

JUN 06 2021

COR/2021/01532

Reg. # 2129

Mr. Rob Clarke
Rob Clarke Motorsports Inc.
P.O. Box 1689
Springdale Jct.
Springdale, NL A0J 1T0

Dear Mr. Clarke:

Re: Upper Humber River Tourist Lodge

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 your project during the environmental assessment provide the following advice:

The Department of Tourism, Culture, Arts and Recreation advises that the project is aligned with the Provincial Tourism Product Development Plan which recommends the delivery of high quality/high yield market ready experiences to non-resident visitors. For further information on Tourism Product Development, please contact (709) 729-4518.

The Water Resources Management Division of my Department advises that permits are required for any work in any body of water (including wetland), any work in shore water zones, any infilling work within fifteen (15) metres of a body of water and for constructing a non-domestic well. A water use licence for the use of water from any water source for any purpose is also required. Any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the Water Resources Management Division at (709) 729-2563.

The Pollution Prevention Division of my Department advises that you must comply with the *Storage and Handling of Gasoline and Associated Products Regulations, 2003*. You should develop a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event and spill kits should be kept on site. Any spill or leak of gasoline or associated product is to be reported immediately to Service NL by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. In addition, an agreement with the Western Regional Waste Management authority is required to assure the appropriate management of waste from the undertaking. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Government Services Centre of the Department of Digital Government and Service NL advises that all fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, and any proposed fuel cache will require registration prior to installation. Furthermore, all electrical work required for this project must be conducted by a registered electrician and electrical plans must be submitted for approval prior to construction. For further information, please contact the Government Service Centre at (709) 673-4218.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with this development 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. The Occupational Health and Safety Division reminds you to consider procedures related to the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador.

The Department of Industry, Energy and Technology (IET) advises that permits are required if you wish to establish a new quarry, re-activate an inactive quarry or to source quarry materials from a site for which a quarry permit is held by a third-party. Please be aware that the proposed lodge overlaps a mineral licence and that mineral exploration activity should be

expected in the general area in the future. IET also advises that your proposed project site overlaps a hydrocarbon bearing basin and that there is potential for oil and gas exploration and/or production in this area. Finally, and if you have not already done so, please consult with Newfoundland and Labrador Hydro, as your proposed site is located near electrical transmission assets. For further information, please contact (709) 729-5811.

The Department of Fisheries, Forestry and Agriculture advises that your proposed project falls within core habitat for the Newfoundland Marten. Any requirement for vegetation clearing or excessive noise must be undertaken outside of the denning, breeding and brood rearing period, of early-April to the end of June. In addition, no vegetation clearing is to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year. The 200m buffer also applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). The location of those raptor nest sites must be reported to the Wildlife Division. You must also maintain a minimum 30 metre naturally vegetated riparian buffer zone around all waterbodies, from the high water mark, that are identified on either the 1:50,000 scale National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use Atlas. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities should take place in this zone. For further information, please contact, (709) 729-1364.

Fisheries and Oceans Canada advises that, as this project involves work in or near water, you should refer to the "Projects Near Water" website located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> for information about how to comply with the fish and fish habitat protection provisions of the *Fisheries Act* and on the project review process. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Environment and Climate Change Canada recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15th and August 15th in this region. However, as some species protected under the *Migratory Birds Convention Act* (MBCA) do nest outside of this period, it is your responsibility to ensure that project activities are in compliance with the MCBA and associated regulations. Environment and Climate Change Canada requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

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 your 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 (A), Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



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

cc: Premier Andrew Furey, MHA
District of Humber –Gros Morne

Enclosures