

AUG 10 2022

COR-2022-1637

Reg. # 2200

Cathy Martin
Environmental Services
Public Services and Procurement Canada
10 Barter's Hill
St. John's NL A1X 7P4
E-mail: cathy.martin@pwgsc-tpsgc.gc.ca

Dear Cathy Martin:

RE: Lower Terra Nova Fishway Refurbishment

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 the Project 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 advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.
- 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 the Department of Environment and Climate Change 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. Also, they further advise that you refer to the following guidance documents, Treated Wood Waste Guidance Document, GD-PPD-PPD-075.1: <https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf> and the Guidance Document, "Protocol for the Management of Excavated Soils, Concrete Rubble and Dredged Materials" for reference: <https://www.gov.nl.ca/ecc/files/env-protection-waste-guidancedocs-excsoilsconcreterubbledredgedmaterials.pdf> For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of the Department of Environment and Climate Change advises that any retaining wall over one metre in height is a dam and would need approval under Section 48 of the **Water Resources Act** and any dam would have to be included in the provincial dam inventory. A Section 48 permit will be required for construction of temporary berm, deployment of temporary measures, installation of new water control structures, refurbishment of uplands, replacement of damage fishway weir wall and replacement of the existing concrete stop log sill. You must apply for and obtain a permit under the **Water Resources Act**, Section 48 for any work in any body of water (including wetland) prior to the start of work. For non-domestic water use from any water source for any purpose, you must apply for and obtain a water use licence under the **Water Resources Act**. 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 Occupational Health and Safety Division of the Department of Digital Government and Service NL 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.

The Department of Fisheries, Forestry and Agriculture requests a copy of the Fish Relocation Plan for review prior to implementation. For further information, please contact Fisheries, Forestry and Agriculture at (709) 637-2353.

The Department of Municipal and Provincial Affairs advises that the site is located within the Town of Glovertown municipal planning area. Council is the development approving authority responsible for the issuance of permits that may be required in accordance with the Town's Development Regulations, 2010-2020.

Environment and Climate Change Canada (ECCC) recommends that you 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. 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.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and 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 be "Bernard Davis".

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

Enclosure

Cc: Lloyd Parrott, MHA – District of Terra Nova