

NOV 04 2019

File # 2.2123.0201
Reg. #2034

Mr. Glen Molloy
1 Centennial Street, Suite 105
Mount Pearl, NL
A1N 0C9

Dear Mr. Molloy:

RE: Dog Hills Quarry – Registration 2034

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:

- Existing roads are not to be obstructed in any way. The existing hiking trail that crosses the proposed quarry, identified on page 11 of the Environmental Assessment Registration document, is to remain intact and access to that trail is to be unrestricted.
- A local tree harvesting operator has been operating in the area for several years and built the road in this area. You are to utilize this operator to harvest the wood at the proposed quarry site.
- No vegetation clearing is to occur within 800 metres (m) of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200m 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, Forestry and Wildlife Branch, Wildlife Division. Please call (709) 637-2025.
- A minimum 30m undisturbed vegetated buffer is required along all waterbodies and wetlands that appear on a 1:50,000 topo map to protect sensitive riparian and aquatic species, and their habitat. For further information on buffers, please contact the Department of Fisheries and Land Resources, Forestry and Wildlife Branch, Wildlife Division, at (709) 637-2025.

- As Butter Pot Provincial Park is located approximately 5 kilometres west of the proposed quarry, you are not to conduct blasting or drilling during the park's operating season of May 1-September 30 annually. For further information, please contact Parks Division at (709) 637-2411.

The Forestry Division of the Department of Fisheries and Land Resources advises that you are required to obtain a Commercial Harvesting Permit 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 a permit to burn must be obtained to ignite a fire on or within 300 meters of forest land. For further information, please contact the Paddy's Pond District Forestry Office at (709) 729-4180.

The Water Resources Management Division of my department requires that you obtain a permit for any work in any body of water (including wetland) including but not limited to culverts, bridges, diversion channels, etc. You must also apply for and obtain a permit should any infilling within fifteen (15) metres of a body of water be required. A Water Use Licence (WUL) is required and 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. For further information, please contact the Water Resources Management Division at 709-729-2295.

The Local Governance and Land Use Planning Division of my department advises that a development permit from the City of St. John's is required for this undertaking. You must comply with any conditions of approval and all development engineering standards of the City. For further information, please contact the City at (709) 754-2489.

The Agriculture Branch of the Department of Fisheries and Land Resources advises that there is an existing Agriculture grant in the immediate area. You should contact the current landowner prior to any developments that may impact neighboring properties. For further information, please contact Fisheries and Land Resources at (709) 729-3712.

As the proposed quarry overlaps a mineral licence and is located in an area with a history of mineral exploration, the Department of Natural Resources advises that you must respect the right of the mineral licence holder (and any subsequent explorers) to conduct exploration activities in the area, including within the area of the quarry. You should also complete a search at the Registry of Deeds to ensure that no private land titles exist in the project area or adjacent vicinity. In addition, you must maintain public access along the access road proceeding through the site and gate the entrances to the quarrying areas located on the opposite sides of the 20m buffer from the access road. For further information, please contact the Department of Natural Resources at (709) 729-0152.

The Department of Health and Community Services advises that this quarry operation not impose on the Scouts camp located nearby.

Service NL advises that the extent of land clearing and grubbing should be restricted such that naturally vegetated areas between the site and surrounding properties and thoroughfares are maintained and that a 30 metre undisturbed buffer is required between the site and any surrounding watercourse or water body. In addition, a tree screen of 30 m is to be maintained between the highway right-of-way and this property. Furthermore, you are to conserve any existing tree screen concealing the operation from public view. The Department of Transportation and Works must approve any proposed access roads to the site. For further information, please contact Service NL at (709) 729-3699.

Environment and Climate Change Canada recommends 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 15th and August 15th 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 are in compliance with the *MCBA* and associated regulations. For further information, please contact (709) 772-4221.

The Department of Fisheries and Oceans advises that you are required to self-assess using the DFO "Projects Near Water website located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. 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. 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 Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



DERRICK BRAGG, MHA
Minister of Municipal Affairs and Environment
District of Fogo Island-Cape Freels

cc: Loyola O'Driscoll, MHA,
Ferryland