

COR-2022-2544

OCT 19 2022

Reg. # 2215

Michael Warren
55 Cherry Crescent
Springdale NL A0J 1T0
E-mail: mikewarren02@gmail.com

Dear Michael Warren:

RE: Springdale Junction Agriculture Development (the Project)

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 the Project 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 Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires the following:
 - You are to maintain a minimum 50-metre undisturbed riparian buffer zone from the high water mark of all wetlands and waterbodies 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, and are either within or adjacent to the proposed land.
 - 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 sites must be reported to the Wildlife Division. For more information, please contact the Wildlife Division at (709) 637-2052.

- 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 the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, within one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to EAProjectComments@gov.nl.ca.

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

The Pollution Prevention Division of my Department advises that if the use of pesticides is required, all pesticides purchase, storage and use are subject to compliance with the Pesticides Control Regulations. For more information, please contact the Pesticides Control Section at (709) 729-6054. The Pollution Prevention Division further advises you to develop a contingency plan specific to the Project and to have spill response equipment readily available on site to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately to the Environmental Emergencies Telephone Line at 1-800-563-9089. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my Department advises that you must obtain permits under the **Water Resources Act**, for the following: a Non-Domestic Well, any work in or within fifteen metres of a body of water (including wetlands), and infilling work within fifteen metres of a body of water (including wetlands). A water use licence is required for the use of water from any water source for any purpose. Any effluent or runoff leaving the site is required to conform to the Environmental Control Water and Sewage Regulations. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Government Service Centre of the Department of Digital Government and Service NL (DGSNL) advises that you must obtain written approval from the Town of Springdale prior to development. For more information, please contact the Government Service Centre at (709) 292-4206.

The Department of Fisheries, Forestry and Agriculture advises that you are to obtain approval for the agriculture application associated with the Project prior to any development. A cutting permit is not required to clear this land provided that the harvested timber is not offered for sale or barter. If the harvested timber is offered for sale, a

commercial cutting permit is required from the local district forestry office. An operating permit is required for activity conducted during the forest fire season and a permit to burn must be obtained to ignite a fire on or within 300 metres of forest land during the forest fire season. For more information, please contact Fisheries, Forestry and Agriculture at (709) 637-2353.

The Occupational Health and Safety Division (OHS) of DGSNL advises that you must generally ensure that activities associated with the Project 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. OHS recommends that you prepare an emergency response plan to address any foreseeable mishap specific to the undertaking. For more information, please contact the Occupational Health and Safety Division at (800) 563-5471.

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 by-product 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. The Electricity Division advises that there is an existing road to the lease that passes under a transmission line owned by NL Hydro, and recommends that you consult with NL Hydro to ensure no conflict with the transmission line. For more information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.

Environment and Climate Change Canada (ECCC) recommends that you prepare the following plans:

- an Oil Spill Prevention and Response Plan;
- a Contingency Plan that considers potential accidents and malfunctions for site specific activities; and
- a Management Plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds. The Management Plan should include processes to follow should an active nest be found at any time of year.

ECCC further advises that you avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For more information, please contact the Canadian Wildlife Service at (709) 772-4221.

Fisheries and Oceans Canada advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website



to get information about how to comply with the **Fisheries Act** and as well as information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> . For more 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. 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 the 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, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca .

Sincerely,

A handwritten signature in blue ink, appearing to be "Bernard Davis", written over a blue circular stamp.

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

Enclosure

Cc: Brian Warr, MHA – District of Baie Verte-Green Bay