

MAY 07 2021

COR/2021/01033

Reg. # 2123

Mr. Patrick Laracy
Red Moon Resources Inc.
333 Duckworth Street
St. John's, NL A1C 1G9
Email: laracy@vulcanminerals.ca

Dear Mr. Laracy:

Re: Flat Bay Gypsum Tailings Processing

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador Environmental Protection Act, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- A Water Resources Management Plan must be submitted to the Water Resources Management Division of my Department for approval, prior to project commencement. The Water Resources Management Plan should address the following concerns: if there is any potential of onsite drainage water or dewatering water to discharge into a natural water body, describe what precautionary measures, such as vegetative cover, filter strip, silt curtain, etc., are to be deployed to ensure the effluent or runoff meets the requirement of the Environmental Control Water and Sewage Regulations, 2003. The location of ditching and discharge points must be described. For further information, please contact the Water Resources Management Division at (709) 729-1646, or email leahburry@gov.nl.ca.

- A Dust Management Plan shall be submitted for my approval prior to project commencement. For further information please contact the Pollution Prevention Division at (709) 643-6114 or email duffyt@gov.nl.ca.
- A Transportation Management Plan shall be submitted for my approval prior to project commencement. The Transportation Management Plan shall address concerns regarding potential impacts to the Town of St. Georges and its residents with respect to public safety, noise, dust and road conditions resulting from the transport of gypsum through a section of the town to access the Turf Point shipping facility, and should be prepared in collaboration with the Town of St. George's.
- You are required to update me on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to EAProjectComments@gov.nl.ca.
- You are required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:

The Pollution Prevention Division (PPD) of my Department reminds you that all water discharged from the proposed site during construction and operation is subject to compliance with the *Environmental Control Water and Sewage Regulations, 2003*, under the *Water Resources Act*. Analyses completed for the purposes of compliance determination are subject to the Accredited Laboratory Policy, PD: PP2001-01.2. For further information, please contact the Pollution Prevention Division at (709) 729-1810.

The Water Resources Management Division of my Department advises that permits are required, prior to the start of construction, for alteration of a body of water, work in any body of water or wetland, work in shore water zones, and any infilling work within 15 metres of a body of water. You are also required to apply for and obtain a water use license for the use of any water source for any purpose. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Local Governance and Land Use Planning Division of the Department of Municipal and Provincial Affairs reminds you that the subject site is adjacent to the Town of St. George's municipal planning area. If any work extends within the St. George's municipal planning area, a permit from the Town is required. For further information, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the project 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. The Occupational Health and Safety Division reminds you to consider procedures related to the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Health for Newfoundland and Labrador (e.g. physical distancing, handwashing).

The Department of Industry, Energy and Technology advises that you must comply with the *Mining Act*, which requires you to submit a development, rehabilitation and closure plan and provide financial assurance to that Department. Guidelines for the development, rehabilitation and closure plan are available from the Mineral Development Division by contacting the Engineering Analysis Section at (709) 729-2358. As per the *Mineral Act*, you are required to obtain a mining lease to cover the area of the resource to be extracted and a surface lease to cover the area where the infrastructure of the mining operation will be located. Inquiries should be directed to Mineral Rights Section at (709) 729-6437.

Environment and Climate Change Canada (ECCC) advises you to develop and implement a management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds, and operations should consider nesting locations between April 15 and August 15 in this region. ECCC encourages you to prepare a water quality monitoring program, including location and number of sampling sites, sampling protocols, parameters and sampling frequency, that allows for timely detection of water quality changes. The program should identify action thresholds for implementation of appropriate adaptive management measures. ECCC requests that you provide a GIS file of the project boundaries and study area so that the project can be mapped. For further information, please contact the Canadian Wildlife Service at 709-772-4221.

Fisheries and Oceans Canada (DFO) advises that you are required to submit a Request to Review application to the Fish and Fish Habitat Protection Program, to assess and mitigate/avoid potential negative impacts of the project on fish and fish habitat. The DFO review will evaluate the potential risks of the proposed project and will consider possible project redesigns to better ensure the protection of fish habitat. You will be required to provide adequate information on the fish species and fish habitat in the area of the project and will be advised of any and all mitigation measures that should be followed during the course of the project. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Health Canada has provided links to guidance documents that contain information related to the potential effects of projects on air quality, noise, water quality, and country foods and measures that can be undertaken to mitigate the effects.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three-year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or email joannesweeney@gov.nl.ca.

Sincerely,

A blue ink signature, appearing to be "Bernard Davis", written over a horizontal line.

HON. BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Enclosures

- c. Scott Reid, MHA, St. Georges-Humber
Town of St. Georges