

DEC 21 2022

COR-2022-3106

Reg. # 1773

Mike Rose
P.O. Box 580
Harbour Grace, NL
A0A 2M0

Dear Mike Rose:

RE: Environment Protection Plan for the Fermeuse Offshore Marine Base Project

On January 5, 2017, the Fermeuse Offshore Marine Base Project (the Project) was released from environmental assessment, subject to conditions. One such condition required Fermeuse Enterprises Limited to submit an environmental protection plan (EPP) for all applicable construction and operation activities, for my approval, prior to the start of any site specific construction.

On November 29, 2022, Fermeuse Enterprises Limited submitted an EPP for construction, which has subsequently been reviewed by the environmental assessment committee appointed to the Project. As a result of the review, I am advising you that the EPP for construction is acceptable, subject to the following conditions:

- You must uphold all commitments made in your environmental assessment submissions to mitigate the effects of the Project on the environment.
- The Department of Fisheries, Forestry and Agriculture requires you to maintain a 30-metre undisturbed buffer area around active passerine/land-bird nests (species not of management concern) during their nesting season (April 15 to July 31). For further information, please contact the Wildlife Division at (709) 637-2052.
- You must submit an EPP for the operations phase of the Project for my approval prior to commencement of Project operations.
- You must submit an EPP for the decommissioning phase for my approval prior to commencement of Project decommissioning activities.

The Pollution Prevention Division of my Department advises you to cover waste transported from the site to prevent wind-blown debris and spillage. Hazardous waste shall be removed from the site by an approved hazardous waste transporter to an approved hazardous waste recycling or final disposal facility with appropriate manifesting and tracking. For further information, please contact the Pollution Prevention Division at (709) 729-5782 or email rlocke@gov.nl.ca.

The Department of Fisheries, Forestry and Agriculture advises that 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 sites must be reported to the Wildlife Division. For further information, please contact the Wildlife Division at (709) 637-2052.

Environment and Climate Change Canada advises that the use of nest searches or pre-clearing surveys for active bird nests during the breeding season as a mitigation is not recommended, given the difficulty associated with finding nests reliably and the high likelihood of disturbing nesting birds when searching. For further information, please contact Environment and Climate Change Canada at (709) 689-8915.

I would like to remind you that any significant changes to the Project must be submitted to me prior to construction to be reviewed for regulatory requirements, including environmental assessment. The EPP for construction is considered a living document that will be updated by Fermeuse Enterprises Limited as required.

If you have any questions, 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 read "Bernard Davis".

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

Enclosures

Cc: Loyola O'Driscoll, MHA – District of Ferryland