

AUG 04 2020

Reg. #2078

Mr. Jerome Power
c/o Robin Summers, P. Eng.
MAE Design
615 Conception Bay Highway
Conception Bay South NL A1X 3H1

Dear Mr. Power:

Re: St. Catherine's Cottage Lot Development

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.
- A minimum 30-metre undisturbed 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. This buffer requirement should be included as a part of future cottage lot sales agreements.
- 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 200-metre 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.
- You are required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.

- 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 the 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.

The Land Governance and Land Use Planning Division of my department advises that a permit is required from the Town of Mount Carmel-Mitchell's Brook-St. Catherine's for erecting and/or occupying buildings within the municipal boundary. For further information, please contact Carol Hanlon, Land Governance and Land Use Planning Division at (709) 729-3090 or CarolHanlon@gov.nl.ca. In addition, please contact the Town of Mount Carmel-Mitchell's Brook-St. Catherine's regarding permitting and development requirements prior to the start of construction.

The Water Resources Management Division of my department advises that permits are required for any work in any body of water (including wetland), for any work in shore water zones, and for any infilling work within fifteen (15) metres of a body of water and an application must be made for a water use licence for the use of water from any water source for any purpose. The Water Resources Management Division recommends the use of a licensed driller for well installations. For further information, please contact the Water Resources Management Division at (709) 729-2563.

The Department of Fisheries and Land Resources informs that the *Wild Life Act* and *Wild Life Regulations* prohibit the disturbance or destruction of bird nests and eggs in Newfoundland and Labrador, and advises you to develop and implement appropriate preventative and mitigation measures to avoid incidental take of birds, nests and eggs. For further information, please contact Jonathan Sheppard at (709) 729-1140.

The Department of Fisheries and Land Resources informs that a Domestic Cutting 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. During the Forest Fire Season a permit to burn must be obtained to ignite a fire on or within 300 metres of forest land. For further information, please contact Jonathan Sheppard at (709) 729-1140.

The Government Service Centre of the Department of Service NL advises that you must submit plans and receive approval for water and sewage installations, electrical services, Fire/Life Safety Plans, and Building Accessibility. The Government Service Centre further advises that any proposed access roads to the site must be approved by the Department of

Transportation and Works. For further information, please contact the Government Service Centre, Mount Pearl at (709) 729-3699.

The Department of Natural Resources advises that quarry materials for the project must be obtained from an approved source. For further information on the quarry application process please contact the Quarry Rights Section at quarries@gov.nl.ca. You may also contact Tammy Walters, Policy and Program Development Specialist at (709) 729-0152 or TammyWalters@gov.nl.ca.

The Department of Natural Resources advises that the undertaking is close to an electrical distribution line on Route 90 (Salmonier Line) and recommends that you consult with Newfoundland Power.

Environment and Climate Change Canada (ECCC) advises that migratory birds are protected under the Migratory Bird Convention Act (MBCA) and it is your responsibility to ensure compliance with the MBCA and associated regulations. ECCC requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped and the information be used to study cumulative effects on the environment. For further information, please contact ECCC at (709) 772-2126.

Fisheries and Oceans Canada advises you 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.

Health Canada advises you to consider the impacts of noise and dust on nearby receptors during project construction and operations, and provides a list of guidance documents on air quality and noise in the attached comments.

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.

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

cc: Hon. Sherry Gambin-Walsh
MHA - Placentia-St. Mary's

Mr. Robin Summers, MAE Design
Town of Mount Carmel-Mitchell's Brook-St. Catherine's