

MAY 07 2019

Reg. #1996

Mr. Lucas Strong
PO Box 5829
Smith Sound Road
Harcourt NL A5A 3A2

Dear Mr. Strong:

RE: Harcourt Farm Expansion

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by 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:

- The total area for this project has been reduced and only Crown parcels #153285 and #151480 are available for development. This reduction was necessary to avoid potential high risk to public surface water supplies. For further information, please contact Water Resources Management Division, Department of Municipal Affairs and Environment.
- The proponent must avoid land clearing activities during the breeding, nesting and rearing periods for migratory birds (April 15th to August 15th).

Please be advised that the Water Resources Management Division of this Department requires that you apply for and obtain permits for any work in any body of water (including wetland), and apply for and obtain a water use licence for the use of water from any water source for any water use purpose. For further information on a permit for working in a water body and a water use licence, please contact the Water Rights, Investigations, and Modelling Section at (709) 729-2295.

The Department of Fisheries and Land Resources advises that if any of the timber removed from the land is for sale or barter, a commercial cutting permit will be required. Additionally, an Operating Permit is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office.

Please be advised that the Wildlife Division, of the Department of Fisheries and Land Resources advises you to operate under established legislation and regulations, such as to prevent harassment of wildlife (Section 106 of the Wild Life Regulations under the *Wild Life Act*) and guidance with respect to wildlife and their habitats (e.g. nesting birds, caribou, waterfowl, wetlands, inland fish, rare plants, riparian species) to avoid or minimize adverse impacts.

No vegetation clearing is to occur within 800 meters 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 meter 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 site must be reported to the Wildlife Division.

My department supports the mitigative measures you have committed to in your registration document, including that you will maintain a 30-metre naturally vegetated buffer around all water courses, waterbodies and wetlands to protect sensitive riparian and aquatic species and their habitat. The Department of Municipal Affairs and Environment also supports Environment and Climate Change Canada's recommendation that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15th and August 15th in this region. However, as some species protected under the *Migratory Birds Convention Act* (MBCA) do nest outside of this time period, it is the responsibility of the proponent to ensure that project activities are in compliance with the MBCA and associated regulations. For further information, please contact Ms. Sydney Worthman, Canadian Wildlife Service, at (709)772-4221 or Sydney.Wothhman@canada.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. Please note that 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.

If you have any questions concerning these matters, please contact Ms. Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

Attachment

cc: Neil King, MHA Bonavista
Town of Clarenville
Local Service District of Smith Sound
Local Service District of Burgoyne's Cove
Local Service District of George's Brook-Milton
Lands Branch - Eastern Region

