

# GUIDELINES

for

## Environmental Preview Report

for the

### *Exploits River (Bishop's Falls South Side) Cottage Development*

**Honourable Derek Bennett**

Minister

Environment, Climate Change and Municipalities

November 12, 2020

Registration No. 1990

## **ENVIRONMENTAL PREVIEW REPORT GUIDELINES**

The following guidelines are intended to assist the proponent, Alex Cooke with the preparation of the Environmental Preview Report (EPR) for the Exploits River (Bishop's Falls South Side) Cottage Development. The EPR is a report that presents the results of an investigation based on readily available information that supplements the information already provided by the proponent upon registration of the undertaking. The purpose of the information in the EPR is to assist the Minister of Environment, Climate Change and Municipalities in making a determination as to whether an Environmental Impact Statement (EIS) will be required for the proposed undertaking. The EPR is expected to be as concise as possible while presenting the comprehensive information necessary to make an informed decision.

The EPR should include and update the information provided in the original registration and focus on the information gaps identified during the government and public review of the registration. The EPR should address the information gaps in sufficient detail to enable the Minister of Environment, Climate Change and Municipalities to make an informed decision as to the potential for significant environmental effect from the undertaking.

The contents of the EPR should be organized according to the following format:

### **1. NAME OF UNDERTAKING:**

The undertaking has been assigned the Name "Exploits River (Bishop's Falls South Side) Cottage Development."

### **2. PROPONENT:**

Name the proponent and the corporate body, if any, and state the mailing and e-mail address.

Name the principal contact person for purposes of environmental assessment and state the official title, telephone number, fax number and e-mail address.

### **3. THE UNDERTAKING:**

State the nature of the project.

State the purpose/rationale/need for the project. If the proposal is in response to an established need, this should be clearly stated. Identify needs that are immediate as well as potential future needs.

#### 4. DESCRIPTION OF THE UNDERTAKING:

Provide complete information concerning the preferred choice of location, design, construction standards, maintenance standards, etc.

##### 4.1 Geographical Location / Physical Components / Existing Environment:

- Provide an accurate description of the proposed site, access roads, etc., including GPS location coordinates. Attach an original base map (1:25,000 scale) and/or recent air photos.
- A site layout plan showing the 1 in 20-year flood zone and the 1 in 100-year and historic flood risk area.
  - The plan must show only new lots for sale by the proponent and not lots previously sold which are not owned by the proponent.
- Provide information regarding ownership and/or zoning of the land upon which the project is to be located and any restrictions imposed by that ownership or zoning, including municipal ownership/zoning, Crown, and private land.
- A revised project design such that the development is in compliance with the Department of Environment, Climate Change and Municipalities Flood Plain Management policy.
  - As per the Department of Environment, Climate Change and Municipalities Flood Plain Management Policy [https://www.mae.gov.nl.ca/waterres/regulations/policies/flood\\_plain.html](https://www.mae.gov.nl.ca/waterres/regulations/policies/flood_plain.html), no development is permitted in the 1 in 20-year flood zone; therefore, the proponent is advised to exclude the lots from the development which are completely in the 1 in 20-year flood risk area.
  - For the cottage lots which are partially located in the 1 in 100-year and historic flood risk area, the proponent must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any work within 15 metres of this designated flood risk area prior to the start of construction. Also, any work within this designated flood risk area must comply with this Department's Policy for Flood Plain Management: [https://www.mae.gov.nl.ca/waterres/regulations/policies/flood\\_plain.html](https://www.mae.gov.nl.ca/waterres/regulations/policies/flood_plain.html)
  - For further information contact: Manager, Water Rights, Investigations, and Modelling Section at (709)729-2295.
- Provide a Level I Groundwater Assessment as per the Department of Environment, Climate Change and Municipalities Guidelines: Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells: [http://www.env.gov.nl.ca/env/waterres/regulations/appforms/unserviced\\_subd](http://www.env.gov.nl.ca/env/waterres/regulations/appforms/unserviced_subd)

[ivision\\_gw\\_assessment\\_guidelines\\_dwh\\_revisions.pdf](#) under the Water Resources Act, 2002, specifically Section 61 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>.

