

**Attachment B**  
**Regulatory and Technical Advice from Government Departments/Divisions**

**EA #:** 2394 – Portland Creek Quarry (the Project)  
Ledonis Ltd. (the Proponent)

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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 that the clearing of trees and brush can contribute to climate change.
- 1.2 Proponent is advised to consider provincial climate change projections regarding precipitation for Daniel's Harbour (nearest regional site) in the planning for this undertaking.
- 1.3 Proponent is advised to operate heavy equipment 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 activities associated with this Project are subject to the Air Pollution Control Regulations.
- 2.2 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.3 All pesticide use must comply with the Pesticides Control Regulations. If pesticides are required, a Pesticide Applicator Licence is necessary and must follow required buffer zones for pesticide application around salmon rivers. Contracted pest control services must hold a valid Pesticide Operator Licence.
- 2.4 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility. 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 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.
- 3.2 Prior to the start of construction, the Proponent must apply for and obtain a water use licence under the **Water Resources Act** for the use of water from any water source for any purpose.
- 3.3 Proponent is advised that if the settling ponds meet the definition of a dam or very small dam, a permit under Section 48 of the **Water Resources Act** would be required prior to their construction. 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 the Project site falls within a hydrocarbon basin and that the area has oil and gas potential.
- 4.2 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. Further, 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 comply with the **Lands Act** and the Proponent is responsible for identifying any required Crown lands.
- 5.2 Proponent is advised that there may be private land within the Project area that is not recorded with the Crown Lands Office. If work is planned on private property, the Proponent is advised to obtain permission from the landowners.
- 5.3 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments within the project area. The GIS and Mapping Division of the Department of Forestry, Agriculture and Lands must be contacted via email at [GMD@gov.nl.ca](mailto:GMD@gov.nl.ca) if project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**.
- 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. 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 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 (SARA)**. The

Proponent is made 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 Wildlife Division, for the protection and recovery of the species.

- 5.6 Proponent is advised that Endangered bat species protected under provincial legislation may be present in the clearing areas, and the Proponent is required to implement mitigation measures to avoid disturbing, injuring, or harming bats or their habitats.
- 5.7 Proponent is advised that Bank Swallows, which are protected as Threatened under both provincial and federal legislation, are present in the Portland Creek area, and the proponent must implement mitigation measures to prevent disturbance, injury, or harm to the birds or their nesting burrows.
- 5.8 Proponent is advised that the proposed area lies within the core range of Newfoundland caribou, a species of conservation concern, and any new or existing project footprint must be minimized with mitigation measures in place to reduce long-term impacts and avoid unnecessary disturbance to caribou habitat.
- 5.9 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 to July 31) and 200 metres during the remainder of the year. The location of any raptor nest site must be reported to the Wildlife Division at [WildlifeReferrals@gov.nl.ca](mailto: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 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.
- 6.2 The storage, handling, and disposal of used and or waste oil must comply with the Used Oil and Used Glycol Control Regulations.
- 6.3 The Proponent is advised to consider developing a 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 is to be reported immediately to the Government Service Centre by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. For further information, please contact the Government Service Centre at (709) 637-2369.

## **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 at (709) 729-7454.

## **8 Department of Jobs, Growth and Rural Development**

8.1 Proponent is advised that should the labour or workforce needs change, notification should be sent to the Department of Jobs, Growth and Rural Development by contacting Sarah Geck at [SaraGeck@gov.nl.ca](mailto:SaraGeck@gov.nl.ca). This keeps the department informed on labour needs for projects and allows the department to provide details on programs and services that may assist the Proponent. For further information, please contact the Department of Jobs, Growth and Rural Development at (709) 729-5054.

## **9 Department of Municipal and Community Affairs**

9.1 Proponent is advised that the proposed undertaking is near the building control lines of Route 430 under the Great Northern Peninsula Highway Protected Road Zoning Plan. Any development occurring within these control lines will require a permit from Government Services under the Protected Road Zoning Regulations. For further information, please contact Municipal and Community Affairs at (709) 729-3090.

## **10 Department of Tourism, Culture, Arts and Recreation**

10.1 Tourism Product Development Division advises to carefully manage the quarry to avoid impacts on the sense of arrival and the natural environment that visitors value when travelling to the area. Tourism advises the following best practices:

- Minimize visual impacts through strategic site planning, screening, or vegetation buffers,
- Implement erosion and sediment control measures to protect surrounding landscapes,
- Schedule operations to limit noise or dust during peak visitor periods (May - Sep), and
- Develop a rehabilitation plan to restore natural aesthetics post-Project.

For further information, please contact the Tourism Product Development Division at (709) 729-6588.

## **11 Environment and Climate Change Canada**

11.1 Proponent is advised 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 requests that species at risk sightings be reported to the Canadian Wildlife Service (CWS) at <http://www.accdc.com/en/contribute.html>.

11.2 Proponent is advised to develop the following plans:

- A Contingency Plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities
- An Oil Spill Prevention and Response Plan
- A Wildlife Emergency Response Plan

- 11.3 Proponent is advised to maintain a 30-metre buffer from the high-water mark of any water body (1:100 Flood Zone) to maintain movement corridors for migratory birds.
- 11.4 Proponent is advised to establish vegetated buffer zones and to reduce activities around any active nests discovered during Project activities to reduce the risk of impacting nests or birds caring for pre-fledged chicks at those times.
- 11.5 Proponent is advised to develop and implement measures to diminish the risk of introducing invasive species. For further information, please contact Environment and Climate Change Canada at (709) 772-4313.

## **12 Fisheries and Oceans Canada**

- 12.1 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 Near 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.