



Overview of Environmental Permitting in Newfoundland and Labrador

(Cranberry Industry Related)



Department of Natural Resources

**Agrifoods Development Branch
Land Resource Stewardship Division**

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Department of Natural Resources
Forestry & Agrifoods Agency – Agrifoods Development Branch
Land Resource Stewardship Division
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Introduction

The purpose of this overview is to describe the role various provincial and federal government departments and agencies have with regards to environmental and health programming in Newfoundland and Labrador specifically relating to the cranberry industry. It is not a complete description of the responsibilities of these groups, and fees for permits/licenses may apply. Additional information is available at www.gov.nl.ca.

If you have any questions, you are encouraged to contact the telephone numbers at the back of the brochure. If the Land Management Specialist is not able to answer your questions, they will determine who is in the best position to do so.

(1) Enforcement/Permitting Agencies

Municipalities

- Municipalities require permits for all types of development within their jurisdiction.
- The Municipal Plan guides development.
- Land use tables state what is permitted in a particular zone.
- Development regulations require set backs from property boundaries, roads, flood plains, adherence to building codes, etc.
- Municipalities have the authority to prepare nuisance regulations.
- Public input is encouraged in the development of town plans.

Government Service Centre

One-stop shopping concept.

Health

- Food licenses, eg. secondary processing of berries
- Permits for unserviced water and septic systems.
- Inspections for food premises, eg. processing facilities are conducted twice a year.

Environment

- Responsible for environmental permitting and investigation on behalf of the Department of Environment and Conservation with the exception of a Water Use License and Permit to Alter a body of water.

Fire, Life, Safety

When applying to the Government Services Centre for environmental or health permitting, an application for fire, life or safety may be required. Developments requiring sprinklers, fire alarms or buildings with large number of staff and/or public may require a review of safety protocols.

Department of Environment and Conservation

Environmental Assessment Division

- Major projects must be registered. If registered, the applicant must provide 40 copies of an overview of the project. The copies are forwarded to all levels of Government.
- Ministerial discretion may be used to require new or expanded farm applications to register.
- Clearing of greater than 50 hectares of land must be registered.
- Most agricultural projects are released; however, the farmer will be informed of required permits, such as the Permit to Alter a Body of Water prepared by the Water Resources Division.
- If registered, the information is published on the Departments website, public comments are encouraged.
- Inspections are not normally conducted on farm proposals.

AT THIS TIME, ALL CRANBERRY DEVELOPMENTS MUST REGISTER WITH THE ENVIRONMENTAL ASSESSMENT DIVISION.

Pollution Prevention Division

- Pesticide Training and Enforcement.

Water Resources Division

- Two types of permits are required for cranberry site development:

- A **Permit to Alter a Body of Water** (for culverts, bridges, alterations (including peatland development in or near water supplies. Often referred to as Certificate of Approval.
 - A **Water Use License** is required when surface, ground or shore waters are used or diverted for any beneficial purpose. Generally given for a 10 year term.
- A non-domestic well, drilled well and water use requires permits under the Water Resources Act.
 - Inspections are not normally conducted in respect to the referenced permitting.

Environment Canada

- Fisheries Act.
- Will respond to reports of effluent which might be harmful to fish, eg. chemical entering brooks.
- The Department does not normally conduct routine inspections.

Fisheries and Oceans Canada

- The Department will investigate activities in water bodies which negatively impact fish habitat, such as erosion/sedimentation.
- The Department does not normally conduct routine inspections.

Canadian Environmental Assessment Agency

- Under the Canadian Environmental Assessment Act, the following must be considered:
 - Projects which involve Federal funding,
 - Projects on Federal land; and/or,
 - When Federal regulations apply.
- Projects which fall within the Act are published on the Agencies website for 15 days.
- Generally, this is an internal process and a field inspection is not required.
- Screening measures are being implemented to facilitate a review.
- Only physical projects, not activities, are considered under the Act.

Agrifoods Branch, Department of Natural Resources

- Agrifoods Branch is responsible for reviewing development proposals.
- Information regarding site selection and requirements can be acquired through the Land Resource Stewardship Division.
- Supports completion of Environmental Assessment submissions.

Recommendations:

- Speak with Land Resource Stewardship Division early. (Contact numbers at the end of this booklet)
- Gather as much site information as possible.

(2) Education/Awareness

Agrifoods Branch, Department of Natural Resources

Land Resource Stewardship Division

Environmental Farm Planning (EFP):

- This program provides for a confidential environmental overview of farms. The information is not released unless authorized by the farmer and is voluntary, however some funding programs may require a completed EFP in order to be eligible.
- Step 1, the Environmental Scan, is a quick overview of the farm. Step 2, The Environmental Farm Plan, is a more detailed review which results in an action plan to address priority environmental issues. The Scan and Plan are completed with the assistance of the Agrifoods Branch.
- The Program has no relationship with other Government Departments or Agencies; however, the information can be used by the farmer to address any concerns of such agencies or to assist in the acquisition of environmental permits, notably an Environmental Certificate of Approval.

Department of Environment and Conservation

Pollution Prevention Division

- Pesticide Applicators Training (delivered in conjunction with the Agrifoods Branch).

(3) Resolving Farm Practices Complaints

Farm Practices Protection Act

- This Act protects farms operating according to acceptable farm practices.
- A person who is aggrieved by odours, noise, dust etc. resulting from a farm may ask the Farm Industry Review Board to determine whether the disturbances results from an acceptable farm practice.
- The Agrifoods Branch has prepared Farm Practice Guidelines for Poultry, Livestock and the Horticultural industries which may assist the Farm Industry Review Board to determine if a farm activity is considered an acceptable farm practice.
- The Minister may request that the Farm Practices Review Board report on a matter related to farm practices. The Minister may also issue policy directives for acceptable farm practices.

The following are available from the Agrifoods Branch:

- Environmental Farm Practice Guidelines for Agricultural Operations (Horticultural, Livestock and Poultry).
- Development Permits for the Construction/Expansion of Livestock and Poultry Facilities.
- The Environmental Farm Plan Workbook.
- Application Form for an Environmental Certificate of Approval for Livestock Poultry Farm.
- Guidelines for Clearing Land for Cultivation and Pasture.

For further information, please contact:

The Land Management Specialist, Agrifoods Branch:

West of Bay d'Espoir Highway and Labrador	Tara Morgan 709-637-2084
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East of Bay d'Espoir Highway	Grant Martin 709-729-6647
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CHECKLIST:

- Select site I am comfortable with
- Contacted Land Management Specialist for my area
- Application to Regional Crown Lands Office (if applicable)
- Registered my undertaking with the Environmental Assessment Division
- Engineering studies/further site work
- Made application for a Permit to Alter a Body of Water
- Made application for Water Use License
- Acquired other Permits/Licenses as required

NOTES: