



**NEWFOUNDLAND AND LABRADOR
REGULATION 99/25**

Indian Head Hatchery Expansion Project Release Order
under the
Environmental Protection Act
(O.C. 2025-260)

(Filed September 5, 2025)

Under the authority of paragraph 67(3)(a) of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, September 5, 2025.

Denis Mahoney, K.C.
Clerk of the Executive Council

ORDER

Analysis

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Short title

1. This Order may be cited as the *Indian Head Hatchery Expansion Project Release Order*.

*Indian Head Hatchery Expansion Project
Release Order*

99/25

Definitions

2. In this Order

- (a) "Act" means the *Environmental Protection Act*;
- (b) "Mowi" means Mowi Canada East Inc.; and
- (c) "project" means the Indian Head Hatchery Expansion Project.

Release from
environmental
assessment
Terms and
conditions of
release

3. The project is released from environmental assessment.

4. (1) The release of the project from environmental assessment under section 3 is subject to the following terms and conditions:

- (a) Mowi shall adhere to all mitigation, monitoring and commitments stated in the Environmental Impact Statement submitted on June 4, 2025;
- (b) Mowi shall conduct the project in accordance with the Act, as amended from time to time;
- (c) Mowi shall be responsible for the costs of follow up and compliance monitoring as required by the minister;
- (d) Mowi shall be responsible for the costs of third-party review of plans, reports, or monitoring results considered necessary by the department for the life of the project as required by the minister;
- (e) before the start of the project, Mowi shall notify the department, in writing, of the start date of the project;
- (f) Mowi shall, within 3 years of the date of this Order, start work on the project to the satisfaction of the minister unless granted an extension by the minister;
- (g) Mowi shall obtain and pay for all licences, permits, approvals or authorizations necessary for carrying out the project which may be required under another Act or regulation of the province or of Canada or a municipal regulation, by-law or requirement;

- (h) on or before January 31 of each year until released in writing by the minister, Mowi shall provide the following information to the department:
 - (i) an update on compliance with this Order, and
 - (ii) a list of licences, permits, approvals and other documents of authorization acquired for the project;
- (i) before any proposed expansion, modification or relocation of any aspect of the project from that proposed in the Environmental Impact Statement referred to in paragraph (a), Mowi shall submit a proposal to the department to determine if any additional licences, permits, approvals or assessments are required;
- (j) Mowi shall notify the minister before a transfer, sale or lease of the project;
- (k) Mowi shall be responsible for all expenses incurred in carrying out the environmental management and monitoring required under this Order, the Act or the *Environmental Assessment Regulations*;
- (l) Mowi shall ensure that a copy of this Order is present at the project site while personnel are on site and that personnel directly involved in the project are informed of the terms and conditions under this section;
- (m) throughout the life of the project, Mowi shall conduct any additional studies or monitoring and implement additional mitigation measures as required by the minister;
- (n) when Mowi has completed the requirements under this section, Mowi shall
 - (i) advise the department that the requirements have been completed, and
 - (ii) provide a written description, documents and images, where applicable, to the department to demonstrate completion of the requirements;

- (o) throughout the life of the project, Mowi shall collect benthic survey and water quality data for fallowed sea farms, to the satisfaction of the Department of Fisheries and Oceans Canada and the Minister of Fisheries, Forestry and Agriculture, before adding salmon smolts to those sea farms and, where required, mitigate any environmental impacts;
- (p) throughout the life of the project, Mowi shall, unless otherwise directed by the Minister of Fisheries, Forestry and Agriculture,
 - (i) maintain comprehensive genetic and traceability identification of the broodstock,
 - (ii) sample all captured farm fish escapees for genetic identification and traceability, and
 - (iii) where genetic identification and traceability implies that Mowi is the source of the escapees, apply adaptive management to mitigate escapes;
- (q) before the start of the project, Mowi shall
 - (i) complete Environmental Effects Monitoring Plans in accordance with the information requirements of the environmental impact statement guidelines, in consultation with the applicable government departments, and
 - (ii) receive the minister's approval for the following Environmental Effects Monitoring Plans:
 - (A) Genetic and Ecological Interactions of Escaped Farmed Salmon on Wild Atlantic Salmon,
 - (B) Groundwater Monitoring Program,
 - (C) Benthic Monitoring Program,
 - (D) Aquatic Invasive Species Management and Monitoring Program,
 - (E) Climate and Meteorological Data Monitoring Program, and

- (F) Marine Wildlife Monitoring Program;
- (r) Mowi shall prepare an annual report of the results of the Environmental Effects Monitoring Plans obtained at all monitoring sites and make the report publicly available on or before December 31 of each year;
- (s) before the start of the project, Mowi shall
 - (i) develop a Decommissioning and Rehabilitation Plan for the hatchery and sea farms, and
 - (ii) receive the approval of the Minister of Fisheries, Forestry and Agriculture for the Decommissioning and Rehabilitation Plan;
- (t) before the start of the project, Mowi shall
 - (i) prepare an Environmental Protection Plan for the addition of 2.2 million fish to the expanded hatchery, including all construction and operations activities, and
 - (ii) receive the approval of the minister for the Environmental Protection Plan;
- (u) the Environmental Protection Plan referred to in paragraph (t) shall describe the environmental protection and mitigation measures that will be applied throughout the life of the hatchery expansion to avoid or minimize potential negative effects on the environment associated with the project, including the effects of
 - (i) additional water use demands on the groundwater aquifer that supplies the hatchery,
 - (ii) additional effluent discharge in the receiving marine environment,
 - (iii) road transport of salmon smolts for the transfer to marine to sea cages, and
 - (iv) any other potential adverse environmental effects associated with operation of the hatchery expansion;

- (v) before the start of the project, Mowi shall
 - (i) prepare an Environmental Protection Plan for the addition of 2.2 million fish to sea farms in Bays West, including all applicable sea cage construction, and
 - (ii) receive the approval of the minister for the Environmental Protection Plan;
- (w) the Environmental Protection Plan referred to in paragraph (v) shall describe the environmental protection and mitigation measures that will be applied throughout the life of the hatchery expansion to avoid or minimize potential negative effects on the environment associated with the project; and
- (x) throughout the life of the project, Mowi shall continue to submit an annual groundwater monitoring and sampling report, as required by the Groundwater Monitoring Plan, to the department for review and approval.

(2) This Order does not exempt Mowi from the requirements imposed on the project by

- (a) an Act or regulation of the province or of Canada; or
- (b) a municipal regulation, by-law or requirement.

(3) This Order does not authorize Mowi to start or continue the project on lands which are not in the control or ownership of Mowi.

(4) Where a timeline is associated with a condition under this section, Mowi shall fulfill the requirements of the condition in the prescribed timeline, unless otherwise authorized by the minister.

(5) Where there is a discrepancy between the Environmental Impact Statement and the terms and conditions prescribed in this Order, the terms and conditions in this Order shall apply.

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