

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2411 - Baie Verte Concrete Batch Plant (the Project)
Steady Mix Concrete (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 all heavy-duty equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that contribute to climate change. For further information, 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 the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and their associated regulations.
- 2.2 Proponent is advised that all waste material generated on site during construction and operation shall be collected in appropriate refuse containers and removed to a waste disposal facility that is approved to accept the specific type and quantity of waste.
- 2.3 Proponent is advised that pesticide use is subject to the Pesticides Control Regulations. A Pesticide Applicator Licence is required for the application of pesticides. Where the slope of the terrain is less than or equal to 20 degrees, herbicide application is not permitted within 30 metres of a scheduled salmon river. Where the slope of the terrain is greater than 20 degrees, herbicide application is not permitted within 50 metres of a scheduled salmon river.
- 2.4 Proponent is advised to refer to the Management of Excavated Soils, Concrete Rubble and Dredged Materials Guidance Document. For further information, 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 a Water Use Licence under the **Water Resources Act** prior to the start of Project construction for the use of water from any source for any purpose.

- 3.2 Proponent is advised to obtain a Permit for Constructing a Non-Domestic Well under Section 58 of the **Water Resources Act** for drilled wells.
- 3.3 Proponent is advised to obtain a permit under Section 48 of the **Water Resources Act**, if the settling pond meets the definition of a dam.
- 3.4 Proponent is advised any effluent or runoff leaving the Project site shall comply with the Environmental Control Water and Sewage Regulations. For further information, contact the Water Resources Management Division at (709) 729-2563.

4 Department of Energy and Mines

- 4.1 Proponent is advised that quarry materials shall be obtained from approved sources. For further information, contact the Mines Branch of the Department of Energy and Mines at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands

- 5.1 Proponent is advised to operate in accordance with the **Lands Act**, the **Wild Life Act** and associated regulations.
- 5.2 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 shall be contacted via email at GMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**. 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 to develop 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 (709) 772-2083 or 1-800-563-9089.
- 6.2 Proponent is advised to submit electrical plans to the Government Service Centre for review and approval prior to commencing any work.
- 6.3 Proponent is advised that electrical work shall be performed by a registered electrical contractor or an individual with a valid electrical certificate. For further information, 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, contact the Occupational Health and Safety Division at (709) 729-7454.

8 Department of Municipal and Community Affairs

- 8.1 The Project is subject to the Town of Baie Verte Municipal Plan and Development Regulations. Proponent is advised to submit a development application and obtain approval from the Town prior to commencing development.
- 8.2 Proponent is advised that, depending on whether the proposed batch plant is considered part of the existing industrial operation, additional considerations related to road frontage and access may apply. For further information, contact the Department of Municipal and Community Affairs at (709) 729-3090.

9 Department of Tourism, Culture, Arts and Recreation

- 9.1 Proponent is advised to implement dust and noise control to minimize effects on tourism, access and overall visitor experience. For further information, contact the Department of Tourism, Culture, Arts and Recreation at (709) 729-6588.

10 Department of Transportation and Infrastructure

- 10.1 Proponent is advised to obtain a Permit to Work for construction or upgrades within the 15-meter highway right-of-way of Route 412.
- 10.2 Proponent is advised that modifications to the access require an Access Permit approval through the Government Service Centre.
- 10.3 Proponent is advised to complete a Left Turn Lane Warranty Analysis where existing access does not include auxiliary turning lanes. For further information, contact the Department of Transportation and Infrastructure at (709) 729-5972.

11 Environment and Climate Change Canada

- 11.1 Proponent is advised on the applicability of the **Migratory Birds Convention Act** and the **Species at Risk Act**. Proponent is responsible for ensuring compliance with all applicable federal legislation.
- 11.2 Proponent is advised to implement measures to avoid disturbance, damage, or destruction of migratory birds, their nests, and eggs, including managing project activities to prevent nesting on stockpiles and minimize impacts during the breeding season.
- 11.3 Proponent is advised that species at risk may be present in the project area and shall ensure that no individual is harmed and that residences are not disturbed, in accordance with the **Species at Risk Act**. Any sightings of species at risk should be reported to Environment and Climate Change Canada and the Atlantic Canada Conservation Data Centre.
- 11.4 Environment and Climate Change Canada – Canadian Wildlife Service recommends the Proponent develop and implement the following plans:
 - A Contingency Plan that considers potential accidents, malfunctions, and site-specific conditions.
 - An Oil Spill Prevention Plan.
 - A Wildlife Emergency Response Plan.

- 11.5 Proponent is advised to implement best management practices to minimize environmental impacts, including dust suppression, proper waste and fuel management, avoidance of sensitive areas (e.g., maintaining a minimum 30 m setback from waterbodies for fueling and servicing), and measures to reduce noise and light disturbance to migratory birds.
- 11.6 Proponent is advised to implement monitoring and response measures for migratory birds, including procedures to address stranded birds and to report any significant changes in bird presence or behavior during project operations. For further information, contact Environment and Climate Change Canada at (709) 772-4313.

12 Fisheries and Oceans Canada

- 12.1 Proponent is responsible for understanding the potential impacts of the project on fish and fish habitat, implementing measures to avoid and mitigate those impacts and obtaining authorization from the Minister of the Department of Fisheries and Oceans Canada where avoidance and mitigation are not possible.
- 12.2 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, contact the Fisheries Protection Program at (709) 772-4140

13 Transport Canada

- 13.1 Proponent is advised that any works involving navigable waters may require approval under the **Canadian Navigable Waters Act**. For more information, please contact Transport Canada - Navigation Protection Program, at (506) 851-3113.