

**ATTACHMENT A****Regulatory Advice from Government Departments****EA # 2289 – Lumsden Microbrewery, Taproom and Cottages (the Project)**

During the environmental assessment of the Project, 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) of the Department of Environment and Climate Change directs you to section 9.36 of the National Building Code, which includes energy efficiency requirements for new buildings. In addition, 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, contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises you to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. In addition, all water discharged from the proposed site, during construction and operation, are subject to compliance with the Environmental Control Water and Sewage Regulations. For further information, contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises that connection to municipal water and sewer system will require a Permit to Construct under Sections 36 and 37 of the **Water Resources Act**. In addition, any discharge to the Town of Lumsden's wastewater system must comply with the Environmental Control Water and Sewage Regulations, Schedule B. The Proponent will need to confirm with the Town of Lumsden that there is capacity in the municipal water supply system to support the increased Project demand and capacity in the receiving wastewater collection system and treatment plant for the increased Project load. For further information, contact the WRMD at (709) 729-2563.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that all waste material generated during construction is to be placed in suitable refuse containers and transported to an approved waste management site. For further information, 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. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. For further information, contact the OHS at (709) 729-3275.

The Department of Fisheries, Forestry and Agriculture (FFA) advises that **Migratory Birds Convention Act, 1994, Migratory Bird Regulations, Wild Life Act and Wild Life Regulations** protect birds and prohibit the disturbance or destruction (including incidental ones) of bird nests and eggs in Newfoundland & Labrador. To mitigate any potential negative impacts on the marine environment and local fisheries, FFA advises that proponents consult local fish harvesters, specifically in Northwest Atlantic Fisheries Organization (NAFO) Division 3K, for information regarding fisheries in the area and to notify harvesters of their plans to use said area. The application proposes access to the beach and dunes. Dunes are considered sensitive wildlife areas and upland development must ensure that there are no negative long-term impacts to these dynamic ecosystems. A Crown Lands Application will be required for a new proposed route. For further information, contact FFA at (709) 637-2950.

The Department of Industry, Energy and Technology (IET) advises the proposed access route appears to be within an area reserved under the Wind Energy Land Reserve Order and that applications for Crown Land within the Wind Energy Land Reserve may be impacted. They further advise that Newfoundland Power should be contacted regarding assets in close proximity to the Project. For further information, contact IET at (709) 729-1386.

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, contact HCS at (709) 729-3422.

The Department of Municipal and Provincial Affairs encourages you to work with the Town to ensure the Project aligns with the Town's municipal plan and development regulations. For further information contact MAPA at (709) 729-3090.

Environment and Climate Change Canada – Canadian Wildlife Service (ECCC-CWS) advises that the **Species at Risk Act** (SARA) "General Prohibitions" apply to the Project, and indicated that the Piping Plover (*melodus* subspecies) is endangered and that may be present within the area advised. Should birds become stranded on the Project site, both during construction and operations phases, you are to adhere to **Procedures for handling and documenting stranded birds encountered on infrastructure offshore Atlantic Canada**. For further information, contact Environment and Climate Change Canada at (709) 772-2126.

The Department of Fisheries and Oceans 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 further information, please contact the Fisheries Protection Program at (709) 772-4140.