

## **Environment and Climate Change**

April 26, 2024

### **Environmental Assessment Bulletin**

The Honourable Bernard Davis, Minister of Environment and Climate Change, has announced the following relative to Part 10 Environmental Assessment of the **Environmental Protection Act**.

#### **PLAN ACCEPTABLE:**

##### **Badger Chute Quarry**

(Reg. 2281)

##### **Proponent: Penney Paving Limited**

On April 19, 2024, the Minister advised the Proponent that the Water Resources Management Plan for the Badger Chute Quarry was reviewed and found to be acceptable. The plan was required by a condition of release from environmental assessment and is available on the Department's project web page at:

<https://www.gov.nl.ca/ecc/projects/project-2281/>.

#### **ENVIRONMENTAL PREVIEW REPORT GUIDELINES ISSUED:**

##### **Great Coastal Trail – Parson's Pond to Daniel's Harbour**

(Reg. 2284)

##### **Proponent: Central Development Association**

The Minister has approved the final guidelines for the preparation of the Environmental Preview Report (EPR) for the Great Coastal Trail - Parson's Pond to Daniel's Harbour. The EPR guidelines identify the information that the Proponent is required to include in the EPR. The EPR guidelines document is available on the department's project web page at: <https://www.gov.nl.ca/ecc/projects/project-2284/>.

#### **UNDERTAKINGS RELEASED:**

##### **Birchy Bay Quarry**

(Reg. 2260)

##### **Proponent: L&E Trucking and Excavating Ltd.**

The Project is released from environmental assessment subject to the following conditions:

- The Proponent must uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
- Prior to commencing any work related to the Project, a Water Resources Management Plan must be submitted to the Water Resources Management Division for approval. The Water Resources Management Plan shall address the following:
  - Identification of any brook, river, stream, pond, or wetland present in or within the proximity of the Project boundary, the type of water body and its distance from the Project site;

- Any potential effects of the Project on any of the above-noted water bodies (a permit/licence from the Water Resources Management Division may be required);
  - Any potential for onsite drainage water or dewatering water to discharge into a natural water body, and the precautionary measures that will be implemented, such as vegetative cover, filter strip, silt curtain, etc. to ensure surface water effluent or runoff meets the requirements of the Environmental Control Water and Sewage Regulations, 2003;
  - The water control measures to be deployed onsite for daily workings as well as for high-precipitation storms; and
  - Sediment control measures to be deployed onsite to avoid discharging sediment-laden water into a natural waterbody.
- The Department of Fisheries, Forestry and Agriculture requires the following:
    - Vegetation clearing shall not occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) or within 200 metres during the remainder of the year. The 200-metre buffer 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 shall be reported to the Wildlife Division.
    - This application is adjacent to an agriculture title, and the northern boundary of the Project must be revised to maintain a 50-metre undisturbed buffer between the Project and the adjacent agricultural lease.
- The Proponent must advise the Environmental Assessment Division when the conditions of release have been met, by e-mailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled.
  - The Proponent must 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 required.

**Lumsden Microbrewery, Taproom and Cottages**  
**Proponent: Wrecking Harbour Hospitality Inc.**

(Reg. 2289)

The Project is released from further environmental assessment subject to the following conditions:

- The Proponent must uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
- The Water Resources Management Division (WRMD) requires that, prior to the commencement of each phase of the Project construction, the Proponent shall

provide written confirmation of the following, from the town of Lumsden and to the satisfaction of the WRMD:

- Whether there is capacity within the municipal drinking water system to support the increased demand for water without exceeding the maximum design limit of the water treatment plant and without impacting pressures in the water distribution system; as well as capacity in the receiving wastewater collection system and treatment plant to support increased loads for phase one (cottages, restaurant, venue space, tap room) and phase two (microbrewery).
  - For more information, contact the Water Resources Management Division via e-mail at [waterandsewer@gov.nl.ca](mailto:waterandsewer@gov.nl.ca).
- The Department of Fisheries, Forestry and Agriculture requires that land clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) or within 200 metres during the remainder of the year. The 200-metre buffer 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 shall be reported to the Wildlife Division.
  - The Proponent must advise the Environmental Assessment Division when the conditions of release have been met by e-mailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled.
  - The Proponent must update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licences, certifications, approvals, and other authorizations required for the Project, within one year from the date of this release letter and to provide additional updates if required.

**St. George's Great Atlantic Salt Project**  
**Proponent: Atlas Salt Inc.**

(Reg.2290)

The Project is released from environmental assessment subject to the following conditions:

- The Proponent must uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
- The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change (ECC) requires the following:
  - A Certificate of Approval is required prior to Project construction.
  - A Waste Management Plan for the construction and operation phases of the Project must be approved by PPD prior to Project construction.
- The Water Resources Management Division (WRMD) of ECC requires the following:

