

COR/2021/03234

Reg. # 2159

29 SEP 2021

Mr. Ian Richardson  
405 Veteran's Drive  
Cormack, NL A8A 2R7  
Email: [ian\\_1414@hotmail.com](mailto:ian_1414@hotmail.com)

Dear Mr. Richardson:

**Re: Cormack Forage Production**

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.
- The Department of Fisheries, Forestry and Agriculture requires the following:
  - 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.
  - For slopes less than 30 percent, a minimum 30-metre naturally vegetated riparian buffer zone shall be established around all waterbodies, from the high water mark, 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. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
  - For slopes greater than 30 percent, there shall be a naturally vegetated riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (%). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone. For further information, please contact the Wildlife Division at (709) 637-2025.

- 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](mailto: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, 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. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

**Federal and provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:**

The Water Resources Management Division of my Department advises that permits are required for any work in or within 15 metres of any body of water (including wetland), or any infilling work within 15 metres of a body of water. Please be advised that additional wetlands, visible on a 1:50,000 scale National Topographic System map, are located within your project boundary and were not identified in your registration document. Permitting will be required for any work in or within 15 metres of these. You are required to obtain a permit for constructing a non-domestic well for any drilled wells and follow necessary groundwater monitoring requirements prior to the start of construction. A water use licence for the use of water from any water source for any purpose is also required. Any effluent or runoff leaving the site must 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 advises that all pesticide purchase, storage and use is subject to compliance with the Pesticide Control Regulations, 2021. An applicator must be licenced for the class of pesticide that is intended to be applied and a Pesticide Operator Licence is required in order to purchase pesticides unless otherwise exempted by the regulations. For further information regarding pesticide requirements, please contact the Pesticides Control Section at (709) 729-6054 or (709) 729-2565. The Pollution Prevention Division advises you to comply with the Storage and Handling of Gasoline and Associated Products Regulations, 2003, and recommends that you develop a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. Spill kits should be kept on site. Any spill or leak of gasoline or associated product is to be reported immediately to Service NL by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Pollution Prevention Division and the Government Services Centre of the Department of Digital Government and Service NL advise that if this project requires any expansion beyond 250 animal units, an amendment to the current Waste Management System Certificate of Approval (COA) will be required. You may submit a request for amendment to the Government Services Centre for a determination/revised COA. For further information, please contact the Pollution Prevention Division at (709) 729-5782 or Government Services Centre at (709) 637-2204.

The Government Services Centre and the Department of Health and Community Services advise that the Sanitation Regulations under the **Public Health Act** restrict the spreading, storing or discharging of manure within 75 meters of any well or water supply used for drinking purposes when the draining of the land is towards the water supply. It is recommended that you consult with local residents and identify drinking water sources, prior to commencement. For further information, please contact the Government Services Centre at (709) 637-2204 or the Department of Health and Community Services at (709) 729-3422.

The Government Services Centre advises that manure may not be spread on land within 30 meters of the nearest waterbody/watercourse, on the watershed of any community water supply system or on snow or frozen ground. All manure storage systems must be impervious and should be covered to reduce odour problems, and any transport of liquid manure for spreading must be in an enclosed vehicle. A 30-meter buffer zone of natural forage must be maintained between agricultural land and any watercourse or water body. For further information, please contact the Government Services Centre at (709) 637-2204.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development 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. The Occupational Health and Safety Division reminds you to consider procedures associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador. For further information, please contact the Occupational Health and Safety Division at (709) 729-6690.

The Department of Fisheries, Forestry and Agriculture requires that, during the forest fire season, you are to obtain an operating permit prior to the start of any work and a permit to burn if igniting a fire on or within 300 metres of forest land. A cutting permit may also be required if offering the cut timber for sale or barter. For further information, please contact the Pasadena Forest Management District office at (709) 686-2071.

The Department of Industry, Energy and Technology advises that any quarry materials required for the project must be sourced from either a site covered by a quarry permit or lease, an external source as a byproduct of an approved development, or within the legal boundary of the project site, provided that the excavation would be in compliance with other permits and understandings. Quarry materials may not be legally removed off-site unless they are the byproduct of an approved development. Grubbings are not considered quarry materials; however, any topsoil or subsoil obtained by screened grubbings is considered a quarry material. A quarry permit is required if you wish to establish a new quarry or re-activate an inactive quarry in order to source quarry materials. For further information on quarry materials and permitting, please contact Industry, Energy and Technology (709) 729-5748.

The Department of Municipal and Provincial Affairs advises that a development permit from the Town of Cormack is required and that all work must abide by the Town's development regulations. For further information on permitting, please contact the Town of Cormack at (709) 635-7025.

Environment and Climate Change Canada recommends 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 period, it is your responsibility to ensure that project activities are in compliance with the MCBA and associated regulations. Please ensure that appropriate mitigation measures are in place to avoid negative environmental effects on water quality and non-target organisms resulting from the use of chemicals. 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. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Fisheries and Oceans Canada advises that, as this project involves work in or near water, you should refer to the "Projects Near Water" website located at <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> for information about how to comply with the fish and fish habitat protection provisions of the **Fisheries Act** and on the project review process. For further information, please contact the Fish and Fish Habitat 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. 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](mailto:EAProjectComments@gov.nl.ca).

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

Sincerely,

A handwritten signature in blue ink, appearing to be 'BD', with a long horizontal stroke extending to the right.

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

Enclosures

Cc: Honourable Dr. Andrew Furey, Premier