

JUL 14 2022

COR-2022-802

Reg. # 2193

Dean Clarke
P.O. Box 176
Terrenceville, NL A0E 2X0
Email: dean.clarke@nf.sympatico.ca

Dear Dean Clarke:

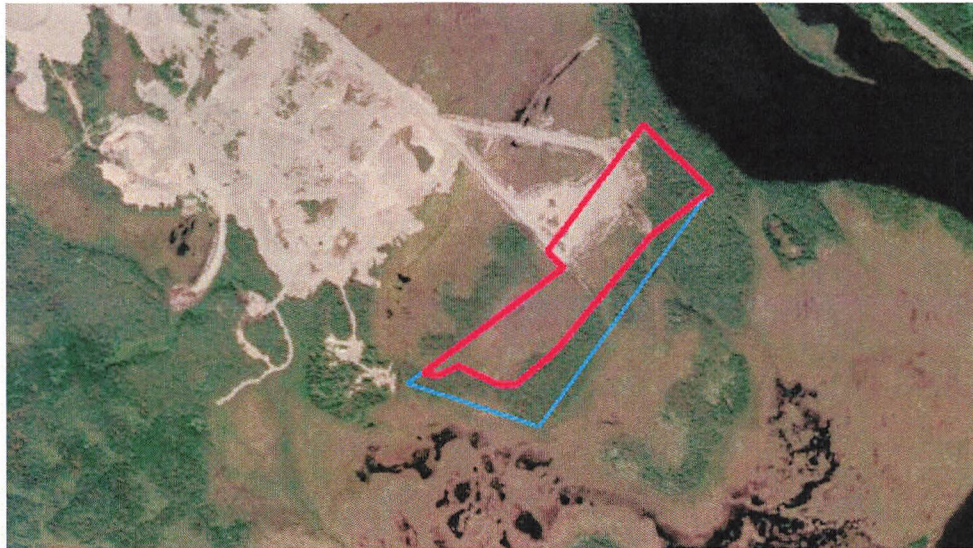
Re: Swift Current Quarry (the Project)

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 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 Water Resources Management Division of my Department requires the following:
 - Prior to commencing any work related to the Project, a Water Resources Management Plan must be submitted for review and approval. The Water Resources Management Plan should address the following:
 - If there are any brooks, rivers, ponds, streams or wetlands, present in or within 30 metres of the boundaries of the Project site, then identify the type of water body and its distance from the site.
 - If any of the above-mentioned water bodies or wetlands 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.
 - If there is any potential for onsite drainage water or dewatering water to discharge into a natural water body, describe the precautionary measures, such as vegetative cover, filter strip, silt curtain, etc., that will be deployed to ensure the effluent or runoff meets the requirements of the Environmental Control Water and Sewage Regulations, 2003.
 - Describe water control measures to be deployed onsite for daily workings as well as for high-precipitation storms.
 - Describe sediment control measures to be deployed onsite to avoid discharging sediment-laden water into the natural waterbody.

For further information, please contact the Water Rights, Investigations, and Modelling Section at (709) 729-1229 or email mohammadkhayer@gov.nl.ca.

- The Department of Fisheries, Forestry and Agriculture requires the following:
 - a revised quarry boundary is required as indicated in pink in the imagery below (the blue line depicts the originally proposed quarry boundary).



- a minimum 50-metre naturally vegetated buffer, which includes trees, shall be maintained along the scheduled salmon river, Piper's Hole River. The buffer is to be measured from the edge of non-hydrophytic (water-loving) vegetation to the nearest quarry boundary.
- For all other waterbodies:
 - Where possible, for slopes less than 30 percent a minimum 30-metre naturally vegetated riparian buffer zone shall be established around all waterbodies, from the high water mark, that are identified on either a 1:50,000 scale National Topographic System map or the topographic mapping layer shown on the Provincial Land Use Atlas or on Google Earth Imagery. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities shall take place in this zone.
 - For slopes greater than 30 percent, you shall maintain a naturally vegetated riparian buffer zone that is calculated using the following formula: 30 metres + 1.5 metres x slope (%). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities shall take place in this zone.
- Wetlands (located to the south and west of the proposed site):
 - Where possible, for slopes less than 30 percent, a minimum 30-metre naturally vegetated riparian buffer zone shall be established around wetlands that are identified on either a 1:50,000 scale National Topographic System map or the topographic mapping layer shown on

the Provincial Land Use Atlas, from the edge of non-hydrophytic (water-loving) vegetation. No land use activities involving grubbing, ground or soil disturbance or timber harvesting activities shall take place in this zone.

- For slopes greater than 30 per cent, there shall be a naturally vegetated riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (%). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
- No vegetation clearing is to occur within 800 meters of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 meters 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). The location of any raptor nest site must be reported to the Wildlife Division. For further information, please contact Fisheries, Forestry and Agriculture at (709) 637-2025.
- 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 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 your 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 Pollution Prevention Division of my Department advises you to develop a contingency plan specific to the proposed undertaking and have spill response equipment readily available on site in order to ensure a quick and effective response to a spill event. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resource Management Division of my Department advises that any effluent or runoff leaving the Project site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. For further information, please contact the Water Resource Management Division at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that spills in excess of 70 litres and all leaks must be reported immediately to the



Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. Regardless of the size of the spill, all spills and leaks must be cleaned up immediately and the area inspected and given clearance by a representative of the GSC. You are further advised to contact the regional GSC office in Clarenville, prior to the start of construction, to discuss any permits/approvals that may be required. For further information, please contact the Clarenville GSC office at (709) 466-4060.

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. For further information, please contact the Occupational Health and Safety Division at (800) 563-5471.

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 commencement of the Project activities during the forest fire season. A permit to burn must be obtained during the forest fire season prior to igniting a fire within 300 metres of forested land. For further information, please contact Fisheries, Forestry and Agriculture at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that it will require additional information from you as part of its authorization process, and informs that the Piper's Hole quarry cluster may be reorganized in the future in order to better manage the resource. For further information, please contact the Mines Branch at (709) 729-5748.

The Department of Municipal and Provincial Affairs advises that a development permit is required from Digital Government and Service NL for work within the 400-metre building control line, as per the Burin Peninsula Highway Zoning Plan. Municipal and Provincial Affairs further advises you to adhere to the Protected Road Zoning Regulations, which specify that upon conclusion of operations, all refuse shall be removed, rough landscaping carried out and all accesses removed. For further information, please contact Municipal and Provincial Affairs 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 provides a list of avian and non-avian species that are listed on Schedule 1 of the **Species at Risk Act**, and requests that any sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca. ECCC further advises that the **Species at Risk Act** "General prohibitions" apply to the Project, and recommends that you complete an analysis of potential impacts on the migratory birds listed on Schedule 1 and take measures to avoid or lessen those effects. ECCC requests that you provide a GIS file of the Project boundaries and study area so that the Project can be mapped. For more 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.

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, the Minister's 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 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 the 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 of the Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bernard Davis", written over a blue circular stamp.

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

Enclosures

Cc: Jeff Dwyer, MHA – District of Placentia West-Bellevue.