

DEC 20 2018

File # 2.2313.0310
Reg. #1987

Mr. Paul Curran
DFO, Small Craft Harbours Branch
10 Barter's Hill
St. John's NL A1C 5X1

Dear Mr. Curran:

RE: Port Blandford Marina Development

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by 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:

1. A complete application shall be submitted to the Crown Lands Eastern Regional Lands Office, and no project construction shall take place until a Crown title to the proposed site has been issued.
2. A minimum 800-metre vegetated buffer shall be maintained between project construction activities and bald eagle or osprey nests during the nesting season (March 15 to July 31), and a 200-metre vegetated buffer shall be maintained 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 any raptor nest site must be reported to the Department of Fisheries and Land Resources by contacting (709) 637-2353.
3. An environmental protection plan shall be submitted to the Minister of Municipal Affairs and Environment for approval prior to the commencement of project construction, which includes as a minimum, the following information:
 - a. a management plan to minimize the risk of impacts to migratory bird nests, including a commitment to avoid the deposition of dredged material on a beach during the critical bird nesting season (April 15 to August 15) to prevent potential destruction of migratory bird nests;
 - b. in the event that on-land disposal of dredged material occurs, a commitment to consult with a professional ornithologist or skilled birder to ensure that there

- are no nests or fledglings of migratory birds in areas where dredged material would be deposited;
- c. measures that will be implemented to prevent the spread of invasive species into and out of the bay during project construction;
 - d. measures that will be implemented to minimize and control the release or re-suspension of sediments or contaminants resulting from in-water activities during construction, including but not limited to:
 - scheduling work to avoid heavy precipitation;
 - immediately stabilizing any disturbed areas along the shoreline to prevent erosion;
 - checking the integrity and effectiveness of the siltation control structures daily for the duration of the project and ensuring they remain in place following completion of the work until suspended solids levels return to ambient levels;
 - monitoring water quality to ensure total suspended solid levels and contaminant concentrations in the water column are within limits prescribed by the CCME Environmental Quality Guidelines for the protection of aquatic life when considered in conjunction with existing ambient water quality and site-specific factors (http://www.ccme.ca/publications/cegg_rcqe.html); and
 - taking further mitigative actions as necessary based on monitoring results.

The Department of Tourism, Culture, Industry and Innovation advises that the Provincial Parks Regulations prohibit the operation of a motor vehicle or a four-wheel drive vehicle in the T'Railway Provincial Park. A permit is required if the proposed project site is to be accessed from the T'Railway by any means that will disturb the natural state of the park. The Provincial Parks Regulations can be viewed online at:
<http://assembly.nl.ca/Legislation/sr/regulations/rc970091.htm>.

The Pollution Prevention Division of the Department of Municipal Affairs and Environment advises that sampling and analysis of treated wood waste is required if the project involves treated wood waste. Please refer to the Guidance Document, Treated Wood Waste Disposal, which can be found at the following link:
http://www.mae.gov.nl.ca/env_protection/waste/guidancedocs/GD-PPD-075.1Treated%20Wood%20Waste%20Disposal%20.pdf

The Pollution Prevention Division provides the following link to a Guidance Document entitled "Protocol for the Management of Excavated Soils, Concrete Rubble and Dredged Materials" for your reference in the disposal of dredged materials to be excavated for wharf construction:
http://www.mae.gov.nl.ca/env_protection/waste/guidancedocs/ExcSoilsConcreteRubbleDredgedMaterials.pdf .

The Water Resources Management Division of the Department of Municipal Affairs and Environment advises that a permit is required for any work in any body of water. For more information, please contact the Water Rights, Investigations, and Modelling Section at (709) 729-2295.

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. Please note that 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.

If you have any questions concerning these matters, please contact Dr. Susan Squires, Director, Environmental Assessment Division, at (709) 729-0673 or susansquires@gov.nl.ca.

Sincerely,



GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

Attachments

Cc. Colin Holloway, MHA, District of Terra Nova
Cathy Martin, Public Services and Procurement Canada

