

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2429 - Crémaillère Harbour Marine Port Development Resubmission (the Project)
Great Northern Port 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 to consider provincial climate change projections for St. Anthony during Project planning.
- 1.2 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 activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 2.2 Proponent is advised all waste material generated during construction and operation is to be placed in suitable refuse containers and removed to an approved waste disposal site, with the approval of the site owner/operator.
- 2.3 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.4 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 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 under 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 shall comply with the Used Oil and Used Glycol Control Regulations.
- 2.7 Proponent is advised that spill response equipment should be readily available on site and stored in an accessible location. 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 maintain a 15-metre environmental buffer around all streams, waterbodies, and wetlands during construction, development and operation of the Project.
- 3.2 Proponent is advised to obtain a permit under Section 48 of the **Water Resources Act** for any development activities proposed within a stream, waterbody, and wetland or within the 15-metre environmental buffer surrounding these features.
- 3.3 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.
- 3.4 Proponent is advised any effluent or runoff leaving the Project site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 3.5 Proponent is advised to obtain a permit under Section 58 of the **Water Resources Act** for constructing a non-domestic well along with following necessary groundwater monitoring requirements prior to the start of construction.
- 3.6 Proponent is advised to obtain a permit under Section 39 of the **Water Resources Act** for any proposed development adjacent to or within a Protected Public Water Supply Area. 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 used shall be sourced from an approved site with a valid quarry Permit or Lease, a byproduct of an approved development or from within the legal boundary of the project site in compliance with applicable regulations. For further information, please contact the Department of Energy and Mines at (709) 729-1582.

5 Department of Fisheries and Aquaculture

- 5.1 Proponent is advised to mitigate any negative impacts on the marine environment and local fisheries the inclusion of consultation with local fish harvesters, specifically those in the Northwest Atlantic Fishing Organization Division 3K.

- 5.2 Proponent is advised to implement measures to prevent the introduction and spread of Aquatic Invasive Species into and out of the Project area, including adherence to applicable guidelines and best management practices related to vessel traffic, equipment and gear movement, biofouling management, and the cleaning, draining, and drying of equipment. For further information, please contact the Department of Fisheries and Aquaculture at (709) 729-1514.

6 Department of Forestry, Agriculture and Lands

- 6.1 Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act**, the **Migratory Birds Convention Act** and associated regulations, to avoid or minimize adverse impacts.
- 6.2 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 should be aware that is species that are designated and listed under endangered species legislation are found within the project area, the **NLESA** and/or the federal **SARA** shall apply and the Proponent may be required to develop mitigations, in consultation with the Wildlife Division, for the protection and recovery of the species.
- 6.3 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. Royalties on wood harvested may be required as per the Timber Royalties Regulations under the **Forestry Act**. 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.
- 6.4 Proponent is advised to operate under the established legislation and regulations of the **Lands Act**, including Section 7 for any activities within the 15-metre Shoreline Reserve. It is the Proponent's responsibility to identify Crown lands required for their undertaking.
- 6.5 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.
- 6.6 Proponent is advised to avoid disturbance within five metres of geodetic control monuments. The GIS and Mapping Division 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, please contact Department of Forestry, Agriculture and Lands at (709) 637-2950.

7 Department of Government Services - Government Service Centre

- 7.1 Proponent is advised that plans and specifications for buildings, electrical systems, fuel storage, and wastewater systems shall be submitted to the Government Services Centre for review and approval.

- 7.2 Proponent is advised to develop a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.
- 7.3 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 the Government Services Centre at (709) 729-2008.

8 Department of Government Services - Occupational Health and Safety

- 8.1 Proponent is advised to ensure 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.

9 Department of Municipal and Community Affairs

- 9.1 The Project is subject to the Town of St. Anthony Municipal Plan and Development Regulations. Proponent is advised to make application to and obtain approval and permits from The Town of St. Anthony prior to the commencement of development.
- 9.2 The Proponent is advised that no industrial development occurs within the Water Supply Zone for Goose Cove East. For further information, contact the Department of Municipal and Community Affairs at (709) 729-3090.

10 Department of Tourism, Culture, Arts and Recreation - Archaeology

- 10.1 The Proponent shall comply with the requirements of the **Historic Resources Act** and maintain development buffers around areas of archaeological potential identified by the Provincial Archaeology Office. Where Project activities are proposed within an identified buffer, additional assessment by a qualified archaeologist shall be completed in accordance with the requirements of the Provincial Archaeology Office prior to commencing the activity. For further information, contact the Provincial Archaeology Office at (709) 729-2462.

11 Department of Tourism, Culture, Arts and Recreation - Tourism

- 11.1 Proponent is advised to consult with the Great Northern Trail Association (admin@gnta.ca) regarding potential effects of the Project on trail users in the area and implement reasonable measures to address any concerns identified through that consultation. For further information, contact the Tourism Product Development Division at (709) 729-0559.

12 Department of Transportation and Infrastructure

- 12.1 Proponent is advised to adhere to the **Works, Services and Transportation Act** for all phases of the Project.
- 12.2 Proponent is advised that no development shall occur within the Department's right of way which is 20 metres from centerline of Route 430 on both sides.

- 12.3 Proponent is advised an Access Permit shall be requested through a Government Service Center for access to a Department owned roadway.
- 12.4 Proponent is advised to review the Department's Access Policy to determine conformance with the policy requirements for access. Any access development or alteration without the Departments consent will be removed by the Department.
- 12.5 Proponent is advised a Traffic Impact Study shall be completed and submitted to the Traffic Engineer with the Transportation Branch of the Department for review and approval. For further information, please contact the Department of Transportation and Infrastructure at (709) 729-5972.

13 Environment and Climate Change Canada

- 13.1 Proponent is advised to comply with and provided regulatory advice on the **Fisheries Act, Migratory Birds Conventions Act, Species at Risk Act** and the **Canadian Environmental Protection Act**.
- 13.2 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected in accordance with the **Migratory Birds Convention Act**.
- 13.3 Proponent is advised to report any species at risk sightings to ECCC-Canadian Wildlife Service and the Atlantic Canada Conservation Data Centre.
- 13.4 ECCC-Canadian Wildlife Service recommends the proponent 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 Management Plan that includes appropriate preventative measures to minimize the risk to migratory birds.
- 13.5 Proponent is advised to maintain a 30-metre buffer from the high-water mark of any water body or wetland (1:100 Flood Zone) to maintain movement corridors for migratory birds. For further information, please contact the Department of Environment and Climate Change Canada at (709) 772-4313 or (709)853-1304.

14 Fisheries and Oceans Canada

- 14.1 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.
- 14.2 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 <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For

further information, please contact the Fisheries Protection Program at (709) 772-4140.

15 Transport Canada

- 15.1 Proponent is advised that authorization(s) under the **Canadian Navigable Waters Act** may be required for various components of the Project.
- 15.2 Proponent is advised an Aeronautical Assessment Form for Obstruction Marking and Lighting may need to be submitted to Transport Canada's Civil Aviation Group for certain structures depending on height. For further information, please contact Transport Canada at (506) 851-3113.