

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

**EA #:** 2405 – Pipestone Access Road Extension (the Project)  
First Atlantic Nickel Corp. (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 to consider climate change projections for extreme precipitation events that may increase when implementing sediment erosion and control measures so they will remain in place and runoff can be monitored after the road is constructed.
- 1.2 Proponent is advised to consider provincial climate change projections for Gander (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) is disposed of at a waste disposal facility, or facilities approved to accept the type and projected quantity of waste.
- 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 Proponent is advised to have a Contingency Plan that includes having spill response equipment readily available on-site 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 Proponent is advised to obtain Section 48 permits for any work that will be in or within 15 metres of a body of water.
- 3.2 Proponent is advised to obtain a water use licence under the **Water Resources Act, 2002**.
- 3.3 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 quarry materials required during construction operations must be obtained from approved sources. 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 established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.
- 5.2 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.
- 5.3 Proponent is advised that the majority of the Project is located on Miawpukek First Nation land tenure and any removal of timber from this area requires prior approval from Miawpukek First Nation.
- 5.4 Proponent is advised that a Cutting Permit is required under the Forest Fire Regulations prior to any harvesting or timber removal in the area.
- 5.5 Proponent is advised that an Operating Permit is required under the Forest Fire Regulations prior to the start of any work during the forest fire season and can be obtained from the local Forest Management District Office.
- 5.6 Proponent is advised that a Permit to Burn is required under the Forest Fire Regulations to ignite a fire on or within 300 metres of forest land.
- 5.7 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.
- 5.8 Proponent is advised that activities that occur within the 15 metre Shoreline Reserve of any water body must strictly adhere to the regulations in section 7 of the **Lands Act**.
- 5.9 Proponent is advised that several species are currently being assessed for designation and listing under the **Newfoundland and Labrador Endangered**

**Species Act (NLSEA)** and the federal **Species at Risk Act**. The Proponent should be aware that if species that are designated and listed under endangered species legislation are found within the project area, the **Endangered Species Act** and/or the federal **Species at Risk Act** 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 the area is located within identified core habitat for Newfoundland caribou. Caribou on the Island are of conservation concern to the Wildlife Division. Any current or new footprint within this sensitive caribou area must be kept to a minimum. All unnecessary disturbance of the habitat must be avoided. The proponent must maintain large, vegetated wetland buffers where possible since these areas provide important caribou habitat.
- 5.11 Proponent is advised that a Crown Land License is required prior to any development activities.
- 5.12 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. For further information, 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 ensure that all waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of the site owner/operator.
- 6.2 Proponent is advised to always keep the site neat and tidy.
- 6.3 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.
- 6.4 Proponent is advised that any proposed fuel cache will require approval of Government Services – Government Service Centre prior to installation. For further information, please contact Government Services – Government Service Centre at (709) 729- 0248.

## **7 Environment and Climate Change Canada**

- 7.1 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.

7.2 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.

## 8 Fisheries and Oceans Canada

8.1 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 <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.