

ATTACHMENT A

Regulatory Advice from Government Departments

EA # 2260 – Birchy Bay Quarry (the Project)

During the environmental assessment review provincial and federal government departments and agencies indicated that the following plans, permits, licences, approvals and/or other authorizations are or may be required before the Project commences. This is not intended to be a comprehensive list and you are responsible for consulting with federal and provincial government authorities regarding any additional authorizations that may be required by law.

The Climate Change Branch (CCB) advises that the clearing of trees and brush can contribute to climate change. All heavy-duty equipment used in the construction and operating phase of the Project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises that all waste is to be properly disposed of at an approved waste management facility. The PPD also advises you to comply with the Storage and Handling of Gasoline and Associated Products Regulations, 2003, and to prepare a spill contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product shall be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For further 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 any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations and a Water Use Licence is required for all non-domestic uses with an existing, new or planned water use from any water source. The WRMD advises that, prior to the start of construction, you must apply for and obtain a water use licence under the **Water Resources Act**, 2002 for the use of water from any water source for any purpose. The WRMD informs that, if the boundaries of the proposed location changes to be within the Dog Bay Pond Public Protected Water Supply Area (PPWSA), you must apply for and obtain a permit under the **Water Resources Act**, specifically section 39. The WRMD notes that work adjacent to or within this designated PPWSA must comply with their Policy for Land and Water Related Developments in Public Protected Water Supply Areas. For more information, please contact the WRMD at (709) 729-2563.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL (DGSNL) advises that you that the storage, handling and disposal of used oil/waste oil must be in compliance with the Used Oil and Used Glycol Control

Regulations. DGSNL also advises that you must obtain written approval from the Town of Birchy Bay prior to development and that a development permit is required from the Town of Birchy Bay prior to development. DGSNL further advises that land clearing and grubbing should be restricted such that naturally vegetated areas between the site and surrounding properties and thoroughfares are maintained and that any existing tree screen concealing the operation from public view is to be maintained as well. For further information please contact the GSC at (709) 292-4206.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development are conducted in compliance with the **Occupational Health and Safety Act** and its regulations and that the regulatory requirements described in the Hazard Alert are addressed. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. For further information, please contact OHS at 1-800-563-5471.

The Department of Fisheries, Forestry and Aquaculture (FFA) advises you to operate under the established legislation such as the **Wild Life Act** and the Wild Life regulations to avoid or minimize adverse impacts. FFA also advises that a cutting permit is required prior to any harvesting or timber removal in the area, an operating permit is required prior to any harvesting during forest fire season, and a permit to burn is required if igniting a fire on or within 300 metres of forest land. For further information, please contact the Lewisporte Forest Management District Office at (709) 535-2706.

The Department of Industry, Energy and Technology (IET) advises that the Project is subject to a Stop Order under the **Quarry Materials Act**, 1998 and that the Stop Order will remain in force until the Minister of IET determines if a quarry permit or quarry lease will be issued. IET also advises that release from EA does not guarantee that a quarry permit or quarry lease will be issued to authorize the Project and that IET may require additional information which will be obtained through its permitting process.

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 preventative measures to minimize the risk of impacts on migratory birds.

ECCC further 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 25 and August 15 in this region. The Canadian Wildlife Service (CWS) of ECCC requests that species-at-risk sightings be reported to ECCC-CWS at 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 at (709) 689-8915.

The Department of Fisheries and Oceans (DFO) advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect of 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 further information, please contact the Fisheries Protection Program at (709) 772-4140.