

COR-2022-1988

SEP 16 2022

Reg. # 2205

Frank Tobin and Rennie Tobin  
PO Box 54  
1 Main Road  
St. Vincent's NL A0B 3C0  
E-mail: [fgtobin@outlook.com](mailto:fgtobin@outlook.com)

Dear Frank Tobin and Rennie Tobin:

**RE: Holyrood Pond RV & Day Park**

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**. 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.
- The Department of Fisheries, Forestry and Agriculture requires the following:
  - Waterbodies:
    - For slopes less than 30 percent, a minimum 30 metre naturally vegetated riparian buffer zone shall be established 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 will take place in this zone.
    - For slopes greater than 30 percent, there shall be a naturally vegetated riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (%). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
  - 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 200 metre 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 any raptor nest sites must be reported to the Wildlife Division. For further information, please contact Fisheries, Forestry and Agriculture at (709) 637-2025.

- 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](mailto: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 the release letter and to provide additional updates, if requested. Please email Project updates to [EAProjectComments@gov.nl.ca](mailto: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 spill 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. The Pollution Prevention Division further advises that you refer to the following guidance documents:

- Treated Wood Waste Guidance Document, <https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf>;
- Protocol for the Management of Excavated Soils, Concrete Rubble and Dredged Materials: [http://www.mae.gov.nl.ca/env\\_protection/waste/guidancedocs/ExcSoilsConcreteRubbleDredgedMaterials.pdf](http://www.mae.gov.nl.ca/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 my Department advises that you must apply for and obtain a permit under the **Water Resources Act** for any work/infilling in or within fifteen metres of a body of water (including wetlands) prior to the start of work/infilling. Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. You must apply for and obtain a Permit for Constructing a Non-Domestic Well and follow the



necessary groundwater monitoring requirements prior to the start of construction. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Department of Fisheries, Forestry and Agriculture advises that a commercial cutting permit is required prior to any harvesting or timber removal and an operating permit is required prior to the commencement of the Project activities during the forest fire season. A permit to burn must be obtained during the forest fire season prior to igniting a fire within 300 metres of forest land. Your Crown lands application is under review and no development is to take place until it is complete and title has been issued. Please be advised that the proposed development is within an Agriculture Development Area and, while there may not be agricultural activities taking place at this time, there may be in the future. 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 situated within the municipal boundary of the Town of Gaskiers – Point La Haye. You are advised to consult with the Town for any municipal requirements.

The Occupational Health and Safety Division 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.

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. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to [ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca](mailto:ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca). For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Fisheries and Oceans Canada advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website at <http://www.dfompo.gc.ca/pnw-ppe/index-eng.html> to get information about how to comply with the **Fisheries Act** and as well as information on the project review process. or for further information, please contact the Fisheries Protection Program at (709) 772-4140.



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 my 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](mailto: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](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'B' and 'D' followed by a horizontal line that ends in a small arrowhead pointing to the right.

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

Enclosure

Cc: Sherry Gambin-Walsh, MHA – Placentia-St. Mary's