

COR/2021/00446

March 3, 2021

Reg. # 2111

Town of Trout River  
c/o Mayor Horace Crocker  
P.O. Box 89  
Trout River NL A0K 5P0  
[townclerk@townoftroutriver.com](mailto:townclerk@townoftroutriver.com)

Dear Mayor Crocker:

**Re: Trout River Dredging**

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 submit an Environmental Protection Plan for my approval prior to project commencement that shall include, but may not be limited to:
  - identification of culverts and private property in the project vicinity and measures that will be undertaken to prevent/mitigate damage to those features;
  - a description, including illustrations and dimensions, of any temporary roads/bridges that are required to be built in conjunction with this project, plans for decommissioning these components, and rehabilitation of the affected area;
  - measures that will be undertaken, such as watershed management, shoreline stabilization and /or upgrading the bridge design, to mitigate erosion and sedimentation in the river channel;
  - consideration of climate change in the design and establishment of mitigation measures;

- a spill response contingency plan specific to the proposed undertaking; and,
  - a management plan that describes appropriate preventative measures to minimize the risk of impacts on migratory birds, including measures to avoid incidental take of birds, nests and eggs. For more information about the Environmental Protection Plan, please contact the Environmental Assessment Division at (709) 729-4223.
- The Water Resources Management Division (WRMD) of my Department advises that you are required to submit a Watershed Survey, prepared by a recognized engineering company, for my approval prior to project commencement, which includes:
    - identification of areas prone to erosion and sedimentation;
    - identification of areas for potential shoreline stabilization measures;
    - assessment of bridge for areas of flow constriction; and,
    - proposal of a timeline for implementation of measures to mitigate erosion and sedimentation. For more information, please contact the WRMD at (709) 729-1646.
  - You are required to advise me when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) demonstrating that the conditions have been fulfilled to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
  - You are required to update me on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required by me. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

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

The Pollution Prevention Division (PPD) of my Department reminds you that all water discharged from the proposed site during construction and operation is subject to compliance with the *Environmental Control Water and Sewage Regulations, 2003*, under the *Water Resources Act*. Written approval for dredge material disposal is required from PPD and you must adhere to advice given by the PPD regarding dredge sampling requirements and disposal procedures. For further information, please contact the Pollution Prevention Division at (709) 729-1810.

The Local Governance and Land Use Planning Division of my Department reminds you that, as the Town is the proponent, it must abide by the provisions of the Trout River Municipal Plan and Development Regulations. Land adjacent to the subject site is zoned as Industrial Marine and Transportation, and facilities and works associated with public works and utilities are identified as discretionary uses. A discretionary use must be advertised and Council must consider any written submissions. For Further information, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The WRMD advises that permits are required, prior to the start of construction, for alteration of a body of water, work in any body of water or wetland, work in shore water zones, and any infilling work within 15 metres of a body of water. You are also required to apply for and obtain a water use license for the use of any water source for any purpose. For further information, please contact the Water Resources Management Division at 709-729-1646.

The Department of Industry Energy and Technology (IET) advises that dredged material may not be deposited in a quarry site unless sanctioned by IET and the PPD. IET informs that the town is underlain by deposits of high-quality sand and gravel and disposal of the dredged material, if not hazardous, may be a waste of aggregate resources. The Town should consider whether there are productive uses for the dredged material. IET recommends that the Town implement a plan to monitor the annual change as a consequence of increased erosion for the following features: channel banks, location and condition of gravel bars upstream from the dredging area, and the condition of foundations of structures such as bridges and docks or wharves adjacent to and upstream of the dredged area. Finally, IET notes that the project site incorporates an area in close proximity to Newfoundland Power distribution lines on Main Street and Riverside Drive. IET advises you to consult with Newfoundland Power, if you have not already done so. For Further Information please contact IET at (709) 729-5748.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the 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 Health for Newfoundland and Labrador (e.g. physical distancing, handwashing).

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 the Canadian Wildlife Service at 709-772-4221.

Fisheries and Oceans Canada (DFO) advises that you are required to submit a Request to Review application the Fish and Fish Habitat Protection Program, to assess and mitigate/avoid potential negative impacts of the project on fish and fish habitat. The DFO review will evaluate the potential risks of the proposed project and will consider possible project redesigns to better ensure the protection of fish habitat. You will be required to provide adequate information on the fish species and fish habitat in the area of the project and will be advised of any and all mitigation measures that should be followed during the course of the project. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Transport Canada (TC) advises that dredging can sometimes be considered a minor works and may not require Canadian Navigable Waters Act approval if the project meets all the criteria outlined in the Minor Works Order. If all criteria are not met, you will be required to submit an application. For Further Information contact Transport Canada at (506) 851-3113.

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.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or email [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Bennett".

**DEREK BENNETT**  
Minister

Enclosures