
Reg. #2060

Michael Strickland
P.O. Box 399
St. Alban's NL A0H 2E0

JAN 15 2020

Dear Mr. Strickland:

RE: Bay d'Espoir Hill Cottage Access Road

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by the Newfoundland and Labrador *Environmental Protection Act*, SNL 2002, cE-14.2. Please be advised that this undertaking is released from further assessment subject to the following conditions:

- A minimum 30-metre undisturbed vegetated buffer is required along all waterbodies and wetlands that appear on a 1:50,000 topo map to protect sensitive riparian and aquatic species, and their habitat.
- 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, and Northern Saw-whet Owl). The location of any raptor nest site must be reported to the Wildlife Division of the Department of Fisheries and Land Resources. For further information, please contact the Wildlife Division at (709) 637-2025.

The Water Resources Management Division of this department requires that you obtain a permit for any work in any body of water (including wetland) including, but not limited to, culverts, bridges, diversion channels, etc. For further information, please contact the Water Resources Management Division at (709) 729-2295.

The Department of Fisheries and Land Resources has provided advice on road and cottage lot development, and several required permits. They advise that the road construction should only be approved on condition that the cottage lot is first approved. Additionally, they also advise you to develop and implement appropriate preventative and mitigation measures to avoid incidental take of wildlife species. For further information, please contact Fisheries and Land Resources at (709) 637-1364.

The Government Service Centre of the Department of Service NL requires you to obtain a development permit for any construction within 400 metres of Route 360. They also require you to submit plans and have those plans approved for a septic disposal system. These plans must be in conformance with the *Sanitation Regulations* and *Private Sewage*

Disposal and Water Supply Standards and prepared by an approved designer. For further information, please contact the Government Service Centre at (709) 729-3767.

The Mines Branch of the Department of Natural Resources advises that your project applications overlaps a mineral licence and is located in a region with a history of mineral exploration and which contains a recognized occurrence of the mineral tungsten (located approximately two kilometres to the southeast on the other side of the highway). They advise to expect mineral exploration in the general area in the future. They recommend approval of this project on the condition that parties wishing to traverse the access road for mineral exploration-related purposes shall not be prevented from doing so by the applicant or other road users. Mineral exploration activities may include traditional prospecting, geochemical sampling, airborne and ground-based geophysical surveys, the cutting of survey lines, test pitting, stripping of bedrock, trenching, and test borehole drilling, and may be accompanied by the creation of new (temporary) access trails, equipment laydown areas, and, in remote areas, campsites. Mineral exploration requires a permit from the Department of Natural Resources and is subject to provincial regulations which aim to reduce or rehabilitate the visual and environmental impact of mineral exploration activities. While the vast majority of mineral exploration programs do not lead to mines, it remains a possibility that mineral exploration could lead to the discovery of a mineral resource that would be economical to mine. Should this happen, a mining operation would likely be proposed. Proposed mining operations are required to undergo review through the provincial environmental assessment process before being approved. For further information, please contact the Mines Branch at (709) 729-5748.

Environment and Climate Change Canada recommends that you avoid certain activities, such as clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the project area occurs between April 15th and August 15th in this region. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Fisheries and Oceans Canada advises that if you are conducting work in or near water you should refer to the Projects Near Water website at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. They advise that you are responsible for: understanding the impacts your project will likely have on fish and fish habitat; taking measures to avoid and mitigate impacts to fish and fish habitat; requesting an authorization from the federal Minister and abiding by the conditions of your authorization when it is not possible to avoid and mitigate project impacts on fish and fish habitat; and ensuring compliance with all statutory instruments, including federal, provincial, or municipal legislations/requirements. For further information, please contact Fisheries and Oceans Canada 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. Please note that 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.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



DERRICK BRAGG, MHA
Minister of Municipal Affairs and Environment
District of Fogo Island-Cape Freels

Attachment

Cc. Carol Anne Haley, MHA
District of Burin – Grand Bank