

COR-2024-208

FEB 16 2024

Reg. #2283

Lori Whalen
Department of National Defence
Directorate of Contaminated Sites
P.O. Box 958 Station Main
Corner Brook, NL A2H 6J3
E-mail: lori.whalen@forces.gc.ca

Dear Lori Whalen:

RE: Burgeo Rifle Range Site Remediation (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 is **released** from further environmental assessment subject to the following conditions:

- You must uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
 - The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change requires that a Water Resource Management Plan (WRMP) be submitted for review and approval prior to project commencement and the plan must include the following:
 - Sediment and siltation control approaches;
 - Installation of settling ponds and other engineered methods such as settling tanks to meet the acceptable TSS guideline of 30mg/L;
 - Alternate approaches to the treatment of surface water and discharge location;
 - Location of on-site water treatment facility;
 - Water sampling and water quality monitoring plan; and
 - Decommissioning and/or potential future use plan for remaining monitoring wells.
- For more information, please contact the WRMD at (709) 729-1646.



- The Department of Fisheries, Forestry and Agriculture (FFA) requires the following:
 - The Short-eared Owl is listed as Threatened under the Newfoundland and Labrador **Endangered Species Act** (NLESA). This species is a ground nester and therefore vulnerable to ground disturbances. If ground disturbance will occur between May 1 and August 15, a targeted survey for the Short-eared Owl is required before the Project commences and must be conducted by a qualified independent third party. If a nesting owl is suspected or detected, an 800-metre no-disturbance buffer will be required until August 15 or all young have fledged. Appropriate survey protocol should be obtained from the Wildlife Division by emailing WildLifeReferrals@gov.nl.ca.
- You must advise the Environmental Assessment Division when the conditions of release have been met, by e-mailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.
- You must update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for the Project, one year from the date of this release letter and provide additional updates if required. Please e-mail the Project updates to EAProjectComments@gov.nl.ca.

Although the undertaking as proposed is released from further environmental assessment is still subject to other legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You must 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 e-mail 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 via e-mail at joannesweeney@gov.nl.ca.

Sincerely,

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

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

Cc: The Honourable Andrew Parsons, MHA – District of Burgeo-La Poile

APPENDIX A
REGULATORY ADVICE FROM GOVERNMENT DEPARTMENTS

EA 2283 – Burgeo Rifle Range Site Remediation (the Project)

During the environmental assessment of the Project, provincial and federal government departments and agencies indicated that the following plans, permits, licences, approvals and/or other authorizations are or may be required before your project commences. This is not intended to be a comprehensive list and you are responsible for consulting with federal and provincial government authorities regarding any additional authorizations that may be required by law.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises you to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. All discharged water must meet the applicable limits specified in the Environmental Control Water and Sewage Regulations, 2003 and specifically, treated water discharged to a pond must meet the requirements of Section 6 of the Environmental Control Water and Sewage Regulations, 2003. The proposed Project is subject to the Management of Impacted Sites (MIS) process as outlined in the MIS Guidance Document and will require a closure submission under this process. The Guidance document is available at: <https://www.gov.nl.ca/ecc/files/env-protection-ics-guidance-document-for-the-management-of-impacted-sites-v2.0-feb-6-2014.pdf>. Any excavated soil or sediment with leachable lead impacts (previously characterized using TCLP analysis) must be treated as hazardous waste and disposed of properly. The Health and Safety Plan for workers of the Project should include sections addressing dewatering of excavations if standing water is present in the trench; specifications for appropriate personal protective equipment; and the use of appropriate decontamination protocols to remove contaminants from equipment, tools and workers. PPD further advises you to follow the best management practices for the storage of waste dangerous goods and hazardous waste (WDGHW). For further information, please contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises you that a water use license is required, and permits are required for any work in or within fifteen (15) meters of a body of water (including wetlands). Any work adjacent to or within the designated Protected Public Water Supply Areas (PPWSA) must comply with the Policy for Land and Water-Related Developments in the PPWSA which is available at the following link <https://www.gov.nl.ca/ecc/waterres/regulations/policies/water-related/>. You are advised to consult WRMD regarding the Section 39 permit under the **Water Resources Act**. Any effluent or runoff leaving the site is required to conform to the requirements of the Environmental Control Water and Sewage Regulations. For further information, please contact the WRMD at (709) 729-1646.

The Department of Fisheries, Forestry and Agriculture (FFA) advises you that the sites used for the shooting range must be remediated, including the removal of all structures and development, and restored to the satisfaction of the FFA Minister. Following the completion of the remediation and monitoring program, you shall request the cancellation of LTO #130955 in writing. FFA advises you to continue to provide regular updates to FFA and PPD as you work toward closure and the return of these sites. For further information, please contact FFA at (709) 637-2535.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that development permits are required from the GSC under the Protected Road Zoning Regulations. A permit is also required from GSC for the construction of an access road in a protected area or any access onto a protected road. Any proposed access road to the site must be approved by the Department of Transportation and Infrastructure. For further information, please contact the GSC at (709) 637-2369.

The Department of Municipal and Provincial Affairs (MPA) advises that the Project will be conducted within the Municipal Planning Area of the Town of Burgeo, and advises you to consult the Town with respect to any requirements of the Town's Development Regulations. For further information, please contact MPA at (709) 729-3090.

The Occupational Health and Safety Division (OHS) of DGSNL advises you to ensure that activities 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 the legislation. For further information, please contact OHS at 1 (800) 563-5471.

The Department of Transportation and Infrastructure (TI) advises that any work within the Right of Way will require permits and signage on Route 480, particularly for the heavy equipment coming and going out of the entrance. TI further advises that no encroachment is permitted on TI property without prior written approval from the Deputy Minister. For further information, please contact TI at (709) 729-5399.

Environment and Climate Change Canada - Canadian Wildlife Service (ECCC-CWS) encourages you to develop the following plans:

- A management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds and their habitats;
- A contingency plan that considers potential accidents and malfunctions that considers site-specific conditions and sensitivities; and
- An oil spill prevention and response plan.

ECCC further advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. ECCC requests that species-at-risk sightings be reported to the CWS at ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca and to the Atlantic Canada Conservation Data Centre at <http://accdc.com/en/contribute.html>. For further information, please contact the ECCC-CWS at (709) 777-4221.