

COR-2023-944

MAR 30 2023

Reg. # 2203

Brent Chaffey
Real Dairy Company of Newfoundland Inc.
49-51 Park Street
Corner Brook NL A1H 2X1
Email: brent@ncws.ca

Dear Brent Chaffey:

Re: Deer Lake Dairy Secondary Processing Facility (the Project)

Your Environmental Preview Report (EPR) has been reviewed by an Environmental Assessment Committee (EAC) 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 submissions to mitigate the effects of the Project on the environment.
- 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.

Federal and provincial government departments and agencies that reviewed the Project registration document and EPR provide the following advice:

The Climate Change Branch of my department advises you to operate heavy equipment in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. You are further advised to review Section 9.36 of the National Building Code, which includes energy efficient requirements for new buildings, and to consult 'A Guide to Better Building Envelopes,' found online at <https://www.gov.nl.ca/ecc/files/publications-building-envelopes-large-buildings.pdf>.

For more information, please contact the Climate Change Branch at (709) 729-1485.



The Pollution Prevention Division of my department advises that a Certificate of Approval is required for the construction and operation of the facility, and requests that you submit a separate copy of the Waste Management Plan to the Waste Management Section of the department. For more information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my department advises that permits may be required under the **Water Resources Act** for the construction of municipal water and sewer works. Effluent discharged to the municipal wastewater collection system must meet the Environmental Control Water and Sewage Regulations. For more information, please contact the Water Resources Management Division at (709)729-1646.

The Government Service Centre of the Department to Digital Government and Service NL advises that the facility and operations must comply with Food Premises Regulations, an electrical permit is required, and approval must be obtained for Fire/Life Safety and Building Accessibility. For more information, please contact the Government Service Centre at (709) 637-2204.

The Occupational Health and Safety Division 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 this legislation. For more information, please contact the Occupational Health and Safety Division at (709) 729-3275.

The Crown Lands Administration Division of the Department of Fisheries, Forestry and Agriculture advises that a large portion of the proposed site is located within the Town of Deer Lake, and a small portion on the northwest end of the proposed site appears to be on unencumbered Crown Land. You are advised to consult with the Crown Lands Administration Division regarding lease amendments and grant and application requirements, and to work with the Town of Deer Lake to ensure amendments to existing land titles are complete prior to the start of the Project. For more information, please contact the Crown Lands Administration Division at 1-833-89-3249.

The Department of Industry, Energy and Technology advises that any quarry materials required for the Project must be obtained from an approved source, and recommends that you consult with Newfoundland Power Inc. regarding the presence of assets in proximity to the Project. For more information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.



The Department of Municipal and Provincial Affairs advises that a development permit is required from the Town of Deer Lake. For more information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.

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

- Oil Spill Prevention and Response Plan that includes wildlife response activities;
- Contingency Plan that considers potential accidents and malfunctions for site-specific activities; and
- Migratory Bird Management Plan.

ECCC further recommends that you avoid certain activities, such as land clearing, between April 15 and August 15, which is the regional nesting period for migratory birds in this region. The Canadian Wildlife Service of the ECCC provides a list of avian and non-avian species that are listed on Schedule 1 of the **Species at Risk Act**, and requests that any sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca. The **Species at Risk Act** "General prohibitions" apply to this Project, and ECCC recommends that you complete an analysis of potential impacts on the migratory birds listed on Schedule 1 and take measures to avoid or lessen those effects. For more information, please contact ECCC-Canadian Wildlife Service at (709) 772-4221.

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 for information on how to comply with the **Fisheries Act** and on the project review process. The 'Projects Near Water' website is located at <http://www.dfo-mpo.gc.ca/pnw-pppe/index-eng.html>. For more information, please contact the Fisheries Protection Program at (709) 772-4140.

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 EAPProjectComments@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.

Sincerely,

A handwritten signature in blue ink, appearing to be "B. Davis", written over a horizontal line.

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

Cc: Hon. Dr. Andrew Furey, Premier