

June 11, 2020

Reg. #2075

Danielle Fequet  
Conservation Programs Specialist  
Ducks Unlimited Canada  
28 Cochrane Street  
St John's NL A1C 3L3  
[d\\_fequet@ducks.ca](mailto:d_fequet@ducks.ca)

Dear Ms. Fequet:

**Re: Upper Humber Fish Ladder Repairs at Birchy Basin**

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.
- You are required to update the Environmental Assessment Division on the status of your project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates, if requested. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

The Water Resources Management Division of this department advises that you are required to obtain permits for any work in a body of water, a Schedule C application for work involving dams, any work in Shoal Water Zones, and any infilling work within 15 metres of a body of water. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Department of Fisheries and Land Resources advises that you cannot proceed with the upgrading of the road to access the site or the salmon ladder upgrade until both licenses have been issued by the Crown Lands Division. They also require that you obtain permits related to timber operating during forest fire season. For further information, please contact the Department of Fisheries and Land Resources at (709) 729-1140.

The Government Service Centre of the Department of Service NL provides advice on the collection and removal of waste, containment of floating debris, placement of portable toilets, and approved means of drinking water. For further information, please contact the Government Service Centre at (709) 639-2229.

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. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Fisheries and Oceans Canada advises that the project has been reviewed by the Fish & Fish Habitat Protection Program (FFHPP) and a Letter of Advice issued to Ducks Unlimited Canada. Should plans change to differ from the previous information provided to FFHPP or described in the Environmental Registration Document, you should contact the FFHPP at [FPP-NL@dfo-mpo.gc.ca](mailto:FPP-NL@dfo-mpo.gc.ca) or (709) 772-4140.

Transport Canada advises that the proposed project appears to be in navigable waters not listed on the schedule. Under the Canadian Navigable Waters Act, owners of works that are located on navigable waterways not listed in the schedule, which may interfere with navigation, have the option to either apply to the Minister of Transport for approval, or seek authorization through the public resolution process. Both the application process and the public resolution process can be accessed at the following link: <https://www.wapps.tc.gc.ca/Prog/3/NWAR-RLEN-E/en/Account/Login>. For further information, please contact the Navigation Protection Program at (506) 851-3113.

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. If you have not 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. For further information, please email [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

If you have any questions, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at 709 - 729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, appearing to read "Derrick Bragg".

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

Enclosures

cc: Hon. Dwight Ball, Premier  
Humber - Gros Morne