

Attachment B
Regulatory Advice from Government Screening Departments/Divisions

EA #: 2331 Trinity Bay Ferrish Cove ATV Trail (the Project)

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

- 1.1 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 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 Proponent is advised that waste material should be disposed of at an approved waste disposal facility.
- 2.4 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 PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent must apply for and obtain a permit under section 48 of the **Water Resources Act** prior to construction.
- 3.2 Proponent must apply for and obtain a water- use license under the **Water Resources Act** for the use of water from any water source for any purpose prior to construction.
- 3.3 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 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 waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of the site owner/operator.
- 4.2 Proponent is advised that brush should be chopped/shredded and may be burnt on-site with approval from Forestry Service Branch or transported to approved waste management site. For further information, please contact GSC - DGSNL at (709) 729-0248.

5 **Occupational Health and Safety (OHS), DGSNL**

- 5.1 Proponent is advised 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 (709) 729-3275.

6 **Department of Fisheries, Forestry and Agriculture (FFA)**

- 6.1 The Proponent is advised to operate under established legislation and regulations, such as the **Wildlife Act**, Wildlife Regulations, **Migratory Birds Convention Act**, and Migratory Birds Regulations, to avoid or minimize adverse impacts.
- 6.2 The Proponent is advised crown title must be issued prior to any development and all terms and conditions set forth in any issued titles must be followed.
- 6.3 The Proponent must adhere to section 3 of the Cutting of Timber Regulations under the **Forestry Act**. A cutting permit is required prior to any harvesting or timber removal in the area. An operating permit under section 13 of the Forest Fire Regulations is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office. During the forest fire season, a permit to burn is required under section 3 of the Forest Fire Regulations to ignite a fire on or within 300 meters of forest land.
- 6.4 The Proponent should make all reasonable efforts to ensure that harmful Aquatic Invasive Species (AIS) are neither introduced nor spread to other areas within the region.
- 6.5 The Proponent is advised as the trail is located in a domestic cutting block, FFA domestic permit holders will retain the right to harvest timber.
- 6.6 The 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 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 FFA-Wildlife Division, for the protection and recovery of the species. For further information, please contact FFA at (709) 637-2950.

7 Industry, Energy, and Technology (IET)

- 7.1 The Proponent is advised that quarry materials must be obtained from approved sources.
- 7.2 The Proponent is advised that the proposed trail passes near areas covered by mineral licences (areas of staked claims) or having been covered by mineral licences in the past and containing mineral occurrences of potential economic significance. Accordingly, mineral exploration is a land use that should be expected in the general area in the future. For further information please contact the Mines Branch of IET at (709) 729- 5748.

8 Environment and Climate Change Canada (ECCC)

- 8.1 Proponent is advised to avoid clearing of vegetation during the regional nesting period for migratory birds between mid-April and mid-August.
- 8.2 ECCC recommends the Proponent to develop the following plans:
 - A management plan that includes appropriate preventive measures to minimize the risk of impact on migratory birds and processes to follow should an active nest be found.
 - A contingency plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities. The plan should also incorporate a Wildlife Emergency Response Plan.
- 8.3 ECCC further advises to develop and implement measures to diminish the risk of introducing invasive species.

9 Transport Canada (TC)

- 9.1 Proponent is advised to consider if the Project is identified as a Canadian Navigable Waters Act (CNWA) Major or Minor Works to determine whether CNWA approval is required. If a specific watercourse crossing meets all the criteria in that section, they are considered Minor Works and do not require a Canadian Navigable Waters Act approval and would only be required to follow the Deposit and Publication requirements in sections 3(2), 3(3) and 4 of the Minor Works Order. The “Major Works Order” website is located at <https://lawslois.justice.gc.ca/eng/regulations/SOR-2019-320/index.html>. The “Minor Works Order” website is located at <https://laws.justice.gc.ca/eng/regulations/SOR-2021-170/index.html>. For further information, please contact the Navigational Protection Program at (506) 851-3113.

10 Fisheries and Oceans Canada (DFO)

- 10.1 The modernized **Fisheries Act** include 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 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.