and questions received were answered in accordance with the approved Complaints Protocol, there were no issues or complaints received over the last 12 months that triggered the mediation steps provided for, in the Protocol.

- f) An Aboriginal Community Consultation Plan was developed as per condition 9 of the Notice of Approval. This Plan is included in Appendix 1, CR#1. The Plan identified the procedures to be implemented to keep previously involved Aboriginal communities notified, during the projects implementation phases.

The form of Aboriginal consultation developed during the Environmental Assessment was continued throughout the implementation stages of the project.

An Aboriginal Community Contact List was established during the preparation of the Environmental Assessment and is included in Appendix 5. This Contact List was used, as required, for any information mail outs.

City staff were available for meetings with Aboriginal communities, however none were requested, all project documentation, design and tender information was available upon request for the duration of the last 12 months.

The Aboriginal Community Consultation Plan provided a process for notifying Aboriginal communities upon the discovery, during construction, of any artifact or remains. Construction did not encounter any such remains, and therefore this protocol has not been initiated.

4. Conditions contained within Permits and Approvals

The project required permits or approval by Lower Trent Conservation Authority (LTC), Ontario Ministry of Natural Resources (MNR), Fisheries and Oceans Canada (DFO) and Transport Canada under their regulating Acts. After completion of the detailed design each agency was sent drawings and a detailed description of the proposed work. Each permit, authorization or approval is provided with a set of condition which must be followed during and after construction. Some of these conditions require monitoring of the project post construction. The following provides the conditions provided by each agency for the project.

4.1. Lower Trent Conservation

On June 24, 2014 Lower Trent Conservation (LTC) issued a permit under Ontario Regulation 163/06 Development Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation of the LTC for the marina project. A copy of the permit is provided in Appendix 2 of CR#1. LTC identified four conditions of their approval of the project.

- Appropriate erosion and sediment control measures are implemented prior to, and maintained during the construction.



- Local drainage is to be maintained and the protection works are not to impact adjoining land.
- All activities including maintenance procedures must be controlled to prevent the entry of petroleum products, debris rubble concrete or other deleterious substances into the water, and
- LTC staff will be contacted and advised of when the work is being undertaken.

LTC staff was notified of the work commencement on July 22, 2014. Communications with LTC during implementation of the Quinte West Municipal Marina Dredging and Shore Protection project are included in Appendix 4 (CR#1). All works are completed.

4.2. Ontario Ministry of Natural Resources

On July 17, 2014 Ontario Ministry of Natural Resources issued Work Permit for the project under the Public Lands Act. Schedule D of the permit includes 12 conditions. The conditions are as follows:

1. No in water work shall occur from October 1st - July 1st to protect fish species during their critical spawning and nursery period.
2. The contractor or equipment operator must be provided with a copy of this Work Permit and conditions prior to proceeding with any work.
3. The work permit and Schedule D must be readily available at the work site for the duration of the project.
4. If changes are made to the approved work plan, it is the responsibility of the permittee to contact the Ministry of Natural Resources for further instructions prior to any work being commenced.
5. No work will be undertaken on shore lands or lake bed that is not described on the attached map.
6. The permittee shall notify this office a minimum of two (2) days prior to beginning the approved work and immediately after completion.
7. Except for the arm and bucket of a swing hoe or excavator, construction machinery is not permitted below the high water mark. The swing hoe or excavator may operate from a barge.
8. Work must be completed on a calm day or during an off-shore wind.
9. Location and dimensions of the proposed dredging must be as indicated on the drawing titled "Dredging Site Plan and Sections", submitted by Shoreplan Engineering Limited and dated April 4, 2014.
10. Silt mitigation measures must be in place on site as per the Dredge Plan and Monitoring Plans document, submitted by Shoreplan Engineering Limited.

11. If for any reason the boundary or terms of work are not clearly understood it is the responsibility of the permittee to contact the Ministry of Natural Resources for further clarification.
12. Dredged material must be disposed of in a manner that has been approved by the Ministry of the Environment and analysis of dredged material should also be reviewed and approved by MOE. Dredged material that is to be temporarily stored on site must be stabilized/ contained as to not allow any material to re-enter the water.

The dredging operation was complete on September 30, 2014. Construction of the shore protection was not complete. An extension to the in-water work period to October 31, 2014 was requested during construction. On September 22, 2014, MNR granted permission to carry out the in-work until October 31, 2014. The MNR permit for the extension of the in-water work period is included in Appendix 2, CR#1.

