

JAN 12 2022

COR/2022/00033

Reg. # 2176

Bruce Downer, Project Manager  
Department of Fisheries and Oceans Canada  
Real Property, Safety and Security Branch  
80 East White Hills Road  
St. John's NL A1C 5X1  
E-mail: [bruce.downer@dfo-mpo.gc.ca](mailto:bruce.downer@dfo-mpo.gc.ca)

Dear Mr. Downer:

**Re: Lomond River Wiltondale Fishway Reconstruction**

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.
- 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, within one year from the date of this letter and to provide additional updates, if requested. Please email project updates to [EAPProjectComments@gov.nl.ca](mailto:EAPProjectComments@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 advises that you must obtain permits for any work in any body of water including wetland, to alter a body of water including fording of waterbodies for access, for any work in shore water zones, and for any infilling work within fifteen metres of a body of water. Also, 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 Water Resources Management Division at (709) 729-1646.

The Government Service Centre of the Department of Digital Government and Service NL (DGSNL) advises that a development permit will be required under the Protected Road Zoning Regulations for any construction within 400 metres of the centre line of the Trans Canada Highway. A permit is also required under the Urban and Rural Planning Act for the construction of an access road in a protected area, or for any access onto a protected road. The extent of land clearing and grubbing should be restricted such that naturally vegetated areas between the site and surrounding properties and thoroughfares are maintained. In addition, any existing tree screen concealing the operation from public view is to be maintained. For further information, please contact the Government Services Centre at (709) 729-0248.

The Government Service Centre of the DGSNL advises you to have spill response equipment readily available on-site to ensure that a quick and effective response to a spill event is possible. Any spill or leak of gasoline or associated product is to be reported immediately to DGSNL by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or (800) 563-9089.

The Occupational Health and Safety Division of the DGSNL advises that you must generally ensure that the activities associated with the project 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 and an Operating Permit is required during the forest fire season, and can be obtained from the local forest management district office.

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 15th and August 15th in this region. ECCC requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped for consideration of cumulative effects. The following avian species at risk (as listed on Schedule 1 of the Species at Risk Act) may occur within the study area: Bank Swallow (Threatened), Olive-sided Flycatcher (Threatened), Red Crossbill (Threatened), and Rusty Blackbird (Special Concern). The Canadian Wildlife Services



Division (ECCC-CWS) requests that any species at risk sightings be reported to ECCC-CWS at [ec.scfatlonneesei-cwsatlidata.ec@ec.gc.ca](mailto:ec.scfatlonneesei-cwsatlidata.ec@ec.gc.ca). For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Fisheries and Oceans Canada (DFO) advises that it is your responsibility under the **Fisheries Act** to ensure that all reasonable measures are conducted to prevent the release of substances deleterious to fish from the proposed activities. DFO informs that you have submitted a request for review to the Fish and Fish Habitat Protection Program, and the works are currently being reviewed. For further information, please contact the NL Region-FFHPP at (709) 772-4140.

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 must 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. For further information, please email [EAProjectComments@gov.nl.ca](mailto: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](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A blue ink signature of Hon. Bernard Davis, MHA.

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

Cc: The Honourable Dr. Andrew Furey, MHA, Humber – Gros Morne