

**Attachment B**  
**Regulatory and Technical Advice from Government Departments/Divisions**

**EA #: 2334 Blaketown ATV Trail (the Project)**  
**Shamus Kealey (the Proponent)**

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

- 1.1 Clearing of trees and brush can 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.
- 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 of less and may be required for devices or tanks used to separate and remove oily wastes from oil and water mixtures.
- 2.5 Proponent is advised to refer to the Treated Wood Waste Guidance Document at <https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf>. For further information, please contact the 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 for any work in or within fifteen (15) metres of a body of water (including wetlands).
- 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 a portion of the proposed ATV trail is adjacent to the Broad Cove Pond Protected Public Water Supply Area (PPWSA). Construction of the trail must not encroach on the PPWSA.
- 3.4 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 any spill or leak of gasoline or associate product is to be reported immediately to Digital Government and Service NL by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. For further information, please contact the GSC - DGSNL at (709) 729-0248.

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

- 5.1 Proponent must ensure all activities are conducted with compliance with the **Occupational Health and Safety Act** and Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per **OHS Act** section 10. For further information, please contact OHS at 1 (800) 563-5471.

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

- 6.1 Proponent is advised that Project location is within the Markland Agriculture Development Area and agriculture activities are expected in the future. The undertaking should not interfere with agriculture activities.
- 6.2 Proponent is advised to operate under the **Wild Life Act** and its regulations to prevent harassment of wildlife and minimize impacts in habitats.
- 6.3 Proponent is advised if species that are designated and listed under endangered species legislation are found within the project area, the **Endangered Species Act** and/or the federal **Species at Risk Act** 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.
- 6.4 Proponent is advised to 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.
- 6.5 Proponent is advised 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.
- 6.6 Proponent is advised 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.
- 6.7 The project area is under an active Crown land application which partially encroaches on Crooked Pond Crown Land Reserve Order 225-10-E where restrictions may apply. Crown License to Occupy must be issued for this undertaking prior to any development and the proponent must follow all terms and conditions set forth in any issued Licenses. For further information, please contact FFA at (709) 637- 2950.

## 7 Industry, Energy and Technology (IET)

- 7.1 Proponent is advised that quarry materials must be obtained from approved sources. For further information concerning this response, 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 Proponent should ensure that no litter (including food waste) is left in coastal areas by their staff and/or contractors.
- 8.3 Proponent must ensure that all precautions are taken to prevent fuel leaks.
- 8.4 Proponent should consider measures to deter birds nesting in stockpiles during the breeding season.
- 8.5 ECCC recommends the Proponent to develop 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.
- 8.6 All spills or leaks, such as those from machinery or storage tanks, should be promptly contained and cleaned up (sorbents and booms should be available for quick containment and recovery).
- 8.7 ECCC further advises to develop and implement measures to diminish the risk of introducing invasive species.

## 9 Fisheries and Oceans Canada (DFO)

- 9.1 Proponent is advised to 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.

## 10 Transport Canada (TC)

- 10.1 The Project may require approval under the **Canadian Navigable Waters Act (CNWA)**. Proponent can assess the individual watercourse crossings against the criteria in the Minor Works Order at the website <https://laws.justice.gc.ca/eng/regulations/SOR-2021-170/index.html>.