

April 29, 2020

Reg. #2072

Mr. Éric Côté
Markland Paving Ltd
1825, Avenue du Phare Ouest
Matane, QC G4W 3M6

Dear Mr. Côté:

Re: Happy Valley-Goose Bay Quarry – Registration 2072

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.
- 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 at 709-637-2025.
- A minimum 30-metre naturally vegetated buffer be maintained along wetlands, streams and waterbodies to protect sensitive riparian and aquatic species, and their habitat.
- You are required to advise the Environmental Assessment Division when each of the conditions of release has been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAPProjectComments@gov.nl.ca.
- You are required to update the Environmental Assessment Division 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 EAPProjectComments@gov.nl.ca.

The Local Governance and Land Use Planning Division, Department of Municipal Affairs and Environment advises that the proposed project is zoned "Rural (RU)" within the Town of Happy Valley-Goose Bay's planning area boundary. This project is considered mineral working which is a discretionary use within the RU zone, and you must apply for a development permit from the Town. For further information, please contact the Town of Happy Valley-Goose Bay at 709-896-3321.

The Department of Natural Resources advises that you are required to obtain a quarry permit for the proposed quarry area which includes conditions that quarry operations be screened from view, and the completion of a Land Use Form required by NavCanada. Health Canada advises that if there is to be an increase in blasting, other than what was described in your registration document, there may be a need for further consultation or mitigation.

The Forestry Division, 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 Goose Bay District Office at 709-896-3405.

The Water Resources Management Division, Department of Municipal Affairs and Environment requires that you obtain a permit for any work in any body of water (including wetlands) 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 Pollution Prevention Division, Department of Municipal Affairs and Environment reminds you that all waters discharged from the proposed site, during construction and operation, are subject to compliance with the *Environmental Control Water and Sewage Regulations, 2003*, under the *Water Resources Act*. For further information, please contact the Pollution Prevention Division at 709-729-5782.

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 your responsibility to ensure that project activities are in compliance with the *MBCA* 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.

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. Should you not have 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, 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

Enclosures

cc: Hon. Perry Trimper, MHA
Lake Melville

