

COR-2023-1685

JUN 22 2023

Reg. #2243

Philip Nicholas
Hillside Farm
13 Hillgrade Street
Lewisporte NL A0G 3A0
Email: hillsidefarmnl@gmail.com

Dear Philip Nicholas:

RE: Lewisporte Junction Maple and Birch Syrup Farm (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 must uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.
- 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, one year from the date of this release letter and to provide additional updates if required. Please email the Project updates to EAProjectComments@gov.nl.ca.

The reviewing federal and provincial government departments and agencies have provided advice, which is included in Attachment A for your reference.

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, my 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 term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project will have to be registered again for environmental assessment if you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions about the environmental assessment process, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or email joannesweeney@gov.nl.ca

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

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

Enclosures

Cc: Derek Bennett, MHA for District of Lewisporte - Twillingate

Attachment A

Provincial and federal government departments provide the following advice:

The Climate Change Branch (CCB) of the Department of Environment and Climate Change advises that climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding. CCB suggests that you consider provincial climate change projections for Gander (nearest regional site) in the planning for this undertaking, and refers you to the National Building Code, which includes energy efficiency requirements for new buildings. For more information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises that the purchase, transport, storing, possessing and handling of a pesticide(s) is subject to compliance with the Pesticides Control Regulations. If pesticide use is planned, a Pesticide Applicator Licence will be required. If pest control services are contracted, the business must have a valid Pesticide Operator Licence. For further information, please contact the Pesticides Control Section at (709) 729-6054. The PPD further advises you to prepare a contingency plan specific to the Project to enable a quick and effective response to a spill event. For more information, please contact the PPD at (709) 729-5782

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises that permits are required for the use of water from any water source for any purpose, and for constructing a non-domestic well. For further information, please contact the WRMD at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that permits/ approvals are required for the installation of a subsurface sewage disposal system, any development within 400 metres of the centreline of the Trans-Canada Highway, and any proposed access roads onto a highway. The GSC further advises that a 30-metre buffer zone of natural forage shall be maintained between agricultural land and any watercourse or water body, and any existing tree screen concealing the operation from public view is to be maintained. For further information, please contact the GSC regional office at (709) 292-4206.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises that generally, you must ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes the preparation of an Emergency Response Plan that details



measures to be taken to effectively respond to any foreseeable mishap that may occur as a result of the undertaking and the responsibility for ensuring that contractors hired to perform work also comply with the legislation. For further information, please contact the OHS at 1 (800) 563-5471.

The Department of Fisheries, Forestry and Agriculture (FFA) acknowledges that the Project area is under an active Crown land application, and informs that activities are not permitted until/ unless a licence is issued. FFA notes that a Cutting Permit is required prior to any harvesting or timber removal in the area, an Operating Permit is required prior to the start of any work during the forest fire season, and a Permit to Burn is required to ignite a fire on or within 300 meters of forest land during the forest fire season. FFA further advises that you must adhere to your 5-year farm plan, and that buildings are not permitted on this site without the prior written consent of the Land Management Division (LMD). You must submit an application to the LMD if electrical services are required, and roads and electrical services are not guaranteed if the Project is planned in an unserved area. For further information, please contact the FFA at (709) 637-2353.

The Department of Immigration, Population Growth and Skills (IPGS) advises you to develop a hiring strategy that incorporates the principles of diversity, equity and inclusion. IPGS further notes that it delivers two provincial immigration programs to help employers recruit international workers for long-term employment in the province. For further information, please contact the IPGS at (709) 729-2480.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials required for the Project must be obtained from approved sources and recommends that you consult with Newfoundland Power regarding electrical services for the Project. IET further advises that the Project area overlaps one or more mineral licences. For further information, please contact IET at (709) 729-5811.

The Department of Health and Community Services (HCS) advises that a food premises licence is required from the Department of Digital Government and Service NL in accordance with the **Food Premises Act** and Regulations. For further information, please contact HCS at (709) 729 – 3422.

The Regional Economic Development Section of IET advises you to contact an Economic Development Officer in this area to discuss departmental programs that may apply to your Project. For further information, please contact via email christuck@gov.nl.ca or richardphillips@gov.nl.ca.



Environment and Climate Change Canada (ECCC) advises you to manage Project activities to ensure compliance with the **Fisheries Act**, the **Migratory Birds Convention Act** and the Migratory Birds Regulations. ECCC recommends that you prepare the following plans:

- a Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds;
- a Wetland Compensation Plan;
- an Oil Spill Prevention and Response Plan; and
- a Contingency Plan that considers potential accidents and malfunctions for site-specific activities.

For further information on these plans, please contact ECCC at (709) 777-4221.

ECCC indicates that you should consider where the proposed suspended syrup feed lines may intersect areas used as flight paths by birds (e.g. migration, travel routes from nesting to foraging areas, watercourses and streams used by waterfowl) and demonstrate how the proposed configuration is optimal for avoiding avian collisions and/or identify mitigation measures to avoid collision (if necessary). Since federal funding from the Canadian Agriculture Partnership program is expected for this project, the Federal Policy on Wetland Conservation applies. For further information on these matters, please contact ECCC at (709) 777-4221.

The Canadian Wildlife Service of ECCC (ECCC-CWS) recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should be re-scheduled to avoid nesting locations between April 15 and August 15 in this region. ECCC-CWS requests that species-at-risk sightings be reported to ECCC-CWS ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca, and to the Atlantic Canada Conservation Data Centre, at <http://accdc.com/en/contribute.html>. For further information, please contact ECCC-CWS at (709) 777-4221.

The Department of 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 Fish and Fish Habitat Protection Program at (709) 772-4140.