

JUL 21 2021

COR/2021/02157

Reg. # 2137

Ms. Joanne Morrissey, Mayor
Town of North River
P.O. Box 104
North River NL A0A 3C0
townofnorthriver@bellaliant.com

Dear Mayor Morrissey:

Re: North River Culvert Replacement

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 Town must erect signage and structures to prohibit vehicles from leaving the existing road and accessing the riparian zone of North River.
- “No parking” signs must be erected and parking restrictions enforced within 30 metres of the high water mark of the river along the existing road, including the turnaround area at the end of the road.
- 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 Climate Change Branch of my Department recommends that you consider the provincial climate change projections for St. John's when choosing appropriate materials for this project. For further information, please contact the Climate Change Branch at (709) 729-1485 or email JenniferFPrim@gov.nl.ca.

The Water Resources Management Division of my Department acknowledges that you have submitted a Section 48 permit application and advises that permits may be required for any work in a body of water, in shore water zones, and for infilling within fifteen (15) metres of a body of water prior to the start of construction. For further information, please contact the Water Resources Management Division at (709) 729-1646 or email leahburry@gov.nl.ca.

The Pollution Prevention Division of my Department advises that all waters discharged from the proposed site during construction and operation are subject to compliance with the Environmental Control Water and Sewage Regulations, 2003, under the Water Resources Act, and recommends that a spill kit should be kept on-site during construction. For further information, please contact the Pollution Prevention Division at (709) 729-5782 or email rlocke@gov.nl.ca.

The Department of Industry, Energy and Technology provides options for sourcing gravel and other quarry materials, should they be required. One of the options includes obtaining materials from within the right of way of the proposed resource roads provided that its excavation would be in compliance with other permits and understandings. For further information, please contact Industry, Energy and Technology at (709) 729-5748 or stephenhinchey@gov.nl.ca.

Digital Government and Service NL advises that the extent of land clearing and grubbing should be restricted such that naturally vegetated buffers between the site and surrounding properties and thoroughfares are maintained. In addition, measures should be implemented to contain floating debris during construction. Any spill or leak of gasoline or associated product is to be reported immediately to Digital Government and Service NL by calling the

Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. For further information, please contact the Government Service Centre at (709) 945-3107.

The Occupational Health and Safety Division (OHSD) of the Department of Digital Government and Service NL advises you to ensure that the activities associated with this 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 OHSD 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.

The Department of Fisheries, Forestry and Agriculture advises you to develop and implement appropriate preventative and mitigation measures to avoid incidental take of birds, nests and eggs and operate under established legislation and regulations to avoid or minimize adverse impacts. In addition, it is recommended that you consult with Fisheries and Oceans Canada regarding Guidelines for the Protection of Freshwater Fish in Newfoundland and Labrador. For further information, please contact Fisheries, Forestry and Agriculture at (709) 635-4139 or RobynDillman@gov.nl.ca.

Fisheries and Oceans Canada informs that it issued a Letter of Advice for the installation of this culvert to the Town of North River on August 14, 2020. If there have been any changes to the project since this date, you should consult the *Projects Near Water* website, which provides information on achieving compliance with the *Fisheries Act* and the project review process. If it is deemed necessary to submit a request for project review after referring to the *Projects Near Water* website, advice on mitigations and best management practices will be provided to the proponent in a Letter of Advice after a review by the Fish and Fish Habitat Protection Program. For further information, please contact Fisheries and Oceans Canada at (709) 772-4140 or email FPP-NL@dfo-mpo.gc.ca.

Environment and Climate Change Canada advises that it is your responsibility to manage project activities so as to ensure compliance with the Migratory Birds Convention Act and associated regulations. It is also your responsibility to ensure that staff and contractors are aware of the general prohibitions of the Species at Risk Act. For further information, please contact Environment and Climate Change Canada at (709) 772-2126 or email jerry.pulchan@canada.ca.

Transport Canada advises that the proposed project does not involve Scheduled waterways under the Canadian Navigable Waters Act (CNWA). Under the CNWA, owners of works that are located on navigable waterways not listed in the schedule, which may interfere with navigation, have the option to either apply to the Minister of Transport for approval, or seek authorization through the public resolution process. Both processes can be accessed at the

following link: <https://npp-submissions-demands-ppn.tc.canada.ca/>. For further information, please contact the Navigation Protection Program at (506) 851-3113 or email NPPATL-PPNATL@tc.gc.ca.

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 "B. Davis", written over a circular blue stamp or seal.

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

c: Helen Conway Ottenheimer, MHA Harbour Main
Ms. Sheila Hall, Town Clerk, Town of North River

Enclosures