

Attachment B
Regulatory Advice from Government Screening Departments/Divisions

EA #: 2320 Torbaymans Pond Concrete Batch Plant (the Project)

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

- 1.1 Proponent is advised that all heavy-duty equipment is to be operated 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 Proponent is advised 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. For further information please contact the PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised that if settling ponds meet the definition of a CDA Dam or Very Small Dam, then a permit under Section 48 of the **Water Resources Act** will be required prior to construction.
- 3.2 Proponent is advised that if a well is required for water supply, then a Permit for Constructing a Non-Domestic Well under Section 58 of the **Water Resources Act** will be required prior to construction. For further information, contact the WRMD at (709) 729-2563.

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

- 4.1 Proponent is advised that all fuel storage tank systems other than those connected to a heating appliance of a capacity of 2,500 litres or less will require registration prior to installation.
- 4.2 Proponent is advised that the extent of land clearing and grubbing should be restricted such that naturally vegetated buffers between the site and surrounding properties and thoroughfares are maintained, and a 30-metre undisturbed vegetated buffer is maintained between the site and any surrounding watercourse or waterbody. Any existing tree screen concealing the operation from the public view is to be maintained, and a tree screen of 30 metres is to be maintained between the highway right-of-way and Project site.
- 4.3 Proponent is advised that any proposed fuel cache will require approval of DGSNL prior to installation.

- 4.4 Proponent is advised to submit plans and receive approval for any proposed water and sewage systems. For further information, contact the DGSNL at (709) 729-0248.

5 Occupational Health and Safety (OHS), DGSNL

- 5.1 Proponent is advised to ensure that activities are 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 the legislation. For further information, contact OHS at (709) 729-3275.

6 Department of Fisheries, Forestry and Agriculture (FFA)

- 6.1 Proponent is advised that if new road construction is planned on Crown Land the proponent must apply for and obtain a license to occupy prior to commencement of construction. For further information, contact (709) 637-2950.

7 Department of Industry, Energy, and Technology (IET)

- 7.1 Proponent is advised that IET is currently in receipt of an amendment for the quarry lease issued for this Project (file 7116043). The amendment is being reviewed to determine if it meets section 6(1)(b) of the **Mining Act**. For further information, contact (709) 729-1386.

8 Department of Municipal and Provincial Affairs (MAPA)

- 8.1 MAPA advises that the subject area is zoned 'Mineral Working' under the City of St. John's Development Regulations. The Proponent must apply with the City of St. John's for a development permit. For further information, contact (709) 729-3090.

9 Environment and Climate Change Canada (ECCC)

- 9.1 ECCC recommends that the Proponent develop the following plans:
- 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.
 - An invasive species prevention plan.
- 9.2 ECCC advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and Mid-August in this region. ECCC 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 (709) 772-4313.

10 Fisheries and Oceans Canada (DFO)

- 10.1 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 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.