

AUG 25 2021

COR/2021/02582

Reg. # 2013

Charles A. Parsons
C.W. Parsons Limited
131 McNamara Drive
P.O. Box 3035
Paradise NL A1L 3W2
Email: info@cwparsonslimited.ca

RE: Foxtrap Pastureland Road Quarry

Dear Charles Parsons:

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.
- The Department of Fisheries, Forestry and Agriculture requires the following:
 - 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 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); and, the location of any raptor nest site must be reported to the Wildlife Division;
 - The Forestry and Wildlife Branch requires a minimum 30-metre naturally vegetated buffer be maintained along streams and waterbodies that appear on a 1:50,000 topographical map to protect sensitive riparian and aquatic species, and their habitat For further information, please contact the Wildlife Division at (709) 637-2025; and
 - You are required to make the quarry inaccessible to vehicles once the quarry is closed out and rehabilitated. For more information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 637-2353.

- 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, 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. Please email your project updates to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:

The Pollution Prevention Division of my Department advises you to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. A spill kit should also be kept on site. For more information, please contact the Pollution Prevention Division at (709)729-5782.

The Water Resources Management Division of my Department advises you that this project occurs on the edge of the Thomas Pond watershed. This is a potential drinking water source for the northeast Avalon region and the watershed is protected under the City of St. John's Act. The Water Resources Management Division requires you to apply for and obtain a permit for work in a body of water (including wetland) prior to the start of construction. For more information, please contact the Water Resources Management Division at (709)729-1646.

The Department of Fisheries, Forestry and Agriculture advises that a commercial cutting permit is required prior to harvesting or timber removal. 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 meters of forestland. For more information, please contact the Department of Fisheries, Forestry and Agriculture at (709)729-4180.

The Department of Industry, Energy and Technology advises that the parcel of land in question is 454 metres from Newfoundland and Labrador Hydro's transmission line running from Soldier's Pond to St. John's. Further, the registration document notes that access to the parcel of land will occur through a Newfoundland and Labrador Hydro access road constructed for the transmission line. As such, you are advised to contact Newfoundland and Labrador Hydro to ensure there are no electricity policy issues.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development are

conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. The Occupational Health and Safety Division reminds you to consider procedures associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador (e.g. physical distancing, handwashing).

The Local Governance and Land Use Planning Division of the Department of Municipal and Provincial Affairs advises that this project is located within the City of St. John's that is zoned as "Forestry". Mineral Working is listed in the subject zone as a discretionary use and as such, the City must advertise and review all submissions before making a permitting decision. For more information, please contact Local Governance and Land Use Planning Division at (709)729-3090.

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 and August 15 in this region. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

The Department of Fisheries and Oceans advises that the modernized Fisheries Act includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the Fisheries Act and as well as information on the project review process. The "Projects Near Water" website is 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. 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. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. 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,



HON. BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Enclosures

cc: Hon. Barry Petten, MHA
Hon. Loyola O'Driscoll, MHA
Joanne Sweeney, Director (A), Environmental Assessment Division