

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2389 – Barachois River Bridge Quarry (the Project)
Farrell's Excavating Ltd. (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 operate heavy equipment during the construction and operations phase of the Project in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the Climate Change Branch at (709) 729-1485.

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

- 2.1 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility.
- 2.2 Proponent is advised to comply with the Air Pollution Control Regulations under the **Environmental Protection Act** and be aware of the prohibitions of burning waste according to Schedule D of these Regulations.
- 2.3 Proponent is advised to obtain a Pesticides Applicator Licence for the use of pesticides.
- 2.4 Proponent is advised that all fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, require registration prior to installation.
- 2.5 Proponent is advised all fuel storage systems must meet the Storage and Handling of Gasoline and Associated Products Regulations.
- 2.6 Proponent is advised that the storage, handling and disposal of used and or waste oil/glycol must comply with the Used Oil and Used Glycol Control Regulations.
- 2.7 Proponent is advised that the use of halocarbons or other related substances in fire suppression, air conditioning or refrigeration systems associated with the Project are subject to the Halocarbon Regulations. For further information, contact PPD at (709) 729-5782.

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

- 3.1 Proponent is advised that if settling ponds meet the definition of a dam, then a permit under Section 48 of the **Water Resources Act** will be required prior to construction.
- 3.2 Proponent is advised to obtain a Water Use Licence under the **Water Resources Act** prior to the start of construction for the use of water from any source for any purpose.
- 3.3 Proponent is advised that any effluent leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations. For further information, contact WRMD 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 commencement of Project. A release from environmental assessment does not guarantee approval. Further, Energy and Mines may require the Proponent to submit additional information in support of the application.
- 4.2 Proponent is advised to develop and submit a Visibility Management Plan to the Mining and Mineral Development Branch for approval by the Departments of Energy and Mines as well as Department of Tourism, Culture, Arts and Recreation. Requirements for the development of a Quarry Visibility Management Plan are available here: <https://www.gov.nl.ca/em/files/Visibility-Management-Plan-requirements.pdf>. Please contact the Department of Energy and Mines at (709) 729-5748 for further information.

5 Department of Forestry, Agriculture and Lands

- 5.1 Proponent is advised to operate under the **Lands Act** and to obtain a licence to occupy for any new road construction on Crown Land.
- 5.2 Proponent is advised a cutting permit is required prior to any harvesting or timber removal on Crown Land.
- 5.3 Proponent is advised an Operating Permit is required under the Forest Fire Regulations prior to the start of work during forest fire season.
- 5.4 Proponent is advised a Permit to Burn is required under the Forest Fire Regulations to ignite a fire on or within 300 metres of forest land.
- 5.5 Proponent is advised that no vegetation clearing is to occur within the following buffers:
 - 800 metres of a bald eagle or osprey nest during the nesting season
 - (March 15 to July 31) and 200 metres during the remainder of the year.
 - 200 metres of all other raptor nests from March 15 to July 31.

- 800 metres of short-eared owl (ground) nests between May 15 and August 15. Additionally, no ground disturbance is to occur within this short-eared owl nest buffer during these dates.

5.6 Proponent is advised that several species are currently being assessed for designation and listing under the **Newfoundland and Labrador Endangered Species Act (NLESA)** and the federal **Species at Risk Act**. The Proponent should be aware that if species that are designated and listed under this legislation are found within the Project area, the Proponent may be required to develop mitigations, in consultation with the Wildlife Division and must obtain a Section 18 permit of the **NLESA** for any Species at Risk surveys that could potentially disturb the species. For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

6 Department of Government Services - Government Service Centre

- 6.1 Proponent is advised that any proposed fuel cache will require approval by the Government Service Centre prior to installation.
- 6.2 Plans and specifications for floor drains from service bays or other areas handling used or waste oils must be submitted for review and approval by the Government Service Centre prior to installation.
- 6.3 Proponent is advised to apply to the Department of Government Services for Fire/Life safety and Building Accessibility review/approvals.
- 6.4 Proponent is advised any spill or leak of gasoline or associate product is to be reported immediately to Government Service Centre by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact Government Service Centre at (709) 729-2008.

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 contractors hired to perform work also comply with the legislation. For further information, please contact Occupational Health and Safety at (709) 729-7454.

8 Department of Municipal and Community Affairs

- 8.1 Proponent is advised to obtain a development approval and permit under the Protected Road Zoning Regulations from the Government Service Centre. For further information, please contact Municipal and Community Affairs at (709) 729-3090.

9 Department of Transportation and Infrastructure

9.1 Proponent is advised to obtain a Permit for Highway Access under the **Work, Services and Transportation Act**. For further information, please contact the Highway Design and Construction Division of the Department of Transportation and Infrastructure at (709) 729-5770.

10 Environment and Climate Change Canada

10.1 Environment and Climate Change Canada recommends 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.

10.2 Environment and Climate Change Canada advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and mid-August in this region. Environment and Climate Change Canada request that species at-risk sightings be reported to the Canadian Wildlife Service at ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For further information, please contact the Canadian Wildlife Service at (709) 772- 4313.

11 Fisheries and Oceans Canada

11.1 Proponent should 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 conduction work in or near water. The 'Projects New Water' website is located at <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.