A license to collect fish for scientific purposes was required as part of the work. A copy of the license is provided in Appendix 2, CR#1 as well as the follow-up report that was provided to MNR on March 03, 2015.

4.3. Fisheries and Oceans Canada

On July 17, 2014 the Minister of Fisheries and Oceans Canada (DFO) authorized the carrying on of our proposed work. The authorization included a list of term and conditions that will need to be complied with during and after construction. The conditions of the authorization are as follows:

1. Conditions that relate to the period during which the work, undertaking or activity that will result in serious harm to fish can be carried on: The work, undertaking or activity that results in serious harm to fish is authorized to be carried on during the following period:

From: Date of Issuance

To: September 30, 2014

If the Proponent cannot complete the work, undertaking or activity during this period, Fisheries and Oceans Canada (DFO) must be notified. DFO may, where it considers appropriate, provide in writing, notice that the period to carry on the work, undertaking or activity has been extended.

The period during which other conditions of this authorization must be complied with are provided in their respective sections below.

2. Conditions that relate to measures and standards to avoid and mitigate serious harm to fish:
 - 2.1. Sediment and erosion control measures must be in place prior to initiating the project and shall be upgraded and maintained, such that release of sediment is avoided at the location of the authorized work, undertaking, or activity.



- 2.2. During all phases of the proposed works, the work area shall be isolated from the lake to prevent sediment from migrating out of the isolated area.
- 2.3. To minimize the potential effects on fish, dredging within the marina footprint shall be undertaken in phases, with three sub-areas dredged sequentially.
- 2.4. Fish trapped within any isolated area shall be captured and safely relocated outside of the isolated area prior to commencing activities within the isolated area.
- 2.5. All stone to be used as fill material shall be cleaned and free of fine materials and debris prior to placement, and be of sufficient size to resist displacement during design flood event.
- 2.6. All fill materials placed behind the shoreline armoring shall be isolated to prevent migration of fine sediments into fish-frequented waters.
- 2.7. Work shall be halted if monitoring required in condition 3 below indicates that the measures and standards to avoid and mitigate serious harm to are not successful. Additional measures to avoid and mitigate serious harm to fish will be developed and submitted to DFO and subject to DFO approval prior to works recommencing.
- 2.8. Measures and standards to avoid and mitigate serious harm to fish shall be implemented at the start of the project.
3. Conditions that relate to monitoring and reporting of measures and standards to avoid and mitigate serious harm to fish:
 - 3.1. The Proponent shall undertake monitoring and report to DFO, by December 31, 2014, whether measures and standards to avoid and mitigate serious harm to fish were conducted according to the conditions of this authorization, by:
 - 3.1.1. Providing inspection reports with dated photographs as appropriate, to demonstrate effective implementation and functioning of mitigation measures and standards described above to limit the serious harm to what is covered by this authorization.
 - 3.1.2. Providing details of any contingency measures that were followed, to prevent impacts greater than those covered by this authorization in the event that mitigation measures did not function as described.
 - 3.1.3. If the Proponent will be unable to complete the monitoring or report by the date in condition 3.1, Fisheries and Oceans Canada (DFO) must be notified. DFO may, where it considers appropriate, provide in writing notice that the period to complete monitoring or to report to DFO has been extended.



4. Conditions that relate to the offsetting for the serious harm to fish likely to result from the authorized work, undertaking or activity:
 - 4.1. The Proponent shall implement the follow habitat elements as per the approved offsetting plan:
 - 4.1.1. Construction of 4 spawning shoals, totaling an area of 1,220 m²,
 - 4.1.2. Construction of 3 submerged spawning berms, totaling an area of 420 m²
 - 4.1.3. Placement of 65 submerged boulders
 - 4.1.4. Installment of planting pods, totaling an area of 490 m²
 - 4.1.5. Incorporating submerged shoreline edge diversity, totaling an area of 1,240 m²
 - 4.1.6. Installing 4 submerged habitat refuge groynes, totaling an area of 480 m²
 - 4.2. All fish habitat offsetting measures shall be completed according to the offsetting plan by September 30, 2014;
 - 4.3. If the Proponent will be unable to implement the offsetting plan by the date in condition 4.2, Fisheries and Oceans Canada (DFO) must be notified and DFO may, where it considers appropriate, provide in writing notice that the period to implement the offsetting measures has been extended.
 - 4.4. Offsetting measures shall be left undisturbed, and the Proponent shall not carry on any work, undertaking or activity that will adversely disturb or impact the offsetting measures.
 - 4.5. DFO may draw upon funds set aside by the Proponent through the letter of credit provided as part of the application for this authorization, in order to ensure conditions of this authorization related to offsetting measures, including monitoring and reporting, are met.
5. Conditions that relate to monitoring and reporting of offsetting measures (described above in section 4):
 - 5.1. The Proponent shall conduct monitoring of the offsetting measures according to the approved offsetting plan.
 - 5.2. The Proponent shall submit a written report to DFO summarizing the monitoring results by December 31st of each year of the monitoring program commencing in 2015.
 - 5.2.1. The report shall demonstrate that the offsetting measures were conducted according to the conditions of this authorization.