- Prior to Project construction, the following plans must be approved by the WRMD:
  - Water Resources Management Plan;
  - Emergency Response Plan, including potential breaching of the settling pond dam;
  - Wetlands Conservation Plan, including encroachment prevention procedures to prevent indirect effects to wetlands around the Project area; and
  - Environmental Protection Plan that includes erosion/sedimentation protection measures, site water control measures (including settling pond) and encroachment prevention procedures to prevent indirect effects around the Project area.
- A full groundwater assessment is required and shall include, but may not be limited to:
  - data collected in the planned hydrogeological investigation programs, including seasonal groundwater variations, transient groundwater modelling, hydraulic conductivity testing of relevant units, pumping tests, etc.;
  - confirmation of dewatering requirements outlined in the initial groundwater modeling;
  - the potential effects of the drawdown on the quality and quantity of groundwater (including potential effects of saltwater intrusion) due to mine dewatering and any potential effects to the St. George's public water supply wells and other private wells in the area; and
  - an assessment of climate change, and in particular the potential cumulative effects of sea level rise and saltwater intrusion due to mine dewatering. A report with this information shall be submitted to WRMD for approval prior to the commencement of construction activities.
- A Real-time Water Quality/Quantity network may be required for monitoring surface water and/or groundwater. Terms and conditions for the real time station(s) will be stipulated in the regulatory permits required to be issued once the Project is released from under the EA process. Atlas Salt Inc. is to bear all capital and operation/maintenance costs associated with the real-time monitoring network. Monitoring stations must be installed prior to the commencement of Project construction.
- The Department of Fisheries, Forestry and Agriculture requires the following bat monitoring measures to be implemented in the Project vicinity:
  - Bat acoustic monitoring data shall be obtained from appropriate habitat within the Project footprint between April 15 and October 15, either from existing sources or additional field studies. Bat species identification from acoustic call data must be manually verified. Past and future raw recorded call files must be made available to the Wildlife Division.
  - Should tree removal be necessary during the bat roosting period from May 1 to September 1, Atlas Salt Inc. is required to conduct a pre-clearing

survey of all large trees and snags with a diameter at breast height of greater than 25 centimetres and report survey results to [wildlifereferrals@gov.nl.ca](mailto:wildlifereferrals@gov.nl.ca). Should an active bat colony be detected, a no-cut buffer of 250 metres must be applied, and a bat emergence survey must be conducted to confirm fledging of juveniles.

- A Preventative Measures Plan to discourage bat occupation of infrastructure and underground areas must be developed and approved by FFA prior to the commencement of Project construction. Any bats detected must be immediately reported to the Wildlife Division. If any bats are found in the underground mining shafts, operations must immediately cease, and the Wildlife Division must be contacted. The Preventative Measures Plan must include provisions for times of temporary closures and after Project decommissioning.
- Surveys for Black Ash are required and shall be presented to the Wildlife Division for further consultation regarding any potential mitigation requirements prior to the commencement of Project construction.
- Digital plant location data and survey tracks for past and future vegetation surveys must be made available to the Wildlife Division at [wildlifereferrals@gov.nl.ca](mailto:wildlifereferrals@gov.nl.ca).
- Vegetation clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) or within 200 metres during the remainder of the year. The 200-metre buffer 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 shall be reported to the Wildlife Division.
- A Mitigations Plan that outlines measures that will be implemented to mitigate potential adverse effects of runoff into the tributary that flows into Flat Bay Brook, and measures to protect American eel, mummichog and banded killifish, must be submitted to Wildlife Division for approval prior to the commencement of Project construction.
- The Department of Industry, Energy and Technology (IET) requires the development of a Benefits Plan that meets the approval of the Minister of IET. The Benefits Plan must also include a Gender Equity, Diversity and Inclusion Plan that meets the approval of the Minister responsible for Women and Gender Equality. The noted approvals are required prior to the commencement of site activities.
- The Proponent must advise 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.

- The Proponent must 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.

**Salmon Pond ATV Trail and Cottage**  
**Proponent: Paul Saunders**

(Reg. 2293)

The Project is released from environmental assessment subject to the following conditions:

- The Proponent shall uphold all commitments made in their environmental assessment submission to mitigate the effects of the Project on the environment.
- The Department of Fisheries, Forestry, and Agriculture requires the following:
  - A minimum 50-metre undisturbed buffer shall be maintained from the high-water mark of all salmon rivers scheduled under the **Fisheries Act**, including scheduled tributaries. A minimum 30-metre undisturbed buffer shall be maintained from the high-water mark of all other wetlands and waterbodies that are identified on 1:50,000 National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use atlas, to protect sensitive riparian and aquatic species and their habitat.
  - Vegetation clearing shall not occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and within 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) during the nesting season. The location of any raptor nest site must be reported to the Wildlife Division at [wildlifereferrals@gov.nl.ca](mailto:wildlifereferrals@gov.nl.ca).
- The Proponent shall advise the Environmental Assessment Division when the conditions of release have been met, by e-mailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled.
- The Proponent shall 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 required.

**Learn more**

Environmental Assessment Division  
Department of Environment and Climate Change  
West Block, Confederation Building

P.O. Box 8700, St. John's, NL A1B 4J6

Environmental assessment information is available at:

<https://www.gov.nl.ca/ecc/env-assessment/>

[https://www.gov.nl.ca/ecc/files/GUIDE-TO-THE-PROCESS\\_Jan-2024.pdf](https://www.gov.nl.ca/ecc/files/GUIDE-TO-THE-PROCESS_Jan-2024.pdf)

Follow us on Twitter: [@GovNL](#) and [@ECC\\_GovNL](#)

Project comments may be sent to: [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca)

**Anyone submitting comments on a Project under environmental assessment is asked to please advise the Department if they DO NOT wish to have their comments shared with the Project Proponent.**

#### **Media contact**

Marium Oishee  
Environment and Climate Change  
709-729-5449; 709-685-8594  
[MariumOishee@gov.nl.ca](mailto:MariumOishee@gov.nl.ca)