Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2435 – Lodge Bay Quarry (the Project)
Pittman's Enterprises Limited (the Proponent)

During the environmental assessment of the Project, provincial and federal government departments and agencies offered the following advice on technical aspects as well as plans, permits, licences, approvals and/or other authorizations that are or may be required before your 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.

1 Department of Environment, Conservation and Climate Change - Climate Change Branch

1.1 Proponent is advised to consider climate change projections for extreme precipitation events that may result in increased flooding and damage to infrastructure.

1.2 Proponent is advised to consider provincial climate change projections for St. Anthony (the nearest regional site) in planning for this undertaking.

1.3 Proponent is advised that all heavy-duty equipment used in the construction and operating phase of this 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 Climate Change Branch at (709) 729-1485.

2 Department of Environment, Conservation and Climate Change - Pollution Prevention Division

2.1 Proponent is advised to ensure that waste (including organic wastes) are disposed of at an approved waste disposal facility.

2.2 Proponent is advised that all fuel storage tank systems, other than those connected to a heating appliance of 2,500 litres or less, require registration prior to installation.

2.3 The storage, handling, and disposal of used and or waste oil shall comply with the Used Oil and Used Glycol Control Regulations.

2.4 Proponent is advised to consider developing a Contingency Plan specific to the proposed Project to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately to the Environmental Emergencies Telephone line at 1-800-563-9089. For further information please contact the Pollution Prevention Division at (709) 729-5782.

3 Department of Environment, Conservation and Climate Change - Water Resources Management Division

3.1 Prior to the start of construction, the Proponent shall apply for and obtain a Water Use Licence for the use of water from any water source for any purpose under the **Water Resources Act**.

3.2 Proponent is advised that any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the Water Resources Management Division at (709) 729- 2563.

4 Department of Energy and Mines

4.1 Proponent is advised that a Quarry Permit or Quarry Lease is required under the **Quarry Materials Act, 1998**, prior to the commencement of the Project. A release from environmental assessment does not guarantee approval. Energy and Mines may require the Proponent to submit additional information in support of the application. For further information, please contact the Mines Branch at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands

5.1 Proponent is advised to operate under the established legislation and regulations of the **Lands Act**. It is the Proponent's responsibility to identify Crown lands required for their undertaking.

5.2 Proponent is advised that there may be private land in the area not on record with the Crown Lands Office and that permission is required from the landowners prior to conducting any work planned on private lands.

5.3 Proponent is advised that any new road construction or maintenance on Crown land requires the Proponent to obtain the appropriate Crown title before work begins. A Licence to Occupy for an access road does not grant exclusive use or restrict public access, and all activities shall comply with the terms and conditions of any issued Crown land Licence.

5.4 Proponent is advised to comply with the Cutting of Timber Regulations under the **Forestry Act**, which requires a Cutting Permit before any timber harvesting or removal. Royalties on wood harvested may be required as per the Timber Royalties Regulations under the **Forestry Act**. Additionally, during the forest fire season, an Operating Permit under Section 13 and a Permit to Burn on or within 300 metres of forest land under Section 3 of the Forest Fire Regulations are required.

5.5 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments with the Project area. The GIS and Mapping Division of the Department of Forestry, Agriculture and Lands shall be contacted via email at CMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**.

5.6 Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.

5.7 Proponent is advised that the **Wild Life Act** and the **Migratory Birds Convention Act** and associated regulations prohibit the disturbance or destruction of bird nests and eggs in Newfoundland and Labrador. For more information on avoiding harm to avifauna visit: https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html

5.8 Proponent is advised that Species listed under the **Newfoundland and Labrador Endangered Species Act (NLSEA)** are known to exist in the area of the proposed Project. Section 16 (1) of the **NLESA** states, "A person shall not disturb, harass, injure, or kill an individual of a species designated as threatened, endangered, or extirpated".

5.9 Proponent is advised that several species are currently being assessed for designation and listing under the **NLSEA** and the federal **Species at Risk Act (SARA)**. The Proponent should be aware that if species that are designated and listed under endangered species legislation are found within the Project area, the **NLESA** and/or the federal **SARA** will apply and the Proponent may be required to develop mitigations, in consultation with the Wildlife Division of this department, for the protection and recovery of the species.

5.10 Proponent is advised that several species of bats are listed as Endangered and protected under the **NLESA**. These species have the potential to occur in areas proposed for clearing. The Proponent shall ensure that mitigations are put in place to prevent disturbance, injury, or direct loss of bats or their residences.

5.11 Proponent is advised that no vegetation clearing is to occur within:

- 800 metres of a bald eagle or osprey nest during the nesting season (March 15 and July 31) and 200 metres during the remainder of the year.
- 800 meters of a short-eared owl (ground) nest between May 15 to August 15.
- 200 meters of any other raptor nests between March 15 and July 31.

The location of any raptor nest site shall be reported to the Wildlife Division (WildlifeReferrals@gov.nl.ca). For further information, please contact Department of Forestry, Agriculture and Lands at 709-637-2950.

6 Department of Government Services - Government Service Centre

6.1 Proponent is advised that brush should be chopped/shredded and may be burnt on-site with the approval of the Department of Forestry, Agriculture and Lands or may be removed to an approved waste disposal site for proper disposal with the permission of the owner/operator of the waste disposal site. Tires and used or waste oil are not to be used to aid in the burning of brush.

6.2 Proponent is advised that any proposed fuel cache will require Approval from Government Services – Government Service Centre prior to installation.

6.3 Proponent is advised that access to the site should be restricted at all times in order to prevent the occurrence of indiscriminate dumping. For further information, please contact Government Services – Government Service Centre at (709) 729-0248.

7 Department of Government Services – Occupational Health and Safety

7.1 Proponent is advised to ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and related regulations. This includes the responsibility for ensuring that, should contractors be hired to perform work, they also comply with the legislation. For further information, please contact Occupational Health and Safety Division at (709) 729-7454.

8 Labrador Affairs

8.1 Advised that local residents be hired where possible.

8.2 Advised that public safety be maintained during project operations, including the provision of appropriate safety signage and clear communication to motorists where operations may affect the Trans-Labrador Highway. For further information, please contact Labrador Affairs at (709) 896-1780.

9 Environment and Climate Change Canada

9.1 Environment and Climate Change Canada recommend the Proponent to develop the following plans:

- A Management Plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds.
- An Oil Spill Prevention and Response Plan.
- A Contingency Plan that considers potential accidents and malfunctions that take into account site-specific conditions and sensitivities.

9.2 Proponent is advised to avoid nest destruction and to accommodate the breeding season of migratory birds by considering nesting locations between mid-April and Mid-August in this region for when and where operations occur. Environment and Climate Change Canada requests that species-at-risk sighting be reported to the Canadian Wildlife Service (CWS) at http://www.accdc.com/en/contribute.html. For further information, please contact Environment and Climate Change Canada at (709) 772-4313.

10 Fisheries and Oceans Canada

10.1 Proponent is advised to refer to the Projects Near Water website for information about how to comply with the **Fisheries Act** as well as information on the Project review process when conducting work in or near water. The 'Projects New 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.