

June 11, 2020

Reg. #2070

Mr. H. C. Snellen
38 Albany Place
St. John's NL A1E 1Y2

Dear Mr. Snellen:

Re: Jackson's Arm Cannabis Nursery

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 this undertaking 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.
- You are required to submit a comprehensive Waste Management Plan to the Pollution Prevention Division of my department for approval prior to the introduction of cannabis to the facility. For further information, please contact Robert Locke, Pollution Prevention Division at (709) 729-5782 or rlocke@gov.nl.ca.
- 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 your project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for the project, one year from the date of this release letter and to provide additional updates if requested. Please email your project updates to EAProjectComments@gov.nl.ca.

The Land Governance and Land Use Planning Division of my department advises that a permit is required from the Town of Jackson's Arm to undertake any repairs to the building and to change the use of the building from a shrimp processing facility to cannabis nursery. For further information, please contact Carol Hanlon, Land Governance and Land Use Planning Division at (709) 729-3090 or CarolHanlon@gov.nl.ca.

The Water Resources Management Division of my department advises that permits are required for any work in any body of water (including wetland), for any work in shore water zones, and for any infilling work within fifteen (15) metres of a body of water. The agency advises that you must follow the Guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses. You must also apply for and obtain a permit for any infilling or dredging work associated with these structures or other works in any body of water, prior to the start of construction. For further information, please contact the Water Resources Management Division at (709) 729-2563.

The Pollution Prevention Division of my department advises that pesticide purchase, storage and use is subject to compliance with the Pesticides Control Regulations, 2012. If the use of a pesticide(s) is required (e.g. for the control of insects, rodents, diseases, weeds or vegetation), please contact the Pesticides Control Section of the Department of Municipal Affairs and Environment at (709) 729-6054 or (709) 729-2565 for all necessary forms and applications, to arrange for examination, and to schedule a pesticide storage inspection.

The Department of Fisheries and Land Resources informs that the project site is in proximity to the local dock and advises you to consult with local fish harvesters as the project develops in order to mitigate for any negative impacts on fish harvesting activities. The department informs that the *Wild Life Act* and *Wild Life Regulations* prohibit the disturbance or destruction of bird nests and eggs in Newfoundland and Labrador, and advises you to develop and implement appropriate preventative and mitigation measures to avoid incidental take of birds, nests and eggs. For further information, please contact Jonathan Sheppard at (709) 729-1140.

The Department of Fisheries and Land Resources also informs that you must contact the Crown Lands Division to obtain advice on submitting an application for a Crown Land Grant and issuance of a new title for the property. The undertaking cannot proceed until a new title has been issued. For further information, please contact the Western Regional Lands Office at 1-833-891-3249.

The Government Service Centre (GSC) of the Department of Service NL advises that approval is required for the proposed building for Fire/Life Safety plans and Building Accessibility. Electrical plans must be submitted for review and approval and an electrical permit is required for each meter. For further information, please contact the Government Service Centre, Corner Brook at (709) 637-2204.

The Department of Natural Resources advises that the potential for coastal hazards, including flooding, erosion, storm surge, and the effects of sea level rise, be considered when planning and maintaining coastal developments. For further information, please contact Tammy Walters, Policy and Program Development Specialist at (709) 729-0152 or TammyWalters@gov.nl.ca.

Environment and Climate Change Canada (ECCC) advises you to consider best management practices for the operation of the facility and to prepare contingency plans that consider potential accidents and malfunctions, as well as site-specific conditions and sensitivities. ECCC recommends that an Oil Spill Prevention and Response Plan be prepared to ensure that pollution incidents affecting wildlife are effectively and consistently mitigated. ECCC requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped and the information be used to study cumulative effects on the environment. ECCC also advises that migratory birds are protected under the *Migratory Bird Convention Act (MBCA)* and it is your responsibility to ensure that activities are managed so as to ensure compliance with the *MBCA* and associated regulations. For further information, please contact ECCC at (709) 772-2126.

Fisheries and Oceans Canada advises you to self-assess using the DFO "Projects Near Water" website located at <http://www.dfo-mpo.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. 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.

Please note that in accordance with Section 17 of the *Environmental Assessment Regulations*, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three-year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. For further information, please email EAProjectComments@gov.nl.ca.

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

Sincerely,



DERRICK BRAGG, MHA
Minister of Municipal Affairs and Environment
District of Fogo Island-Cape Freels

cc: Hon. Dwight Ball, Premier
MHA - Humber – Gros Morne