

JUN 29 2023

COR-2023-2192

Reg. No. 1828

Bill Weir
Cabot Ready Mix Limited
PO Box 14091, Stn. Manuels
Conception Bay South, NL A1W 3J1
E-mail: tbyrne@weirs.ca

Dear Bill Weir:

RE: White Hill Pond Quarry (the Project)

Your Environmental Preview Report has been reviewed by an Environmental Assessment 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 must uphold all commitments made in your environmental assessment submissions to mitigate the effects of the Project on the environment.
- Prior to commencing any work related to this project, a brief Water Resources Management Plan must be prepared and submitted to the Water Resources Management Division for review and approval. For further information, contact Mohammad Khayer, Senior Engineer of the Water Rights, Investigations, and Modelling Section at 709-729-1229 or via email at mohammadkhayer@gov.nl.ca.
- 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 EAPProjectComments@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 EAPProjectComments@gov.nl.ca.



The reviewing provincial and federal government departments and agencies have provided advice, which is attached in Attachment 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.

If you have any questions about the environmental assessment process, please contact Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or via email joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to be "BD", with a horizontal line extending to the right.

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

Enclosure

Cc: Barry Petten, MHA - District of Conception Bay South

Attachment A

Provincial and federal government departments and agencies provide the following advice:

The Climate Change Branch (CCB) of the Department of Environment and Climate Change advises that clearing of trees and brush can contribute to climate change. Where required, all clearing activities must be undertaken with appropriate permits through the Forestry Division. In addition, during the clearing of land, all heavy equipment should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change issues. 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 that a 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 should a spill occur. Any spill or leak of gasoline or associated product is to 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 the following permits are required prior to the start of construction:

- any work in or within fifteen metres of a body of water (including wetlands);
- any work that may take place in any body of water (including wetland); and
- a water use licence is required for the use of water from any water source for any purpose prior to the start of construction.

WRMD also advise that any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. For more information, please contact the WRMD at (709) 729-1646.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises that generally, you must ensure that activities 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 the legislation. For further information, please contact the OHS at 1 (800) 563-5471.

Department of Fisheries, Forestry and Agriculture (FFA) advises that the proposed undertaking is subject to the Butterpot-Witless Bay Line Environs (BPWBLE) Development Control Regulations and that the proposed undertaking requires a permit from Service NL.

An application for development, available online at:

http://www.servicenl.gov.nl.ca/licenses/land_dev/prot_area/index.html, must be submitted to Service NL. For further information, please contact FFA at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that a quarry lease will be required to commence site development activities and begin operating the proposed quarry. IET further advises that a Licence to Occupy under the **Lands Act** would be required to begin construction of the proposed access road. The proponent is advised to use the time required to obtain a Licence to Occupy for the access road to develop and submit quarry lease plans and provided the following guidance document on preparing quarry lease plans: <https://www.gov.nl.ca/iet/files/Guidelines-for-the-Preparation-of-Development-Rehab-and-Closure-Plans.pdf>. For further information, please contact IET at (709) 729-2358 or (709) 729-5811.

The Highway Design and Construction Division of the Department of Transportation (TI) and Infrastructure advises that TI has committed to allowing an access in this general location subject to a design that complies with the TI's Specifications as well as the Transportation Association of Canada's Geometric Design Guide. The intersection would be based on the approved design and likely will vary from what is depicted in the submission. A letter of approval from the Department of Transportation and Infrastructure would be required once the intersection design is finalized and deemed acceptable by the TI. This letter would outline conditions/requirements related to the access construction. For further information, please contact TI at (709) 729-5770.

Environment and Climate Change Canada (ECCC) advises you to manage Project activities to ensure compliance with the **Fisheries Act**, the **Migratory Birds Convention Act** and the Migratory Birds Regulations. ECCC recommends that you prepare the following plans:

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

ECCC further recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. The Canadian Wildlife Service of ECCC requests that species-at-risk sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For further information, please contact the Canadian Wildlife Service at (709) 777-4221.