

AUG - 1 2023

COR-2023-2465

Reg. #2249

Brent Payne  
93 Parkwood Drive  
P.O. Box 439  
Hare Bay, NL A0G 2P0

Dear Brent Payne:

**RE: Cat Bay Cottage 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 the Project is **released** from further environmental assessment subject to the following conditions:

- You must 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:
  - A minimum 30-metre, undisturbed riparian buffer must be maintained from the high water mark of all wetlands and waterbodies within and adjacent to the Project 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, to protect sensitive riparian and aquatic species and their habitats.
  - 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) or within 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 must 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](mailto:EAProjectComments@gov.nl.ca).
- You must 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, one year from the date of this release letter and to provide additional updates if required. Please email the Project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

The reviewing federal and provincial government departments and agencies have provided advice, which is attached in Appendix A for your reference.

Although the undertaking as proposed is released from further environmental assessment, it 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 email [EAProjectComments@gov.nl.ca](mailto: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 email [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca)

Sincerely,

A handwritten signature in blue ink, appearing to read "B. DAVIS".

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

Cc: Lloyd Parrott, MHA District of Terra Nova

## Appendix A

Provincial and Federal government departments and agencies provided the following advice:

The Climate Change Branch (CCB) of the Department of Environment and Climate Change advises that the clearing of trees and brush can contribute to climate change. Any heavy-duty equipment use in the construction phase of this project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises you to comply with the Storage and Handling of Gasoline and Associated Products Regulations, 2003. A spill contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product should be reported immediately by calling the Environmental Emergencies Telephone Line at 1- 800-563-9089. 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 that any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, and that a Water Use Licence may be required for non-domestic use from any water source, and a permit is required for the construction of a boathouse/wharf. For more information, please contact the WRMD at (709) 729-2563.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises you that the storage, handling, and disposal of used/ waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations. For more information, please contact the GSC at (709) 896-5428.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises you that you must generally ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. For further information, please contact OHS at 1 (800) 563-5471.

The Department of Fisheries, Forestry and Agriculture (FFA) advises that a cutting permit is required prior to any harvesting or timber removal in the area, an operating permit is



required prior to any harvesting during the forest fire season, and a permit to burn is required if igniting a fire on or within 300 metres of forest land. For further information, please contact the Cartwright Forest Management District Office at (709) 938-7362.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials required for the Project must be obtained from an approved source, and informs that the Project area overlaps one or more mineral licenses. For further information, please contact IET at (709) 729-5811.

Environment and Climate Change Canada (ECCC) recommends that you prepare the following plans:

- an Oil Spill Prevention and Response Plan;
- a Contingency plan that considers potential accidents and malfunctions for site specific activities; and
- a Management Plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds.

ECCC further 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 25 and August 15 in this region. The Canadian Wildlife Service (CWS) of ECCC requests that species-at-risk sightings be reported to ECCC-CWS at [ec.scfatldonneesi-cwsatlidata.ec@ec.gc.ca](mailto:ec.scfatldonneesi-cwsatlidata.ec@ec.gc.ca) and to the Atlantic Canada Conservation Data Centre at <http://accdc.com/en/contribute.html>. For further information, please contact ECCC at (709) 689-8915.

The Department of Fisheries and Oceans 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** and as well as information on the Project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.