

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

**EA #:** 2339 Burnt Berry Agricultural Development (the Project)  
Michael Warren (the Proponent)

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**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 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 Proponent is advised any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 3.2 Proponent is advised to apply for and obtain a Water Use License under the **Water Resources Act** prior to the start of construction for the use of water from any water source for any purpose.
- 3.3 A permit is required under Section 58 of the **Water Resources Act** for the construction of a Non-Domestic Well. For further information, please contact the WRMD at (709) 729-2563.

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

- 4.1 Proponent is advised to ensure that 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, contact OHS at (709) 729-3275.

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

- 5.1 The Proponent is advised that several species are currently being assessed for designation and listing under the **Newfoundland and Labrador Endangered Species Act** and the federal **Species at Risk Act**. The proponent should be aware that 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.
- 5.2 Proponent is advised to adhere to Section 3 of the Timber Cutting Regulations under the **Forestry Act**. A cutting permit is required prior to any harvesting or timber removal in the area.
- 5.3 The Proponent is advised an operating permit is required under Section 13 of the Forest Fire Regulations prior to the start of any work during the forest fire season and a Permit to Burn is required under Section 3 of the Forest Fire Regulations to ignite a fire on or within 300 metres of forested land during the forest fire season. For further information, please contact FFA at (709) 637-2950.

## **6 Department of Industry, Energy and Technology (IET)**

- 6.1 Proponent is advised the Project area overlaps with an area of recognized aggregate resource potential and quarrying may be a land use in the general Project vicinity in the future.
- 6.2 The Proponent is advised that quarry materials must be obtained from approved sources. For further information, please contact the Mines Branch of IET at (709) 729-5748.

## **7 Department of Transportation and Infrastructure (TI)**

- 7.1 Proponent is advised there shall be no encroachment on the property or highways owned by TI without express written consent from the Deputy Minister. For further information, please contact TI at (709) 729- 7713.

## **8 Department of Municipal and Provincial Affairs (MAPA)**

- 8.1 Proponent must obtain approval and permits for the undertaking from the municipal authority (Town of Springdale) under the Town's Municipal Plan and Development Regulations for any development as defined by Section 2(g) of the **Urban and Rural Planning Act, 2000**, prior to development commencing. For further information, please contact MAPA at (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 takes into account site-specific conditions and sensitivities.
- A Wildlife Emergency Response 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 New 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.