

COR-2022-2724

NOV 04 2022

Reg. #2217

Gordon's Farm
Robert and Dianne Gordon
129 Station Road
Glovertown, NL A0G 2L0
Email: robdianne91@gmail.com

Dear Robert and Diane Gordon:

RE: Maccles Lake Road Farm Expansion (the Project)

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 the Project 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.
- The Department of Fisheries, Forestry and Agriculture requires the following conditions:
 - You are to maintain a minimum 50-metre undisturbed riparian buffer from the high water mark of all wetlands and waterbodies within and adjacent to the Project that are identified on either the 1:50,000 scale National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use Atlas, to protect sensitive riparian and aquatic species and their habitats.
 - 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). The location of any raptor nest sites must be reported to the Wildlife Division. For more information, please contact the Wildlife Division at (709) 637-2052.

- You are required to 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 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, 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 during the environmental assessment provide the following advice:

The Pollution Prevention Division of this department advises you to develop a contingency plan in the event of a spill and to store spill response equipment such as absorbents and open-ended barrels for collection of clean-up debris, in an accessible location on-site. 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 Pollution Prevention Division at (709) 729-5782 or email rlocke@gov.nl.ca.

The Water Resources Management Division of this department advises that a permit is required under the **Water Resources Act** for the construction of a drilled well, and a water use licence is required for the use of water from any water source for any purpose, prior to the start of Project construction. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL recommends that you submit a copy of the farm's five year plan to the GSC outlining the proposed number of animal units and the land acreage available for manure spreading. GSC reminds you that, under the Sanitations Regulations, manure shall not be spread or stored within 75 meters of any well or water supply used for drinking purposes when the draining of the land is towards the water supply. GSC recommends that you maintain any existing tree screen concealing the operation from public view. For further information, please contact the GSC at (709) 729-0248 or email TammyMcDonald@gov.nl.ca for Environmental Health or (709) 729-2008 or email ChriswParsons@gov.nl.ca for Environmental Protection.

The Occupational Health and Safety Division (OHS) of Digital Government and Service NL advises you to generally ensure that activities associated with the project 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. OHS recommends that you have an emergency response plan in place that details measures to be taken to effectively respond to any foreseeable mishap that may occur as a result of the Project. For further information, please contact the Occupational Health and Safety Division at (709) 729-3275, or email martind@gov.nl.ca.

The Department of Fisheries, Forestry and Agriculture recommends that you maintain a 100-metre buffer along both sides of existing roads to avoid and protect existing plantations from development impacts. For further information, please contact the Wildlife Division at (709) 637-2052.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials (e.g., aggregate, fill, rock, stone, boulders, gravel, sand, clay, borrow material, etc.) required for the project must be obtained from an approved source. IET informs that the holder of a mineral licence overlapping the agriculture lease at the time of issuance of the lease, or a party acting on their behalf, may be permitted to enter upon the area of the agriculture lease where it overlaps the mineral licence to carry out approved exploration work. For further information, please email stephenhinchey@gov.nl.ca. IET advises you to consult with Newfoundland Power, and Newfoundland and Labrador Hydro prior to project development to avoid conflict with existing or planned electricity assets. For further information, please contact IET at (709) 729-5748.

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

- An Oil Spill Prevention and Response Plan;
- A Contingency Plan that considers potential accidents and malfunctions for site specific activities; and
- A Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds. The Management Plan should include processes to follow should an active nest be found at any time of year.

ECCC further advises you to avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For more information, please contact the 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 conducting work in or near water you should refer to the Projects Near Water website to



get are 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.dfompo.gc.ca/pnw-ppe/index-eng.html>. For further 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 shall 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, this 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 the decision for a maximum of three, one-year periods, if needed. Should the term of the 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 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 "Bernard Davis", written over a horizontal line.

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

Enclosures

Cc: Lloyd Parrott, MHA – District of Terra Nova