

MAR 23 2022

COR/2022/00694

Reg. # 2185

Jeff Burke
Burin Gold Corp.
210-1820 Fir Street
Vancouver BC V6J 3B1
Email: jburke@burin-gold.com

Dear Jeff Burke:

Re: Hickey's Pond Access Road

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 Department of Fisheries, Forestry and Agriculture requires the following:
 - For slopes less than 30 percent, a minimum 30-metre undisturbed riparian buffer zone shall be established around all waterbodies, from the high water mark, that are identified on either the 1:50,000 scale National Topographic System maps or the topographic mapping layer shown in the Provincial Land Use Atlas. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
 - For slopes greater than 30 percent, there shall be a minimum undisturbed riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (percent). 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 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 shall be reported to the Wildlife



Division. For more information, please contact the Wildlife Division 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 your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your 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 your project during the environmental assessment provide the following advice:

The Water Resources Management Division of my Department notes that a permit is required for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of the work. Application forms and requirements can be found at <https://www.gov.nl.ca/ecc/waterres/regulations/appforms/>. Any effluent or runoff leaving the site shall conform to the requirements of the Environmental Control Water and Sewage Regulations. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Pollution Prevention Division of my Department recommends that you develop a site-specific contingency plan to enable a quick and effective response to a spill event. All spills or leaks, such as those from machinery or storage tanks, should be promptly contained and cleaned up, and reported to the 24-hour environmental emergencies reporting system at 1-800-563-9089. For more information, please contact the Pollution Prevention Division at (709) 729-5782.

The Government Service Centre of the Department of Digital Government and Service NL notes that a development permit may be required under the Protected Road Zoning Regulations for any construction within 400 metres from the centerline of a protected road. For more information please contact the Government Service Centre 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. The Occupational Health and Safety Division

reminds you to consider procedures associated with the protection of workers related to COVID-19.

The Department of Fisheries, Forestry and Agriculture advise that a Commercial Cutting Permit and an Operating Permit is required prior to any harvesting or timber removal from the area. Permits can be obtained from the local forest management district office. For more information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 466-7439.

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. The species list is included in the "Comments for the Proponent" attached to this letter. ECCC further advises that the **Species at Risk Act** "General prohibitions" apply to this 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.

The Department of 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**, as well as, information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.ac.ca/Dnw-ppe/index-ena.html>. For more information, please contact the Fisheries Protection Program at (709) 772-4140.

Transport Canada notes that the proposed bridge could be considered a Minor Work and such would not require permits or authorization from Transport Canada–Navigation Protection Program. Transport Canada notes that if there are piers in the water, a bridge would be considered a major work and an application for approval would be required. Transport Canada provides the following link to the online assessment tool at <https://npp-submissions-demandes-ppn.tc.canada.ca/projectreview-outildexamenduprojet> to determine if the criteria is met for Minor Work or if an application for approval is required. The application process can be accessed at the following link: [Submission Site for the Navigation Protection Program](#). For more information, please contact Transport Canada at (506) 851-3113.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the



comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and 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 your 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 term of decision, and your 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, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to be "B. Davis", enclosed within a blue oval.

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

Enclosures

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