

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2426 – White River Hay Production (the Project)
White River Hay Company Inc. (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 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 the 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 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 that all pesticide use shall comply with the Pesticides Control Regulations. If pesticides are required, a Pesticide Applicator Licence is necessary and shall follow required buffer zones for pesticide application around scheduled salmon rivers. Contracted pest control services shall hold a valid Pesticide Operator Licence.
- 2.5 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 Section 48 permit for any activities proposed within 15 metres of any waterbodies, including wetlands, and 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 Forestry, Agriculture and Lands

- 4.1 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.
- 4.2 Proponent is advised that any activities that occur within the 15-metre shoreline reserve of any water body shall adhere to the regulations in Section 7 of the **Lands Act**.
- 4.3 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 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**.
- 4.4 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.
- 4.5 Proponent is advised that several species are currently being assessed for designation and listing under the provincial **Endangered Species Act (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.
- 4.6 Proponent is advised that Black Ash is listed as a Threatened species under the **NLESA** and is known to occur within the Project area. Project activities should be planned and carried out to avoid any disturbance, injury, direct loss, or damage to Black Ash trees and their residence, ensuring compliance with **NLESA** requirements.
- 4.7 Proponent is advised that the Project area is within core habitat for Newfoundland caribou, a species of conservation concern. Any existing or new development footprint should be minimized, unnecessary habitat disturbance should be avoided, and large vegetated wetland buffers should be maintained wherever possible as they provide important caribou habitat.

- 4.8 Proponent is advised that the proposed area is within core habitat for the Newfoundland marten, which is listed as Vulnerable under the **NLESA**. Habitat disturbance should be minimized, and vegetation clearing or excessive noise should be avoided during the denning, breeding, and brood-rearing period (early April to the end of June) to prevent impacts on denning females and young.
- 4.9 Proponent is advised that Endangered bat species protected under the 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.
- 4.10 Proponent is advised that vegetation clearing shall be avoided near raptor nests during sensitive breeding and nesting periods, including 800 metres of bald eagle or osprey nests (March 15 to July 31), 800 metres of short-eared owl nests (May 15 to August 15), and 200 metres of other raptor nests (March 15 to July 31). Any raptor nest locations identified during Project activities should be reported to the Wildlife Division at WildlifeReferrals@gov.nl.ca. For further information, please contact the Department of Forestry, Agriculture and Lands at 709-637-2950.

5 Department of Government Services - Government Service Centre

- 5.1 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. For further information, please contact Government Services – Government Service Centre at (709) 637- 2446.

6 Department of Government Services – Occupational Health and Safety

- 6.1 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 the Occupational Health and Safety Division at (709) 637-2446.

7 Department of Municipal and Community Affairs

- 7.1 The Proponent is advised to consult with the Town of Cormack and obtain all required development approvals, including a development permit, prior to commencing construction, in accordance with **the Urban and Rural Planning Act, 2000**. For further information, please contact Municipal and Community Affairs at (709) 729-3090.

8 Environment and Climate Change Canada

- 8.1 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.

8.2 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.

9 Fisheries and Oceans Canada

9.1 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.