

COR-2022-2897

DEC - 1 2022

Reg. # 2212

Alexander O'Brien
2167 Alderbrook Drive
Oakville, ON
L6M 4Z3
E-mail: alexobrien@bell.net

Dear Alexander O'Brien:

Re: Pinware River Access Road and Cottage (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.
- The Department of Fisheries, Forestry and Agriculture (FFA) requires the following:
 - 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). The location of any raptor nest site must be reported to the Wildlife Division.
 - For access road construction, you must maintain a minimum 30-metre undisturbed, riparian buffer from the high water mark of the Pinware River to protect sensitive riparian and aquatic species, and their habitat. Cottage development must be situated within grant 14246 to maintain as close as possible to a 30-metre undisturbed, riparian buffer from the high water mark of the Pinware River.

For further information, please contact the Department of 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 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 Pollution Prevention Division of this department advises that you must comply with the Storage and Handling of Gasoline and Associated Products Regulations, 2003. A spill contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product shall 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 this department advises that any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For more information, please contact the Water Resources Management Division at (709) 729-2563.

The Government Service Centre of the Department of Digital Government and Service NL advises that you must submit and receive approval for plans and specifications for an approved sewage disposal system prior to construction. These plans must be in conformance with the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards, 2006 and prepared by an approved designer. In addition, any electrical plans must be submitted for review and approval prior to construction and an electrical permit is required for each meter. For more information, please contact the Government Service Centre at (709) 896-5428.

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. You are advised to ensure that an emergency



response plan is in place, which includes the provision and maintenance of first aid kits. For further information, please contact the Occupational Health and Safety Division at (709) 729-6690.

The Department of Fisheries, Forestry and Agriculture advises that a cutting permit is required prior to any harvesting or timber removal in the area, an operating permit is required prior to any harvesting during the forest fire season, and a permit to burn is required if igniting a fire on or within 300 metres of forest land. For further information, please contact the Cartwright Forest Management District Office at (709) 938-7362.

The Department of Health and Community Services advises that any private drinking water supplies will require approval under the Sanitation Regulations. It is recommended that you consult with an Environmental Health Officer with the Department of Digital Government and Service NL prior to well construction. For further information, please contact Health and Community Services at (709) 729-3422.

The Department of Industry, Energy and Technology advises that any quarry materials required for the Project must be obtained from an approved source. Industry, Energy and Technology informs that there are active quarries in the vicinity of the Project site and additional quarry development may be expected in the general area in the future. For further information, please contact Industry, Energy and Technology at (709) 729-5811.

The Department of Transportation and Infrastructure advises that a permit is required to access Route 510, prior to construction. For further information, please contact Transportation and Infrastructure at (709) 729-5399.

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;
- a management plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds, and should include processes to follow should an active nest be found at any time of year; and
- a Wetland Compensation Plan.

ECCC further 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 25 and August 15 in this region. Vegetation clearing should be avoided during this time period. 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.

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, one-year periods, if needed. 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,



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

Enclosures

Cc: Hon. Lisa Dempster, MHA – District of Cartwright-L'Anse au Clair