

MAY 27 2021

COR/2021/01325

Reg. # 2114

Clayton Walker, President and CEO
Iron Ore Company of Canada
2 Avalon Drive
Labrador City, NL A2V 2Y6
Patrick.Lauziere@ironore.ca

Dear Mr. Walker:

Re: Labrador City Humphrey South Iron Ore Extension

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:

- IOC is required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- A groundwater assessment, including a model of groundwater flow, must be completed for the proposed pit. An initial report with currently available data must be submitted and approved by the Water Resources Management Division of my Department prior to commencing any work related to the project, with follow up reports to be submitted annually until the groundwater assessment is complete. For further information, please contact the Water Resources Management Division, Groundwater Section at (709) 729-2539.
- IOC must enter into a Memorandum of Agreement with the Water Resources Management Division for the installation of a real-time water quality/quantity network for groundwater/surface water as determined upon further consultation. For further information, please contact the Water Resources Management Division at (709) 729-2563, or email hkhan@gov.nl.ca.
- A Water Resources Management Plan must be submitted to the Water Resources Management Division for approval prior to commencing any work related to this

project. The Water Resources Management Plan should address the following concerns:

- if there are any brooks, rivers, ponds, streams or wetlands present in or within 30 metres of the boundaries of the project site, then please provide the type of water body and its distance from the site;
 - if any of the above-mentioned water bodies are impacted by site operations, describe how the water body will be impacted. A permit/licence from the Water Resources Management Division may be required; and,
 - if there is any potential for onsite drainage water or dewatering water to discharge into a natural water body, describe the measures that are to be deployed, such as the establishment of vegetative cover, filter strip or silt curtain to ensure the effluent or runoff meets the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the Water Resources Management Division at (709) 729-1646, or email leahburry@gov.nl.ca.
- As contour lines show surface water in the new project area draining westward away from other monitoring stations, a water quality and stage/flow monitoring plan in this area must be developed in consultation with the Water Resources Management Division of my Department before stage 1. For further information, please contact the Water Resources Management Division at (709) 729-2563, or email hkhan@gov.nl.ca.
 - The Department of Fisheries, Forestry and Agriculture requires the following:
 - a minimum 30-metre undisturbed buffer must be maintained along all waterbodies and wetlands that appear on a 1:50,000 topographical map to protect sensitive riparian and aquatic species, and their habitat;
 - 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); and, the location of any raptor nest site must be reported to the Wildlife Division. For further information, please contact the Wildlife Division at (709) 637-2025, or Fisheries, Forestry and Agriculture at (709) 729-1140.
 - the locations of all plants surveyed (for plants of concern/interest), and,
 - confirmation of avian Species at Risk (SAR) and amphibian species (Salamander, frog) identified in the project area. For further information, please

contact the Wildlife Division at (709) 637-2025, or Fisheries, Forestry and Agriculture at (709) 729-1140.

- You are required to advise the Environmental Assessment Division when each of the conditions of release has 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 the project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the project, within one year from the date of this release letter and to provide additional updates, if requested. Please email 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 Water Resources Management Division of my Department advises that you must obtain permits for any work in a body of water including wetland, to alter a body of water, work in shore water zones, or any infilling work within fifteen metres of a body of water, and for construction of a non-domestic well. You must apply for and obtain a water use licence under the Water Resources Act, for the use of water from any water source for any purpose. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Pollution Prevention Division of my Department indicates that a Certificate of Approval (COA) is required for this project. Water quality/effluent and ambient air monitoring programs will be further detailed in the Terms and Conditions of the COA. You are also reminded 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.

The Department of Municipal and Provincial Affairs advises that a development permit is required from the Town of Labrador City. For further information, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The Department of Industry, Energy and Technology, Mines Branch requires IOC to submit the results of the acid rock drainage study for the Humphrey South Extension area, including details of the acid-base analysis protocol to ensure that acid generating and potentially acid

generating waste is managed appropriately. For further information, please contact Paul Philpott, Mines Branch at (709) 729-2358 or email paulphilpott@gov.nl.ca.

The Department of Fisheries, Forestry and Agriculture advises that a Commercial Cutting Permit is required prior to any harvesting or timber removal, and an Operating Permit is required prior to the start of any work during the forest fire season. For further information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 729-1140.

The Department of Fisheries, Forestry and Agriculture would like to review with IOC, current Best Management Practices for bank swallows to identify preferred abandoned sites on IOC grounds if needed to redirect potential breeding pairs within active sites. In addition, IOC's newly implemented bat-monitoring program must be submitted and reviewed by the Wildlife Division. For further information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 729-1140.

The Department of Industry, Energy and Technology advises that IOC is required to submit a development plan, a rehabilitation and closure plan and provide financial assurance as per Section 4 of the Mining Act. For inquiries about compliance with the Mining Act, please contact the Mines Branch at (709) 729-2358, or email paulphilpott@gov.nl.ca.

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 related to 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).

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 15th and August 15th in this region. Environment and Climate Change Canada requests you provide a GIS file of the project boundaries and study area so that the project can be mapped and the total area of wetland that will be affected. For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Environment and Climate Change Canada, Canadian Wildlife Service requests detailed information on the surveys methods and protocols that were undertaken for the bird and bat surveys, and include mitigations to reduce impacts to Bank Swallow in the Environmental

Management Plan. In addition, methods to reduce disturbance to migratory birds related to lights should be developed and submitted for review. For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Fisheries and Oceans Canada (DFO) has indicated IOC must submit a "Request for Review" to the Fish and Fish Habitat Protection Program under the Fisheries Act. This authorization request to DFO includes cases where impacts to fish and fish habitat cannot be avoided. For further information, please contact Fisheries and Oceans Canada at (709) 772-4140.

Transport Canada has indicated that infilling or dewatering of any navigable waterway would require an Exemption by Order of the Governor in Council pursuant to Section 24 of the Canadian Navigable Waters Act. IOC must submit an Application for Approval detailing the work, its effects, and the nature of the water bodies that may be involved. For further information, please contact Transport Canada at (709) 772-3088.

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. 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,

A handwritten signature in blue ink, appearing to be "Bernard Davis", with a horizontal line extending to the right.

BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Enclosures



cc: Jordan Brown, MHA
Labrador West

Town of Labrador City