

NOV 04 2019

Reg. #2050

Mr. Robert W. Crowley, Director/Owner
Black Ridge Construction Ltd.
P.O. Box 171
Holyrood NL A0A 2R0

Dear Mr. Crowley:

RE: Donny's Pond Quarry Near Holyrood

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 assessment subject to the following conditions:

- The proponent must not drill or blast during the operating season for Butterpot Provincial Park which runs from May 1st to September 30th annually.
- 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.
- 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 Local Governance and Land Use Planning Division of this department advises that you must obtain a development permit from the Town of Holyrood prior to any construction. For further information, please contact the Town of Holyrood at (709) 229-7252.

The Water Resources Management Division of this department requires that you obtain permits for work in or near a body of water. For further information, please contact the Water Resources Management Division at (709) 729-2295.

The Department of Fisheries and Land Resources advises you to develop and implement appropriate preventative and mitigation measures to avoid incidental take of wildlife. They also advise 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

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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 during the Forest Fire Season. For further information, please contact the Paddy's Pond District Office at (709) 729-4180.

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. They have also provided Best Management Practices regarding working around wetlands. For further information, please contact (709) 772-4221

The Department of Natural Resources advises that you are required to obtain a quarry permit prior to the start of construction. I understand that you have committed to a 50 metre buffer around water bodies and a 30 metre buffer around a marshy area (wetland) as per the standard terms and conditions for quarry permits from the Department of Natural Resources. For further information, please contact the Department of Natural Resources at (709) 729-6447.

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

Attachment

Cc. Helen Conway Ottenheimer, MHA
District of Harbour Main