- 5.2.2. The report shall provide details of the final constructed and installed habitat features, including dated photographs where appropriate. All the photographs shall be clearly labelled with date, location and vantage points.
- 5.2.3. The report shall include results of annual visual evaluations of all fish-habitat elements for indications of continuing structural integrity. Any structural failures shall be remediated forthwith.
- 5.2.4. The report shall include results of annual monitoring of aquatic and riparian plantings undertaken during the growing season to ensure the continuing viability of the planted stock. Any non-viable plants shall be replaced with the same or similar plantings.

The dredging operation was complete on September 30, 2014. Construction of the shore protection was not complete. An extension to the in-water work period to October 31, 2014 was requested during construction. On, September 23, 2014, was notified of the extension. DFO acknowledged the extension by email. A copy of email from Gary Cooper is provided in Appendix 2 (CR#1).

Condition 5.2 required the proponent to submit a written report to DFO summarizing the monitoring results for each year. A copy of the letter report sent to DFO on December 31, 2015 is provided in Appendix 2.

4.4. Transport Canada

On July 17, 2014 the Minister of Transport Canada issued approval for the "*proposed Marina , located on Lake Ontario, Bay of Quinte Bayshore Park Creswell Drive Town of Quinte West, County of Hastings in the Province of Ontario*" in accordance with Subsection 6(1) of the Navigation Protection Act. The approval identified two sections of the Navigable Waters Works Regulations (5 and 6) which apply to all construction projects.

1. No person shall permit any tools, equipment, vehicles, temporary structures or parts thereof used or maintained for the purpose of building or placing a work in navigable water to remain in such water after the completion of the project.
2. Where a work or a portion of a work that is being constructed or maintained in a navigable water causes debris or other material to accumulate on the bed or on the surface of such water, the owner of that work or portion of that work shall cause the debris or other material to be removed to the satisfaction of the Minister.

The approval included a number of conditions. They are as follows:

1. Cautionary buoys (yellow) must be lit with a yellow flashing light from dusk to dawn and during periods of restricted visibility.



2. Cautionary buoys (yellow) must be placed at each end of the temporary work(s) and at any other location alongside the temporary work(s) so that the buoys are spaced not more than 40 metres apart.
3. Temporary work(s) must be removed immediately upon completion of the permanent work.
4. All vessels navigating the waterway must be allowed access through and around the work site at all times during construction and must be assisted as necessary.
5. All portions of the existing timber crib that are to be removed must be completely removed to an elevation at or below the natural bed of the waterway upon completion of the work(s).
6. The proponent must notify the Canadian Coast Guard Vessel Traffic Centre Notship desk at (613) 925-0666 at least 24 hours in advance of commencement and upon completion of the project.
7. Each fall when the marina is closed and the docks are collapsed, the breakwaters surrounding the docks shall continue to be lit with yellow flashing lights during all periods of open water.
8. The man-made shoal in the southwest corner of the marina shall be marked with a lighted hazard or information buoy that meets the *Private Buoy Regulations* and the *Canadian Aids to Navigation System*.
9. The owner must provide Confirmation of Compliance in writing to the Ontario Region NPP Office upon commencement of construction indicating that the attached terms and conditions and relevant legislative requirements have been met. The Confirmation Letter is also to include photographs of the site clearly showing the marked temporary works.
10. The Owner must provide Confirmation of Compliance in writing to the Ontario Region NPP Office upon completion of construction indicating that the work has been built according to the plans. The Confirmation of Compliance letter is also to include photographs of the site clearly showing the completed work(s) and temporary work(s) removed.

A notice to Mariners was posted on August 7, 2014 and is included in Appendix 2, CR#1.

A Confirmation of Compliance letter was sent to Transport Canada on November 4, 2015 confirming that the work was built according to the plans. A copy of the letter to Transport Canada is included in Appendix 2.

