

COR-2022-2954

DEC - 1 2022
Reg. #2115

Scott Winsor
City of St. John's
10 New Gower Street
St. John's, NL A1C 5M2
Email: swinsor@stjhns.ca

Dear Scott Winsor:

**RE: Rennies River Flood Mitigation – Portugal Cove Road to Kings Bridge Road
(the Project)**

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 the Project 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 the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, one year from the date of this release letter and to provide additional updates if required. Please email the Project updates to EAProjectComments@gov.nl.ca.

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

The Climate Change Branch of my Department advises that all heavy-duty equipment used in the construction phase of the 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 Climate Change Branch at (709) 729-1485.

The Pollution Prevention Division of my Department advises that a contingency plan specific to the proposed undertaking should be developed. Any spill or leak of gasoline or associated



product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For further information, please contact the Pollution Prevention Division at (709) 729-5782

The Water Resources Management Division of my Department advises that you must obtain permits under the **Water Resources Act** for any work within 15 metres of a waterbody, any work within a designated flood risk area, any work in Shore Water Zones, and any infilling within 15 metres of a waterbody. Effluent leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations. For further information, please contact the Water Resources Management Division at (709) 729 -1646.

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 Project are conducted in compliance with the Occupational Health and Safety Act and its regulations. It is recommended that you develop an emergency response plan to address any foreseeable mishaps specific to the undertaking. For further information, please contact the Occupational Health and Safety Division at (800) 563-5471.

The Department of Industry, Energy, and Technology advises that any quarry material required for the Project is to come from approved source. For further information, please contact the Mines Branch at (709) 729-5748. You are further advised to consult with Newfoundland Power on the Project, given its proximity to the King's Bridge Road electrical substation. For further information, please contact the Electricity and Alternative Energy Division at (709) 729-1406.

Environment and Climate Change Canada (ECCC) recommends that you prepare the following plans:

- an oil spill prevention and response plan;
- a contingency plan that considers potential accidents and malfunctions for site specific activities and sensitivities;
- a management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds; and
- a water quality monitoring program that allows for timely detection of water quality changes and identifies action thresholds for implementation of appropriate adaptive management measures.

ECCC advises that clearing vegetation may cause a disturbance to migratory birds, and may inadvertently cause the destructions of their nest and eggs. ECCC recommends that vegetation clearing should be avoided between April 25th and August 15th. ECCC has requested that a GIS file of the project to be submitted. For further information, please contact ECCC at (709) 689-8915.

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.

Health Canada advises that as there are residential and recreational receptors directly adjacent to the Project, a process should be established to ensure complaints are collected and addressed. If complaints are received, additional mitigation measures may be required. For further information, please contact Health Canada at (902) 943-1962.

Transport Canada advises you to review information on the Minor Works Order located at <http://www.tc.gc.ca/eng/programs-675.html>. If the Project meets all of the listed criteria, it is considered a Minor Work and does not require an approval. However, if the Project does not meet all criteria, you may be required to submit an application for approval under the **Canadian Navigable Waters Act** (CNWA). For further information, please see the Navigation Protection Program website at <http://www.tc.gc.ca/eng/programs-621.html> or 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. You shall 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, my decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period, you may apply to extend the term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project will have to be registered again for environmental assessment, if you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions about the environmental assessment process, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or email joannesweeney@gov.nl.ca.

Sincerely,

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

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

Cc: Hon. John Abbott – St. John's East-Quidi Vidi