

MAY 19 2009

Reg# 1414
File#2.2311.0010

Mr. Daniel Gosse, CEO
51710 Newfoundland and Labrador
1429c Topsail Road
Paradise, NL A1B 1P9

Dear Mr. Gosse:

RE: Whitbourne (Junction Pond) Residential Development

Your proposal has been reviewed and an opportunity to comment has been provided to the public and government agencies as required by the *Environmental Protection Act, SNL 2002, cE-14.2*. Upon consideration of the comments received, please be advised that this undertaking is released from further environmental assessment subject to the following conditions:

- The Proponent must conduct a full flora/fauna survey prior to any site preparation in consultation with the Wildlife Division. In particular, there may exist Boreal Felt Lichen (*Erioderma pedicellatum*). The qualified consultant should work in conjunction with the site surveyor and developer to ensure that concentration of rare plants and habitat are not negatively impacted by this development. For further information on surveys contact Christine Doucet of the Wildlife Division at (709)637-2372 or christinedoucet@gov.nl.ca.
- The Proponent must maintain a 30 meter vegetated buffer on all water bodies including the eastern side of the Junction Pond Management Unit as defined by the Eastern Habitat Joint Venture (EHJV) with the Town of Whitbourne. This includes no cutting of survey lines within the buffer zones. For further information contact Jonathan Sharpe of the Eastern Habitat Joint Venture at (709) 637-2013 or jonathansharpe@gov.nl.ca.
- The Proponent is required, upon approval of the flora/fauna survey, to consult with the EHJV stewardship staff and the Town of Whitbourne to develop an education plan detailing the function and importance of the area to the residents and/or potential buyers. Furthermore, the Proponent must consult with the EHJV and Town of Whitbourne to ensure all activities associated with the undertaking are implemented with limited impact to the waterfowl habitat. For further information contact Jonathan

Sharpe of the EHJV at (709) 637-2013 or jonathansharpe@gov.nl.ca.

- The Proponent is required to contact the Department of Natural Resources regarding the availability of merchantable wood to the Whitbourne Youth Centre that will result from land clearing activities.
- The Proponent is required to consult with the Water Resources Management Division prior to the start of construction to determine the carrying capacity for residences on waterbodies within the project area. For further information contact Martin Goebel at (709) 729-2563 or at mgoebel@gov.nl.ca.

A permit will be required from the Town of Whitbourne prior to any development.

Please be aware that you are required to complete a hydrogeology study to assess whether there is suitable water quality and quantity. For further information contact the Water Investigations Section at (709) 729-5713.

Please be advised that should access be required to a provincially maintained roadway, a permit will be required. For further information, please contact the Department of Transportation and Works at (709) 759-2380.

An "Application for Project Review" is required for the Department of Fisheries and Oceans (DFO). Please contact John O'Rourke at (709) 772-7345 or orourkej@dfo-mpo.gc.ca with any inquiries regarding this matter.

The Crown Land required for this project is currently under application #133078 and this release is for the Environmental Assessment only. No activity or land clearing is to take place until the Lands Branch of the Department of Environment and Conservation has issued the Crown Land Title pursuant to the Lands Act. Further information on the Crown Land Application is available from Wayne Dawe, Manager of the Eastern Region Lands Office, at (709) 729-2654 or wdawe@gov.nl.ca.

Should you obtain title to the land and proceed with the undertaking described in your registration document, please note that you are subject to any other act or regulation and the above conditions. Please be aware that you are obliged to inform this Department of any significant changes to your proposal. A summary of comments from the reviewing agencies received during the review period is attached to provide an indication of applicable permits, approvals, and legislation.

Please note that the list of permits and approvals in the comment summary attached may not be complete, and that you are required to comply with all relevant legislation.

If you have any questions concerning the environmental assessment process, please contact Mr. Bas Cleary, Director of Environmental Assessment Division, at (709) 729-0673.

Sincerely,

A handwritten signature in black ink that reads "Clyde Jackman". The signature is written in a cursive style with a large initial 'C' and a long, sweeping tail.

CLYDE JACKMAN
Minister (Acting)

cc. Jonathan Sharpe, Manager (Eastern Habitat Joint Venture)

Attachment