5. Implementation Schedule

After the Notice of Approval was received by the City on March 26, 2014 an implementation schedule was developed. Figure 1 shows the current implementation schedule. The implementation schedule identified the actual or anticipated timing for implementing the phases of the project identified in Table 1. Decommissioning was not included in the schedule. Detailed



design commenced after the notice of approval was received. Agency approval for the project was sought after completion of the detailed design. The project received a work permit from LTC under the Ontario Regulation 163/06 authorization on June 18, 2014, authorization by DFO under the Fisheries Act on July 17, 2014, approval from Transport Canada under the Navigation Protection Act on July 30, 2014 and a work permit by MNR under the Public Lands Act on July 17, 2014.

The project was broken into two construction projects. The first is the dredging of the marina basin and shoreline protection and the second is the procurement and installation of the floating breakwater waters and docks. Each project was tendered separately. The Quinte West Municipal Marina Dredging and Shore Protection Improvements Project was tendered in May 2014. The project was awarded on July 15, 2014 and was substantially complete on November 7, 2014. A copy of the Certificate of Substantial Performance and the Certificate of Publication is provided in Appendix 4

The Quinte West Municipal Marina Floating Breakwater and Dock Project was issued for tender on October 8, 2014. The project was award on November 20, 2014. The project was divided into three phases. Phase 1 work included the installation of the floating breakwaters and docks in the south marina basin. The south floating breakwater and docks were installed for the start of the 2015 boating season. The remainder of Phase 1 work was completed June 30, 2015. Phase 2 which included a portion of the north basin docks was completed November 10, 2015. The final phase's docks, Phase 3, are currently being installed for 2016 boating season. The implementation schedule presented in Figure 1 shows the current schedule.



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APPENDIX 1

NOTICE OF APPROVAL

(No new documents to include)

APPENDIX 2

PERMITS

- **Ministry of Natural Resources**
 - Email re: Harvesting Aquatic Vegetation in Marina
- **Transport Canada**
 - Follow-up letter following construction prepared by Shoreplan Engineering dated November 4, 2015
- **Fisheries and Oceans Canada**
 - Annual Fish Habitat Monitoring at Quinte West prepared by Tarandus Associates Limited dated December 31, 2015



APPENDIX 3

DETAILED DESIGN

(No new documents to include)

APPENDIX 4

CONSTRUCTION

DOCKS AND FLOATING BREAKWATER PROJECT

- **Contractor Submissions Design Reports**
 - Floating Dock System Calculations Report, City of Quinte West Municipal Marina South Breakwater System Revision 1.2 September 29, 2015
 - Floating Dock System Calculations Report, City of Quinte West Municipal Marina East & North Breakwater System Revision 1.3 February 8, 2016
 - Floating Dock System Calculations Report, City of Quinte West Municipal Marina Breakwater Anchoring System Revision 1.2 February 4, 2016
 - Quinte West Floating Docks Letter Report prepared by Riggs Engineering dated Feb 5, 2015
 - Quinte West Floating Docks Letter Report prepared by Riggs Engineering dated March 11, 2015.
 - Quinte West South Breakwater Connector Dock Letter Report prepared by Riggs Engineering dated April 7, 2015
 - Quinte West Floating Concrete Breakwater Modules letter report prepared by Riggs Engineering dated May 4, 2015

- **Contractor Submissions Shop Drawings**
 - Quinte West Marina South Breakwater Drawings (stamped 2015/11/02)
 - Quinte West Marina North Breakwater Drawings (stamped 2016/03/12)
 - Quinte West Marina East Breakwater Drawings (stamped 2016/03/12)
 - Quinte West Breakwater and Floats prepared by Riggs Engineering Drawings GA-01 to GA-09, C-01 to C-04, AB-01 to AB-04, TH-01, TH-02, R-01, R-02, SB-01 to SB-03.
 - Quinte West Marina Docks Electrical Submission prepared by Kirkland Engineering Limited dated January 12, 2015
 - Floating Breakwater & Dock Quinte West Municipal Marina Shop Drawings Submission prepared by Allen Mechanical dated March 10, 2015.

- **Meeting Minutes**

- **ESA Certificate of Inspection**

- **Backflow Certification (Brant Plumbing)**

- **Certificate of Substantial Performance and Publication**

- **As Built Drawing**

- **Warranty Inspections**
 - Shore Protection prepared by Shoreplan Engineering dated November 16, 2015.



APPENDIX 5

COMMUNITY CONSULTATION

- **Contact List (Community and Aboriginal)**
- **Websites and Newsletters (extracts)**
- **Provincial Funding Correspondence**
- **Council Reports**
- **Community and Aboriginal Community (none) Correspondence**
- **Notification of Second Annual Compliance Report**