- For further information contact: Manager, Groundwater Section at (709)729-2539.

## 5. POTENTIAL ENVIRONMENTAL EFFECTS and MITIGATION:

Provide detailed information regarding the potential effects of the project on the environment and the proposed mitigation to be used to avoid adverse environmental effects, including:

- A Riparian Buffer Zone Plan, which is to include a minimum 50 metre reservation zone from the high water mark outside the 1-20 year flood zone for proposed lots. The reservation zone may include septic systems as well as small walking trails based on natural openings. A minimum 30 metre naturally vegetated undisturbed buffer however must be maintained.
  - This development is situated along the shores of the Exploits River, an important waterbody in NL (e.g. scheduled Salmon River). Most of the developed lots have all vegetation removed right down to the shore, compromising the functions (e.g. filtration, bank stabilisation, aquatic species and habitat protection etc.) of riparian zones and shoreline banks.
  - It should be noted that the Water Resource Management Division's flood zone analysis was based on an intact shoreline (absorbing/buffering increasing levels during flood events) and therefore most likely will extend into the interior now that the vegetation has been removed. The plan should take the flood analysis into consideration.
- A description of travel and use of the Newfoundland and Labrador T'Railway Provincial Park for future development.
  - The Provincial Parks Regulations S. 10 prohibits operation of a motor vehicle or a four wheel drive vehicle in the Newfoundland and Labrador T'Railway Provincial Park (T'Railway).
  - A Construction and Use permit is required from the Parks Division if the site is to be accessed from the T'Railway by any means that will disturb the natural state of the park (e.g., a roadway). A temporary vehicular permit (TVA) (commercial) would also be required if equipment to develop the cottage development road and cottage lots has to travel on the T'Railway to reach the proposed development. A TVA would also be required if cottage owners plan on using their vehicles to reach the cottage lots via the T'Railway.
  - If an access to the site is required from or through the T'Railway the applicant is required to install at their own expense approved culvert(s) to maintain the flow of water in ditching.

- The T’Railway right of way in this area is 25 feet/7.62 metres perpendicularly distant and running parallel on each side of the centerline of the old railway line.
- The Provincial Parks Regulations and Parks Act can be viewed online at:  
<https://assembly.nl.ca/legislation/sr/statutes/p32.htm> Parks Act  
<https://assembly.nl.ca/legislation/sr/regulations/rc970091.htm> Parks Regulations .
- A Historic Resources Impact Assessment (HRIA) is required on all of the undeveloped portions of the subject lands which are intended for future development.
  - The Historic Resources Act RSNL 1990 CHAPTER H-4 and information on archaeology in the province is available on the Provincial Archaeology website: <https://www.gov.nl.ca/tcar/artsheritage/culture/archaeology/>
  - The Archaeological Investigation Permit Regulations under the Historic Resources Act (O.C. 96-212) are here: <https://www.assembly.nl.ca/legislation/sr/regulations/rc960963.htm>
- The Town of Bishops Falls has expressed interest in expanding its planning area, possibly to include the subject area. Feedback on the new development from the Town Council of Bishop’s Falls should be described.

## 6. APPROVAL OF THE UNDERTAKING:

Provide a complete list of the main permits, licences, approvals, and other forms of authorization required for the undertaking, together with the names of the authorities responsible for issuing them (e.g., federal government department, provincial government department, municipal council, etc.). A list was provided in the registration but it appears to be incomplete, and these were missing:

The required 3 copies of the EPR, and an electronic version for posting to the Environmental Assessment website, should be sent together with a covering letter to:

Minister  
 Environment, Climate Change and Municipalities  
 P.O. Box 8700  
 St. John’s NL A1B 4J6