

July 3, 2020

Reg. #2076

Mr. Dwight Eveleigh
Triple E Farms Ltd.
P.O. Box 184
Comfort Cove, NL
A0G 3K0

Dear Mr. Eveleigh:

Re: Dildo Pond Vegetable Farm near Campbellton – Registration 2076

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.
- 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 site must be reported to the Wildlife Division at 709 -637-2025.
- A minimum 30-metre naturally vegetated buffer be maintained along wetlands, streams and waterbodies to protect sensitive riparian and aquatic species, and their habitat.
- You are required to advise Environmental Assessment Division when each of the conditions of release has been met.
- You are required to update Environmental Assessment Division 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 Department of Fisheries and Land Resources indicate that you are required to obtain an Operating Permit prior to the start of any work during the forest fire season, and a burn permit to ignite a fire with 300 metres of forest land during forest fire season. Permits can be obtained at your local forest management district office.

The Local Governance and Land Use Planning Division, Department of Municipal Affairs and Environment, advises that a large portion of parcel 155104 lies within the planning area for the Town of Campbellton. The Town is currently on the Schedule for the Province's *Interim Development Regulations* (see link below) meaning that a development permit is required from the Town for agricultural activity within this area, but the proposed use is not specifically addressed by zoning as in most other planning areas within the Province. The remaining land in parcel 155104, and parcel 147616 are located outside of any municipal or planning jurisdiction. For further information please see the *Interim Development Regulations, 2003*: <https://www.assembly.nl.ca/legislation/sr/regulations/rc030137.htm>.

The Pollution Prevention Division, Department of Municipal Affairs and Environment, reminds you that all water discharged from the proposed site during construction and operation is subject to compliance with the *Environmental Control water and Sewage Regulations, 2003*, under the *Water Resources Act*. You are also reminded that all pesticide purchase, storage and use is subject to compliance of the *Pesticide Control Regulations, 2012*, under the *Environmental Protection Act*. The Regulations stipulate that an Applicator must be licensed for the class of pesticide which is intended to be applied. Also, the regulations stipulate that a Pesticide Operator Licence is required in order to purchase pesticides unless otherwise exempted by the regulations. For further information, please contact the Pollution Prevention Division at 709-729-5782.

The Water Resources Management Division, Department of Municipal Affairs and Environment, requires that you obtain a permit for any work in any body of water (including wetlands), prior to the start of construction. If you plan to use water from any source for any purpose, you must apply for and obtain a water use license prior to the start of construction. Also, if a well is required, you must apply for and obtain a Permit for Constructing a Non-Domestic Well prior to the start of project construction. For further information, please contact the Water Resources Management Division at 709-729-1671.

The Department of Natural Resources advises that parcel 155104 is located immediately north of, and across the road from, an active quarry site. You are advised that the quarry will be visible and/or audible from your site, that quarry-related environmental effects such as dust and vibrations may emanate from the quarry site, and that quarry related traffic will be using the same access road.

The Department of Natural Resources notes that the general area of Dildo Pond contains a number of recognized mineral occurrences of potential economic significance and has a history of mineral exploration. You are advised that mineral exploration is a land use that should be expected in the general area in the future. You are advised to respect the rights of mineral licence holders to conduct mineral exploration within the area of their mineral licences, however, exploration upon private land cannot be carried out without the permission of the land owner. Mineral exploration activities may include traditional prospecting, geochemical sampling, airborne and ground-based geophysical surveys, the cutting of survey lines, test pitting, stripping of bedrock, trenching, and test borehole drilling, and may be accompanied by the creation of new (temporary) access trails, equipment laydown areas, and, in remote areas, campsites. For further information, please contact the Department of Natural Resources at 709-729-5748.

The Department of Service NL advises that, should you propose a livestock operation in excess of five animal units, you will be required to submit certified engineer's plans, profile and specifications of the proposed livestock's water supply, manure handling and storage facilities. A Certificate of Approval will be required from Service NL before any such facility is put into operation.

Service NL further advises that manure shall not be spread or stored within 30 meters of the nearest waterbody/watercourse (pond, lake or stream) or within 75 meters of any well or water supply used for drinking purposes when the draining of the land is towards the water supply.

Fisheries and Oceans Canada advises that you are required 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 your project has not commenced 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, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at 709-729-0673 or joannesweeney@gov.nl.ca.

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

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

Enclosures

cc: Hon. Derek Bennett., MHA
Lewisporte-Twillingate