

Attachment B
Regulatory Advice from Government Screening Departments/Divisions

EA #: 2313 Terra Nova J-1 Quarry (the Project)

1 Climate Change Branch (CCB), Dept. of Environment and Climate Change (ECC)

- 1.1 Proponent is advised to consider provincial climate change projections for Gander (the nearest regional site) in 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 CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 A pesticide Applicator License is required for the application of a pesticide, and a contractor hired to perform that service must have a valid Pesticide Operator License. For more information, please contact the Pesticides Control Section at (709) 729-6054.
- 2.2 Proponent is advised to develop a contingency plan specific to the Project and to have 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.
- 2.3 Registration is required for fuel storage tank systems other than those connected to a heating appliance of a capacity of 2,500 litres or less and may be required for devices or tanks used to separate and remove oily wastes from oil and water mixtures. For further information, please contact the PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 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 source for any purpose.
- 3.2 Any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the WRMD at (709) 729-2563.

4 Government Service Centre (GSC), Dept. of Digital Government and Service NL (DGSNL)

- 4.1 Existing vegetation screen between the operation and Terra Nova Road is to be maintained such that the site does not become visible to the travelling public. For further information, please contact the GSC at (709) 729-0248.

5 Occupational Health and Safety (OHS), DGSNL

- 5.1 Activities associated with the development must be conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. For further information, please contact OHS at 1 (800) 563-5471.

6 Dept. of Fisheries, Forestry and Agriculture (FFA)

- 6.1 A cutting permit is required under the prior to any harvesting or timber removal in the area, an operating permit is required prior to the start of any work during the forest fire season and a permit to burn is required under the Forest Fire Regulations to ignite a fire on or within 300 metres of forest land during forest fire season.
- 6.2 Proponent is advised that the Project falls within Newfoundland Marten core habitat, a species protected under the Newfoundland and Labrador **Endangered Species Act** and federal **Species at Risk Act**. FFA recommends that vegetation clearing or operations producing excessive noise be undertaken outside of the denning, breeding, and brood rearing period from early-April to end of June as disturbance could result in negative impacts on survival or condition of young or denning females. All precautions must be taken to avoid destruction of Marten dens and habitat.
- 6.3 FFA recommends that a 50-metre naturally vegetated buffer be maintained from the Upper Terra Nova River to protect sensitive riparian and aquatic species from upland activities.
- 6.4 Proponent is advised that the Project lies within a domestic cutting area and forestry activities within this area cannot be restricted in any way.
- 6.5 A Crown land application for a licence to occupy to construct a road may be required for the proposed access road. For further information, please contact FFA at (709) 637-2950.

7 Dept. of Industry, Energy and Technology

- 7.1 Proponent is advised that a quarry permit or quarry lease under the **Quarry Materials Act** will be required for the Project.
- 7.2 Proponent is advised that new quarry boundaries must be separated from existing quarry permit or lease boundaries by at least 15 metres.
- 7.3 Proponent is advised that that they will be required to alter their proposed boundary during the quarry lease application process to better facilitate the efficient use of land and responsible management of resources.
- 7.4 Proponent is advised that quarry operators do not possess the lawful authority to authorize third-party thoroughfare through the area covered by their quarry permit or quarry lease, and any required access roads will need to be reserved out of a quarry permit or lease with a minimum reserve width of 20 metres.

- 7.5 Proponent is advised that features that occupy area for functional use including setbacks, buffers, tree screens, and berms must have a minimum width of 15 metres.
- 7.6 IET recommends that the proponent consult Newfoundland Power for impacts on existing or planned infrastructure as the project is in a Newfoundland Power distribution area. For further information, please contact IET at (709) 729-1386.

8 Dept. of Municipal and Provincial Affairs (MAPA)

- 8.1 Proponent is advised that the Project is within the Municipal Planning Area of the Town of Terra Nova and is therefore subject to the requirements of the Town's Municipal Plan and Development Regulations.
- 8.2 Proponent is advised that approval from the Town of Terra Nova will be required for Project development within the rural zone, but in order to develop within the mixed-use zone, an amendment to rezone the Town's Municipal Plan and Development Regulations will be required. For further information, please contact MAPA at (709) 729-3090.

9 Dept. of Tourism, Culture, Arts and Recreation (TCAR)

- 9.1 TCAR recommends that developments which would impact scenic settings near touring corridors and attractions such as Terra Nova National Park be managed to minimize the negative visual impact and other impacts including dust and noise that arise from the development of quarries to maintain a balance between tourism interests and quarry development.

10 Dept. of Transportation and Infrastructure (TI)

- 10.1 There shall be no encroachment on property or highways owned by TI without express written consent from the Deputy Minister, and the Proponent shall be fully responsible to identify property and highways owned by TI. For further information, please contact TI at (709) 729-7713.

11 Environment and Climate Change Canada (ECCC)

- 11.1 ECCC recommends that you develop the following plans:
 - A management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds.
 - A plan to identify potential adverse effects on all species listed under the **Species at Risk Act** (Canada) in the Project area and ensure that measures are taken to avoid these effects and efforts are monitored.
 - Measures to minimize potential Project impacts on riparian environments, waterbodies and wetlands.
 - Measures to ensure that no invasive species are introduced during the Project.
 - An oil spill prevention and response plan.

- A water quality monitoring program that allows for timely detection of water quality changes and identifies action thresholds for implementation of adaptive management measures.
- A contingency plan that considers potential accidents and malfunctions that take into account site-specific conditions and sensitivities.

11.2 ECCC further advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. ECCC requests that species-at-risk sightings be reported to the Canadian Wildlife Service (CWS) at <http://accdc.com/en/contribute.html>. For further information, please contact the ECCC-CWS at (709) 772-4313.

12 Fisheries and Oceans Canada (DFO)

12.1 Proponent is advised that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. Proponent should refer to the Projects Near Water website to get information about how to comply with the **Fisheries Act** and 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.