

Reg. 2013

MAY 28 2019

Mr. Brad Watkins
Ms. Joy Barker
PO Box 312
Baie Verte NL A0K 1B0

Dear Mr. Watkins and Ms. Barker:

RE: Indian River RV Park

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:

- For all proposed new development, a minimum 50-metre naturally vegetated buffer, which includes trees, is to be maintained along Indian River, which is a scheduled salmon river;
- A minimum 30-metre naturally vegetated buffer is to be maintained along all other waterbodies and wetlands to protect sensitive riparian and aquatic species, and their habitat.

Please be advised that a permit is required under the Water Resources Act, 2002, specifically Section 48 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any work in any body of water (including wetland) including but not limited to culverts, bridges, diversion channels, etc. Contact: Amir Ali Khan, Manager, Water Rights, Investigations, and Modelling Section - (709) 729-2295.

Infilling within 15 meters of Bodies of Water: you must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any infilling work within fifteen (15) meters of a body of water prior to the start of infilling. Also, any proposed infilling within fifteen (15) meters of a body of water must comply with this Department's Policy for Infilling Bodies of water: https://www.mae.gov.nl.ca/waterres/regulations/policies/bodies_of_water.html.

A Water Use Licence (WUL) is required under the Water Resources Act, 2002 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>. Upon receipt of the WUL, the Notification of Acceptance of WUL form must be signed and returned to the Water Rights,

Investigations, and Modelling Section of the Department of Municipal Affairs and Environment within thirty (30) days in order for the WUL to be valid. In addition, a water use report ("Appendix B" of WUL) must be completed and filed annually within thirty (30) days of the completion of the year's activities. Contact: Amir Ali Khan, Manager, Water Rights, Investigations, and Modelling Section - (709) 729-2295.

Prior to commencing any work related to this project, a water resources management plan, including information requirements pursuant to the Water Resources Act, SNL2002 cW-4.01 and its regulations and policies, must be prepared and submitted to the Water Resources Management Division for review and approval. Please contact Dr. Amir Ali Khan, Manager of the Water Rights, Investigations, and Modelling Section at 709-729-2295 or via email at akhan@gov.nl.ca for further information.

If a well is required, you must apply for and obtain a Permit for Constructing a Non-Domestic Well under the *Water Resources Act*, 2002, specifically Section 58 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for drilled well(s) along with following necessary groundwater monitoring requirements prior to the start of construction. Contact: Manager, Groundwater Section - (709) 729-2539.

Please be advised that the Department of Fisheries and Land Resources advises that a Commercial Harvesting Permit is required prior to any harvesting or timber removal in the area. An Operating Permit is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office.

Please be advised that the Wildlife Division, of the Department of Fisheries and Land Resources advises you to operate under established legislation and regulations, such as to prevent harassment of wildlife (Section 106 of the Wild Life Regulations under the *Wild Life Act*) and guidance with respect to wildlife and their habitats (e.g. nesting birds, caribou, waterfowl, wetlands, inland fish, rare plants, riparian species) to avoid or minimize adverse impacts.

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 any raptor nest site must be reported to the Wildlife Division.

The Department of Municipal Affairs and Environment supports Environment and Climate Change Canada's recommendation 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 15 and August 15 in this region. However, as some species protected under the *Migratory Birds Convention Act* (MBCA) do nest outside of this time period, it is the responsibility of the proponent to ensure that project activities, including land clearing, are in compliance with the MBCA and associated regulations. For further information, please contact Ms. Sydney Worthman, Canadian Wildlife Service, at (709)772-4221 or Sydney.Worthman@canada.ca.

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 Ms. Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "JAMIE CHIPSETT".

JAMIE CHIPPETT
Deputy Minister

