

MAY 03 2022

COR-2022-444

Reg. # 2191

Lucas Mckay
6 Herb Street
Reidville, NL
A8A 2W8
Email: lucasmckay05@gmail.com

Dear Lucas Mckay:

Re: Cormack Agriculture Land Development

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 Water Resources Management Division of my Department requires the following:
 - Prior to commencing any work related to this project, a Water Resources Management Plan must be prepared and submitted to the Water Resources Management Division for approval. The Water Resources Management Plan should address the following questions:
 - If there are any brooks, rivers, ponds, streams or wetlands, present in or within 30 metres of the boundaries of the project site, then please provide the type of water body and its distance from the site.
 - If any of the above-mentioned water bodies are affected by the farm construction or operation, describe how the water body will be affected. A permit/license from the Water Resources Management Division may be required.

For further information, please contact the Water Resources Management Division at (709) 729-1229 or via email mohammadkhayer@gov.nl.ca.

- The Department of Fisheries, Forestry and Agriculture requires the following:



- A minimum undisturbed 50-metre buffer shall be maintained from the high water mark of any waterbodies or wetlands that appear on a 1:50,000 scale National Topographic Systems map or the topographic systems map layer shown in the Provincial Land Use Atlas. The buffer is required to mitigate the potential effects of surface runoff, infiltrations, or the application of chemicals or manure on surrounding water systems within or adjacent to the project boundary.
- Vegetation clearing is not to occur within 800 meters of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 meters 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 more 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.
- 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.

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 a permit is required for any work within 15 metres of waterbody, construction of a non-domestic well, and non-domestic water use for any purpose. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Pollution Prevention Division of my Department advises that if pesticide use is required, the applicator must be licenced for the class of pesticide that is intended to be applied. Any pesticide or herbicide use must be in accordance with the Pesticide Control Regulations. For more information, please contact the Pesticide Control Section at (709) 729-6054 or (709) 729-2565. The Pollution Prevention Division further recommends that you that you develop a site-specific contingency plan to enable a quick and effective response to a spill event. Response equipment, such as absorbents and open-ended barrels for collection of clean-up debris, should be stored in an accessible location on



site. Any spill or leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For more information, please contact the Pollution Prevention Division at (709) 729-5782.

The Government Service Centre of the Department of Digital Government and Service NL advises that a Certificate of Approval is required before a livestock operation in excess of five animal unites can be put into operation. One animal unit of livestock is equivalent to 454 kb/1000 lb live weight. The Government Service Centre further advises that manure shall not be spread or stored within 30 metres of the nearest waterbody/watercourse or within 75 metres of any well or water supply used for drinking water purposes. For more information, please contact the Government Service 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 project activities 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 Department of Fisheries, Forestry and Agriculture reserves the right to schedule harvesting of the merchantable timber on the agriculture lease. If the Forestry and Wildlife Branch releases the right to harvest the timber, you will not be required to obtain a cutting permit to clear the land if the harvested timber is not offered for sale or barter (following approval of the agriculture lease). If the harvested timber is offered for sale, a commercial cutting permit will be required from the local forestry district office. For more information, please contact the Forestry and Wildlife Branch at (709) 637-2199.

The Crown Land Administration Division of the Department of Fisheries, Forestry and Agriculture further advises that there are applications and/or titles for easements for power lines and snowmobile trails in and around the proposed project area. Any easements must be respected and the project must not interfere with those titles. The proposed access road must be located within the project boundary and must include a 20-metre road reservation to accommodate an easement for access for further agricultural development. A map of the easement is provided in the attached "Comments for the Proponent". For more information, please contact the Crown Land Administration Division at 1- 833-891-3249.

The Department of Immigration, Population Growth and Skills advises that the provincial immigration pathways program is available for hiring general farm workers (NOC 8431), will be updated in the fall of 2022 to with respect to expected skill level, alternate job titles, qualifications, and duties. For more information, please contact the Department of Immigration, Population Growth and Skill at (709) 729-7131.



The Department of Municipal and Provincial Affairs notes that you must obtain a development permit from the Town of Cormack and the Town of Reidville before commencing any development, including land clearing or construction of the access road. For more information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.

The Department of Tourism, Culture, Arts and Recreation advise that your project likely falls within a new snowmobile trail. The Tourism Product Development Division recommend that you consult with the Newfoundland and Labrador Snowmobile Federation to ensure that any potential issues are mitigated to ensure the safety of the trail users. For more information, please contact the Tourism Product Development Division at (709) 729-4518.

Environment and Climate Change Canada (ECCC) 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 15 and August 15 in this region. ECCC provides a list of avian and non-avian species that are listed on Schedule 1 of the **Species at Risk Act**, and requests that any sightings be reported to ec.scfatdonneesi-cwsatlidata.ec@ec.ac.ca. The species list is included in the "Comments for the Proponent" attached to this letter. ECCC further advises that the **Species at Risk Act** "General prohibitions" apply to this project, and recommends that you complete an analysis of potential impacts on the migratory birds listed on Schedule 1 and take measures to avoid or lessen those effects. ECCC requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped. For more information, please contact ECCC at (709) 772-2126.

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**, as well as, information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.ac.ca/Dnw-ppe/index-ena.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. 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 shall 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. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. For further information, please email EAPProjectComments@gov.nl.ca.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Hon. Bernard Davis".

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

Enclosure

Cc. The Honourable Dr. Andrew Furey, Premier