

SEP 15 2021

COR/2021/03086

Reg. # 2157

Town of Miles Cove
c/o Mr. Melvin Morey
General Delivery
Miles Cove NL A0J 1L0

Dear: Mr. Morey:

Re: Miles Cove Marina

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 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 requires you to obtain a permit for infilling for the construction of the access road and pier, concrete boat launch and placement of wooden approach ramps. Water Resources Management Division also requires you to obtain a permit for any work in shore water zones prior to the start of construction. For further information, please contact the Water Resources Management Division at (709) 729-2563 or email LeahBurry@gov.nl.ca.



The Pollution Prevention Division of my Department reminds you that all water discharged from the proposed site during construction and operation is subject to compliance with the Environmental Control Water and Sewage Regulations, 2003, under the **Water Resources Act**. For further information, please contact the Pollution Prevention Division at (709) 729-5782 or email rlocke@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 Health for Newfoundland and Labrador (e.g. physical distancing, handwashing). For further information contact (709) 729-0673.

The Department of Fisheries, Forestry and Agriculture requires you to submit an application for Crown land for the proposed project, in accordance with the **Lands Act**. For further information, please call Fisheries, Forestry and Agriculture at (709) 637-2025.

The Department of Industry, Energy and Technology advises that any quarry materials required for the project must be sourced from either a site covered by a quarry permit or lease, an external source as a byproduct of an approved development, or within the legal boundary of the project site, provided that the excavation would be in compliance with other permits and understandings. Quarry materials may not be legally removed off-site unless they are the byproduct of an approved development. Grubbings are not considered quarry materials; however, any topsoil or subsoil obtained by screened grubbings is considered a quarry material. IET also advises that the potential for coastal hazards, including flooding, erosion, storm surge, and the effects of sea level rise, should be considered when planning and maintaining coastal developments, and provided the attached document from the Geological Survey of Newfoundland and Labrador, which contains general information about coastal hazards in the province. For more information, contact Industry, Energy, and Technology at (709) 729-5748 or email stephenhinchey@gov.nl.ca.

The Provincial Archaeology Office of the Department of Tourism, Culture, Arts and Recreation advises of the possibility that archaeological material may be discovered and provided the attached form letter, which outlines steps to take in the event that archaeological resources are accidentally discovered.



Environment and Climate Change Canada (ECCC) advises you to develop and implement a management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds; operations should consider nesting locations between April 15 and August 15 in this region. The Canadian Wildlife Service of ECCC (ECCC-CWS) recommends that, given the close proximity to waterbodies and wetlands, you must ensure sediments are contained and not permitted to run off into waterbodies to minimize adverse impacts on the watershed. ECCC-CWS recommends that a site monitoring plan be developed for stranded birds, for the migratory bird breeding season as well as the spring and fall migration periods and implemented while floodlights are being used during nighttime hours. If birds become stranded onsite, a seabird handling permit would be required and would have to be in place prior to the initiation of proposed activities. Please note that MBCA permit applications can be obtained from ECCC-CWS via email at Permi.atl@ec.gc.ca. 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-CWS at 1-800-668-6767.

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** 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.

Health Canada suggests that noise management and noise monitoring plans, including complaint resolution, be included as part of an Environmental Management Plan. For further information, please contact (902) 237-7478.

Transport Canada require you to submit an application for review to the Navigation Protection Program. For further information, please contact (506) 851-3113 or NPPATL@tc.gc.ca.

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, Environmental Assessment Division, at 709-729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to be "BD" followed by a horizontal line.

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

Enclosure

Cc: Brian Warr, MHA, District of Baie Verte-Green Bay