

**APPENDIX B – CEAA MEMO**



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Corner Brook, NL, A2H 7K6

September 1, 2017

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**RE: Site Remediation, Pine Tree (Table Mountain), NL**

Based on the most up-to-date interpretation of the Canadian Environmental Assessment Act (CEAA2012), excavation, tree clearing, backfilling, and hydro seeding for remediation purposes is not defined as a "project" and thus does not require a determination of environmental significance under the Act. However, an environmental review is still required to ensure compliance with other applicable federal and provincial environmental legislation and regulations.

It is understood that the project will involve the excavation and removal of PCB impacted soils at various locations at the Pine Tree site (Table Mountain) located near Stephenville, NL. Impacted materials will be transported to a licenced PCB treatment facility. Excavated areas will be reinstated with clean fill material. Based on the proposed scope of work, the proposed remediation activity does not meet the definition of a project as defined under CEAA2012, and thus does not require a determination of environmental significance under the Act.

Species at Risk Review

A search of the Atlantic Canada Conservation Data Centre (ACDC) database was conducted for the above mentioned location in relation to the land area of the proposed project. The ACDC provided a list of rare / unique species (i.e. flora, fauna) within a 1 km buffer zone of the site. All species were cross-referenced with Schedule 1 of the Species at Risk Act (SARA) listed as Special Concern, Threatened, Endangered, or Extirpated as well as the *Endangered Species List Regulations* under the *Endangered Species Act* of Newfoundland and Labrador.

The Pine Tree site provides the only known habitat for the Low Northern Rockcress (*Braya humilis*) in Newfoundland and Labrador (location map attached). This species of plant is listed as Endangered under the NL Endangered Species Act. The proposed project activities are not occurring in areas where there are known members of this species. However, there exists the potential for the project to impact this species.

Mitigation Measures and Best Management Practices

- 1) The contractor is required to review the attached location map and be familiar with known locations of the Low Northern Rockcress. Mitigations stipulated in the 2013 Low Northern Rockcress Awareness Plan developed for the management of activities at this site must be adhered to (this document is appended to the Contract Specification for this project).



- 2) Contractor is required to stay on designated roads and within project area, as identified in the Contract Specification and associated site plans. Activities outside of that required to conduct the project are not permitted. Areas where there is a known presence of Low Northern Rockcross are to be avoided. Should project work result in the discovery of any members of this species outside of their known locations and within an area to be impacted by the project, the departmental representative should be contacted immediately for further instruction.
- 3) Machinery arriving on site should be in a clean condition and maintained free of fluid leaks. Machinery should be checked for leakage of lubricants or fuel regularly and must be in good working order. Refuelling should be done at least 30 m from a water body.
- 4) Basic petroleum spill clean-up equipment should be on-site, and Project employees should be trained in the use of this equipment. Spills or leaks should be promptly contained, cleaned up, and reported to the departmental representative.
- 5) Excavated materials must be handled in accordance with Contract Specifications. Excavated soils are not permitted to erode. Remediation wastes must be handled and transported for disposal in accordance with the Contract Specification and all applicable legislation/regulations and best management practices concerning the management of PCB impacted materials.

Should the proposed scope of work change significantly from that described above, further re-evaluation is recommended. Should you have any questions regarding the content of this letter, please don't hesitate to contact me.

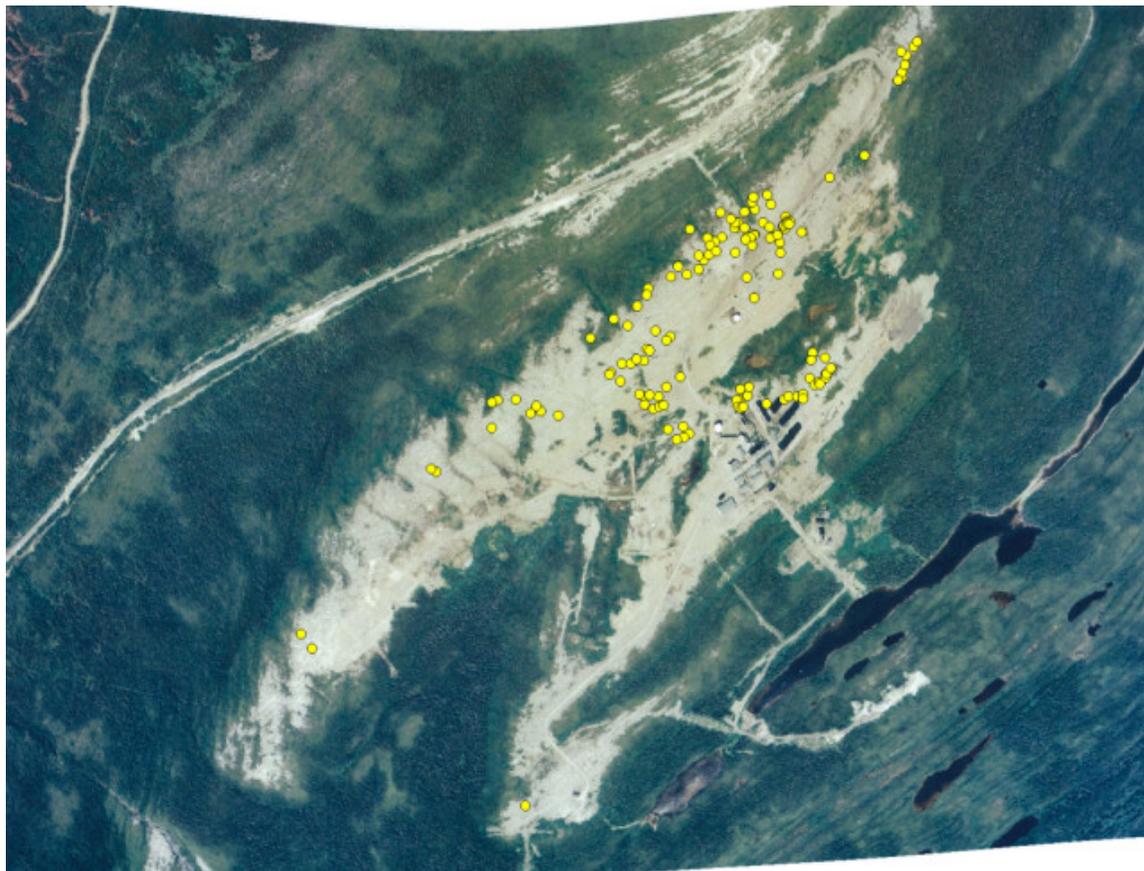
Regards,

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Atch. Appendix 1



Appendix 1. Map of known locations of Low Northern Rockcress (Pine Tree, Table Mountain)