

March 17, 2021

COR/2021/00558

Reg. # 2112

John Williams, President
Continental Stone Limited
PO Box 5424
St. John's, NL A1C 5W2
Johnniewilliams@nl.rogers.com

Dear Mr. Williams:

Re: Belleoram Crushed Granite Rock Export Quarry

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.
- A brief Water Resources Management Plan must be prepared and submitted to the Water Resources Management Division for review and approval, prior to commencing any work related to this project. The Water Resources Management Plan should address the following concerns:
 - if there are any brooks, rivers, ponds, streams or wetlands present in or within 30 metres of the boundaries of the project site, then please provide the type of water body and its distance from the site;
 - if any of the above-mentioned water bodies are impacted by site operations, describe how the water body will be impacted. A permit/licence from the Water Resources Management Division may be required; and,
 - if there is any potential for onsite drainage water or dewatering water to discharge into a natural water body, describe the measures that are to be deployed, such as the establishment of vegetative cover, filter strip or silt curtain to ensure the effluent or runoff meets the requirements of the

Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the Water Resources Management Division at (709) 729-1646, or email leahburry@gov.nl.ca.

- Groundwater monitoring wells must be installed to monitor any potential effects to the groundwater from the quarry activities. For further information, please contact the Water Resources Management Division, Groundwater Section at (709) 729-2539.
- Continental Stone Ltd. must enter into a Memorandum of Understanding with the Water Resources Management Division of the Department of Environment, Climate Change and Municipalities for the installation of a real-time water quality/quantity network for groundwater/surface water as determined upon further consultation. For further information, please contact the Water Resources Management Division at (709) 729-2563, or email hkhan@gov.nl.ca.
- The Department of Industry, Energy and Technology requires you to submit a Visibility Management Plan that considers how the proposed quarry operation can be planned so that it is least visible to the community of Belleoram and from persons travelling the road / trail that connects Belleoram to the barasway. The Visibility Management Plan must clearly illustrate the extent to which the quarry operation will be screened from the public and must make use of topographic profiles with sightlines depicted for representative locations of concern. For further information, please contact Industry, Energy and Technology at (709) 729-0152 or email TammyWalters@gov.nl.ca.
- The Department of Fisheries, Forestry and Agriculture requires the following:
 - a Communication Plan for blasting and vessel scheduling must be submitted to and approved by the Minister of Fisheries, Forestry and Agriculture prior to the start of construction;
 - a Contingency Plan for warm water, super chill and/or biosecurity events must be submitted to an approved by the Minister of Fisheries, Forestry and Agriculture prior to the start of construction;
 - a minimum 30-metre undisturbed buffer must be maintained along all waterbodies and wetlands that appear on a 1:50,000 topographical 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, Northern Saw-whet Owl); and, the location of

any raptor nest site must be reported to the Wildlife Division. For further information, please contact the Wildlife Division at (709) 637-2025, or Fisheries, Forestry and Agriculture at (709) 729-1140, or email johnsheppard@gov.nl.ca.

- A Women's Employment Plan (WEP) must be submitted and approved by the Deputy Minister, Office for the Status of Women, prior to the start of construction. The WEP should identify specific commitments to support the recruitment, training, employment and retention of women. For further information, please contact the Office for the Status of Women at (709) 729-5730, or email ABarnes@gov.nl.ca.
- You are required to advise the Environmental Assessment Division when each of the conditions of release has 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 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 release letter and to provide additional updates, if requested. Please email 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 advises you must obtain permits for any work in a body of water including wetland, work in shore water zones and for any infilling work within fifteen metres of a body of water. You must apply for and obtain a water use licence under the Water Resources Act, for the use of water from any water source for any purpose. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Pollution Prevention Division of my Department indicates that a Certificate of Approval (COA) is required for this project. Water quality/effluent and ambient air monitoring programs will be further detailed in the Terms and Conditions of the COA. You are also reminded that all waters discharged from the proposed site during construction and operation are subject to compliance with the Environmental Control Water and Sewage Regulations, under the Water Resources Act. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Local Governance and Land Use Planning Division of my Department advises that a development permit is required from the Town of Belleoram. As mineral working is a discretionary use in the proposed area under the Town's Development Regulations, the Town must publicly advertise and receive submissions from residents prior to issuing a permit. For further information, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The Department of Fisheries, Forestry and Agriculture advises that a Commercial Cutting Permit is required prior to any harvesting or timber removal, and an Operating Permit is required prior to the start of any work during the forest fire season. The Crown Lands Division advises that the previous application submitted for this project has expired and new applications are required, including an application for the wharf and related structures and any road construction that will take place beyond the proposed quarry lease boundary on Crown land. For further information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 729-1140.

The Department of Fisheries, Forestry and Agriculture notes that the potential for surface water drainage and siltation during construction and operation of the quarry may raise concerns for the commercial lobster fishery in the area. You are advised to contact the Harbour Authority of Belleoram for information about lobster harvest areas and to consult with local harvesters. Fisheries, Forestry and Agriculture and Fisheries and Oceans Canada encourage you to support best management practices for shipping activity to prevent the introduction and spread of aquatic invasive species, which pose a risk to the provinces native species, habitats, ecological structures and cultured fish.

The Department of Industry, Energy and Technology informs that a quarry lease is required for this project and the boundaries of the proposed quarry lease area must be modified from the area depicted in the EA registration document to meet the following requirements:

- The access trail which proceeds along the coast connecting Belleoram to the barasway and thereafter proceeding northwards, must be excluded from the quarry lease area. Lands under quarry tenure may not take in roads or trails in common use.
- The quarry lease boundary must be set back at least 15 metres from the upgraded access road which will proceed along the coast and from sections of the existing trail (where not upgraded). The set back must be measured from the edge of the road / trail.
- The quarry lease area must be set back at least 50 metres from the coastline (including the interior of the barasway) and the stream which empties into the barasway.

The Department of Industry, Energy and Technology notes that a low voltage transmission line services the town of Belleoram and recommends that you contact Newfoundland and Labrador Hydro to ensure there are no electricity policy issues as a result of the project.

The Department of Industry, Energy and Technology advises that the proposed quarry is subject to the Quarry Materials Act and its Regulations, and the Mining Act and its Regulations, and several plans are required to be submitted under the legislation for the approval of the IET Minister, including:

- a revised Quarry Development and Rehabilitation Plan;
- a Rehabilitation and Closure Plan, including the provision of financial assurance;
- a Visibility Management Plan that considers how the proposed quarry operation can be planned so that it is least visible to the community of Belleoram and from persons travelling the road / trail that connects Belleoram to the barasway.

For further information about compliance with the Quarries Act, please contact the Mineral Lands Division at (709) 729-6418 or email gesnunn@gov.nl.ca. For inquiries about compliance with the Mining Act please contact (709) 729-2358, or email paulphilpott@gov.nl.ca.

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 related to the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador (e.g. physical distancing, handwashing).

Environment and Climate Change Canada 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. For further information, please contact Environment and Climate Change Canada at (709) 772-2126. Environment and Climate Change Canada requests you provide a GIS file of the project boundaries and study area so that the project can be mapped. For further information, please contact the Canadian Wildlife Service at 709-772-4221.

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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Bennett".

DEREK BENNETT
Minister

Enclosures

cc: Town of Belleoram