

COR-2022-826

June 17, 2022

Reg. # 2196

Tara Wight
Regional Environmental Advisor
DFO-SCH
80 East White Hills Road
St. John's NL A1C 5X1
E-mail: tara.wight@dfo-mpo.gc.ca

Dear Tara Wight:

RE: Barr'd Harbour Breakwater Project (the Project)

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador **Environmental Protection Act**, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.

You are required to update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, within one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed the Project during the environmental assessment provide the following advice:

The Pollution Prevention Division of my Department advises that a contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response should a spill occur. Response equipment, such as absorbents and open-ended barrels for collection of clean-up debris, should be stored in an accessible location on site and personnel working on the Project should be knowledgeable about response procedures. Any spill or



leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my Department advises that a permit is required under the **Water Resources Act**, 2002, for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of the work. Also, any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Government Service Centre of the Department of Digital Government and Service advises a permit is required under the **Urban and Rural Planning Act** for the construction of an access road in a protected area, or for any access onto a protected road. For further information, please contact the Government Services Centre at (709) 729-2008.

The Department of Fisheries, Forestry and Agriculture advises pursuant to section 53 of the **Lands Act** you must submit an application to obtain a Federal Transfer from Crown Lands, prior to construction. This transfer is in addition to the existing federal transfer title for the dock. Additionally, the temporary laydown area and access road must be returned to the original state once the Project is complete. For further information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 637-2353.

The Department of Industry, Energy and Technology advises you that any quarry material needed for this undertaking must be obtained from approved sources. For further information, please contact the Mines Branch at (709) 729-5748.

The Occupational Health and Safety Division of DGSNL advises that you must generally ensure that activities associated with the Project are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. For further information, please contact the Occupational Health and Safety Division at (800) 563-5471.

Environment and Climate Change Canada (ECCC) recommends to avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. You are requested to confirm with ECCC that the Project will involve dredging and describe how the dredged spoils will be handled. ECCC requests that you provide a GIS file of the Project boundaries and study area so that the Project can be mapped for consideration of cumulative effects. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to



ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Transport Canada advises that you will require an approval from the Navigation Protection Program under the **Canadian Navigable Waters Act**. For further information, please contact Transport Canada at (709) 772-3088.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the **Environmental Assessment Regulations**, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions, please contact Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bernard Davis", with a horizontal line extending to the right.

HON. BERNARD DAVIS, MHA
District of Virginia Waters - Pleasantville
Minister

Enclosure

cc: Hon. Krista Lynn Howell, MHA – St. Barbe-L'Anse aux Meadows