

July 3, 2020

File # 2.2123.0203
Reg. #2066

Mr. Wayne Wheaton
CEO, Eastern Fish Markets Limited
98 Howell's Ave.
Carmanville, NL
A0G 1N0

Dear Mr. Wheaton:

RE: Carmanville Sea Urchin Aquaculture Facility – Registration 2066

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.
- Any connection to the public drinking water system from service lines into the non-office area of the facility shall have cross connection control to prevent possible contamination of the drinking water system. For further information, please contact the Water Resources Management Division at (709) 729-2563.
- You are required to advise me 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 me on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required by me. Please email your project updates to EAProjectComments@gov.nl.ca.

The Water Resources Management Division of my department advises that a permit is required for any work in any body of water (including wetland), any work in Shore Water Zones, and any infilling work within fifteen (15) metres of a body of water. In addition, you must obtain a water use licence for the use of water from any water source for any purpose. The Water Resources Management Division also advises that any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations, 2003*. For further information, please contact the Water Resources Management Division at (709) 729- 2563.

The Pollution Prevention Division of my department recommends that you prepare an Environmental Health and Safety Contingency Plan to address the appropriate storage, handling, and disposal requirements for all chemicals and hazardous materials that will be utilized at the facility. For further information, please contact the Pollution Prevention Division at (709) 729-1810.

The Local Governance and Land Use Planning Division of my department advises that a development permit from the Town of Carmanville is required for this undertaking. For further information, please contact the Town at (709) 534-2425.

The Government Service Centre (GSC) of the Department of Service NL advises that the facility requires approval for Fire/Life Safety and Building Accessibility. Electrical plans must be submitted to GSC for review and approval and an electrical permit is required for each meter. Approvals may also be required for any fuel storage tanks and propane systems or if future development will involve the installation of a subsurface sewage disposal system. For more information, please contact the Government Service Centre at (709) 256-1420.

The Crown Lands Division of Fisheries and Land Resources advises that there has been no Crown title issued for the parcel of lands proposed for development and from the evidence considered, it does not appear that the Crown's interest in the property has been extinguished. Pursuant to the Lands Act it is illegal to develop lands for which a grant, lease or licence has not been issued. Release of this undertaking from further environmental assessment does not in any way affect any rights of the Crown in the lands subject of this undertaking nor prevent the Crown from taking action against the proponent if development contrary to the Lands Act occurs. Furthermore, release of this undertaking from further environmental assessment does not provide the proponent any possessory or any legal interest whatsoever in those lands. The proponent is advised to consider seeking further direction from the Central Regional Lands Office (1-833-891-3249) with regards to confirming title.

The Aquaculture Branch of the Department of Fisheries and Land Resources advises that an Aquaculture Licence and a Fish Transfer Permit will be required. For further information, please contact the Aquaculture Branch at (709) 292-4100.

Fisheries and Oceans Canada advises that the Aquaculture Activities Regulations (Sections 2 and 3) authorize licensed aquaculture facilities to deposit approved drugs, approved pesticides and biochemical oxygen demanding material as part of regular aquaculture operations. With regard to the deposit of substances outside these three categories, the proponent should refer to Section 36(3) of the Fisheries Act, which prohibits the deposit of a deleterious substance into fish bearing waters.”

Environment and Climate Change Canada requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped. Environment and Climate Change Canada further recommends that you develop an Oil Spill Prevention and Response Plan to ensure that pollution incidents affecting wildlife are effectively and consistently mitigated. For further information, please contact (709) 772-2126.

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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Derrick Bragg".

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