

COR/2022/00333

February 9, 2022

Reg. # 2178

Tara Wight
Regional Environmental Advisor
DFO-SCH
80 East White Hills Road
St. John's, NL A1C 5X1
E-mail: tara.wight@dfo-mpo.gc.ca

Dear Ms. Wight:

RE: Raleigh Harbour Development

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.
- 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 Climate Change Branch (CCB) of my Department advises you to consider the impact of climate change on coastal erosion, sea level rise, and changes in sea ice and wave action in the design and construction of the breakwater. Climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding or damage to infrastructure. The CCB suggests that you consider provincial climate change projections for St. Anthony (nearest regional site) in the planning of this undertaking. In addition, you are advised that any heavy-duty equipment used in the construction phase of this project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.



The Pollution Prevention Division (PPD) of my Department advises you to consult the guidance document titled, "Protocol for the Management of Excavated Soils, Concrete Rubble and Dredged Materials," located on the Department's web page at http://www.mae.gov.nl.ca/env_protection/waste/guidancedocs/ExcSoilsConcreteRubbleDredgedMaterials.pdf, prior to handling any related materials. The PPD further advises if this project involves treated wood waste, sampling and analysis is required. Please refer to the Guidance Document titled, "Treated Wood Waste Disposal," located on the Department's web page at http://www.mae.gov.nl.ca/env_protection/waste/guidancedocs/GD-PPD-075.1Treated%20Wood%20Waste%20Disposal%20.pdf. For further information, please contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of my Department advises that a permit is required for the removal of the existing deteriorated wharf and storage shed and the construction of the new wharf, shed, and breakwater. You are also advised that permits are required for any work in any body of water (including wetland) and for non-domestic water use for any purpose, and a water use licence is required for the use of water from any water source for any purpose, prior to the start of removal/construction. Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations under the **Water Resources Act**. For further information, please contact the WRMD at (709) 729-1671.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that spill response equipment should be readily available on-site. Response equipment, such as absorbents and open-ended barrels for collection of clean-up debris, should be stored in an accessible location on-site. Personnel working on the project should be knowledgeable about response procedures. The GSC also advises you to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately to the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact the GSC at (709) 637-2229.

The Occupational Health and Safety Division (OHS) 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. OHS reminds you to consider procedures associated with the protection of workers related to COVID-19. For further information, please contact the OHS at (709) 729-6690.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials required for the project must be sourced from an approved sites. The Geological Survey of



Newfoundland and Labrador, a Division of IET, informs that it initiated a Coastal Monitoring program in 2011. The Raleigh Harbour Development is not a location monitored by the program, however, the nearest monitored site is Raleigh Beach and data for this site are available on the Geoscience Atlas located at <https://geoatlas.gov.nl.ca/Default.htm>. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5748.

The Department of Municipal and Provincial Affairs (MPA) advises you to apply for and obtain a demolition permit and a development permit from the Town of Raleigh. For more information, please contact MPA at (709) 729-3090.

Environment and Climate Change Canada (ECCC) 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. ECCC recommends that you undertake a rare plant survey to confirm the presence or absence of Fernald's Braya and Porsild's Bryum, listed under the Species at Risk Act, in the project area and proposed laydown area. If Fernald's Braya or Porsild's Bryum are identified on site, you will be required to apply for a federal SARA permit prior to the commencement of activities. ECCC requests you to provide a GIS file of the project boundaries so that the project can be mapped for cumulative effects considerations. For further information, please contact ECCC at (709) 772-2126.

Fisheries and Oceans Canada 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.

Transport Canada advises that this project is located on federal lands and will require a review pursuant to s.82 of the **Impact Assessment Act** (IAA). For further information, please contact Transport Canada at (709) 351-3200.

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 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, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

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

Cc: Hon. Krista Lynn Howell, MHA – St. Barbe - L'Anse aux Meadows

Enclosures