

May 28, 2020

Reg. # 2071

Mayor Georgina Ball  
Town of Milltown – Head of Bay d’Espoir  
PO Box 70  
Milltown NL A0H 1W0  
[townofmill@bellaliant.com](mailto:townofmill@bellaliant.com)

Dear Mayor Ball:

**Re: Milltown – Head of Bay d’Espoir RV Park**

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 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 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 me 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 [EAPProjectComments@gov.nl.ca](mailto:EAPProjectComments@gov.nl.ca).

- You are required to update me 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 [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

The Local Governance and Land Use Planning Division, Department of Municipal Affairs and Environment, advises that the site is located within the Town of Milltown - Head of Bay d'Espoir's planning area boundary. The land is zoned 'Rural (RUR)' and subject to the Town's Development Regulations and particularly the development standards and conditions outlined in the RUR use zone table. The proposed use would be classified as an outdoor assembly use as per Schedule B of the Town's development regulations. Outdoor assembly is a discretionary use in the above zone type and public notice is required.

The Forestry Division, Department of Fisheries and Land Resources, advises that a Commercial 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 a permit to burn during the Forest Fire Season to ignite a fire on or within 300 metres of forest land.

The Lands Branch, Department of Fisheries and Land Resources, advises that you must submit a Crown Lands Application to acquire title to this site. The Agricultural Land Section advises that the RV Park is within an Agriculture Development Area and there may be future agriculture activities in this area with which the RV Park should not interfere.

The Water Resources Management Division, Department of Municipal Affairs and Environment requires that you must apply for and obtain a permit under the Water Resources Act, Section 48 for any work in any body of water (including wetland) prior to the start of construction. This also includes work in Shore Water Zones and for any infilling work within fifteen (15) metres of a body of water. You must apply for and obtain a water use licence for the use of water from any water source for any purpose. If you require a well, you must apply for and obtain a Permit for Constructing a Non-Domestic Well and any future connection to the Town's public drinking water or wastewater system will require a permit to construct under Sections 36 & 37 of the Water Resources Act. 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, under the Water Resources Act. For further information, please contact the Pollution Prevention Division at 709-729-5782.

Service NL indicates that electrical plans must be submitted for review/approval for all electrical work to be done, and, you must submit and receive approval for plans and specifications for the proposed water and sewerage system.

The Department of Natural Resources indicates the RV Park is located across the river and approximately 0.4 km east of a gold occurrence. A 100 hectare mineral licence was staked in 2017 to cover the gold occurrence and prospecting work. The edge of the mineral licence overlaps the area of the RV Park. The Town is advised to expect ongoing prospecting activities in the area and mineral exploration activities could take place in the future. Also, there are Newfoundland Power distribution lines running adjacent to the location of the park on Route 361. It is recommended that the proponent contact Newfoundland Power.

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 15<sup>th</sup> and August 15<sup>th</sup> 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 MCBA 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. 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.

If you have any questions concerning these matters, 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 black ink, appearing to read "Derrick Bragg".

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

Enclosures

cc: Elvis Loveless, MHA  
Fortune Bay – Cape La Hune