

**Attachment B**  
**Regulatory Advice from Government Screening Departments/Agencies**

**EA #: 2307 - Appleton Mineral Exploration Trenching (the Project)**

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

- 1.1 Heavy equipment should 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 A contingency plan specific to the Project should be developed and spill response equipment should be 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.
- 2.2 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.
- 2.3 Used oil and glycol shall be retained in a tank or closed container. If applicable, the tank shall be registered and/or the container shall be approved by the Department of Digital Government Service NL.
- 2.4 If pesticides are required to be used, the Proponent must first obtain a Pesticide Applicator Licence. If pest control services are contracted out, the business must have a valid Pesticide Operator Licence. Please contact the Pesticides Control Section at (709) 729-6054.

**3 Water Resources Management Division (WRMD), ECC**

- 3.1 Additional development to the south of the current proposed Project location may cross into the Gander Lake natural drainage area and would require a permit under Section 39 of the **Water Resources Act**.
- 3.2 Permits are required for any work in or within fifteen (15) meters of a body of water (including wetlands), and work adjacent to or within the Gander Lake Protected Public Water Supply Area.
- 3.3 Any effluent or runoff leaving the site is required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 3.4 The proposed settling pond doesn't appear to meet the definition of a dam. If the Project is amended and the settling pond does meet the definition of a dam, it would require a permit under Section 48 of the **Water Resources Act**.

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

- 4.1 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.
- 4.2 Derelict vehicles, scrapped equipment and other debris is not to be stored on site. This material must be disposed at an approved waste management site or scrap yard on a regular basis, with the prior approval of the site owner/operator.
- 4.3 The site is to be kept neat and tidy at all times.
- 4.4 Brush should be chopped/shredded and may be burnt on-site with the approval of the Forestry Services Branch or may be transported to an approved waste management site with the approval of the site owner/operator.
- 4.5 All fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject to the Storage and Handling of Gasoline and Associated Products Regulations and will require registration prior to installation.
- 4.6 All fuel storage tank systems connected to a heating appliance of a capacity of 2,500 litres or less must comply with the Heating Oil Storage Tank System Regulations.
- 4.7 Any proposed fuel cache will require approval by DGSNL prior to installation.
- 4.8 The storage, handling, and disposal of used and or waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations.
- 4.9 Any spill or leak of gasoline or associate product is to be reported immediately to DGSNL by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.
- 4.10 The installation of a subsurface sewage disposal system requires approval from the Government Service Centre.

##### *Public Health Act and Water Resources Act:*

- 4.11 Should development require the installation of a subsurface sewage disposal system, the applicant must submit and receive approval for plans and specifications. The plans must conform with the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards, 2006 and be prepared by an approved designer.

##### *Buildings Accessibility Act:*

- 4.12 Should development require the construction or renovation of on-site service buildings, application must be made for Fire/Life Safety (request for approval of plans) and Building Accessibility (application for building accessibility registration) review/approvals.

*Urban and Rural Planning Act:*

- 4.13 A Development Permit is required from the GSC, in accordance with the Protected Road Zoning Regulations, for any construction/development within the building control lines of a Protected Road.
- 4.14 A Development Permit is required from the GSC in accordance with the Gander River Protected Area Regulations for any construction/development within the Gander River Protected Area.
- 4.15 Any proposed access onto a provincial road must be approved by the Department of Transportation and Infrastructure.
- 4.16 The extent of land clearing and grubbing should be restricted such that naturally vegetated areas between the site and surrounding properties and thoroughfares are maintained.
- 4.17 Any existing tree screen concealing the operation from public view is to be maintained.

*Public Safety Act:*

- 4.18 All propane system installations exceeding 211,000 kilojoules (200,000 BTU) are subject to the Boiler, Pressure Vessel and Compressed Gas Regulations under the **Public Safety Act** and require approval prior to installation. For further information, please contact the GSC at (709) 256-1420.

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

- 5.1 The Occupational Health and Safety Division of DGSNL advises that the 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.

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

- 6.1 The applicant is advised to operate under established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.
- 6.2 The **Migratory Birds Convention Act**, 1994, Migratory Bird Regulations, **Wild Life Act** and Wild Life Regulations protect birds and prohibit the disturbance or destruction (including incidental ones) of bird nests and eggs in Newfoundland & Labrador.
- 6.3 If new road construction, or ATV trail use to cross wetlands is required to access the site, an application for Crown land is required to be submitted and approved before road/trail construction is to begin.
- 6.4 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.

- 6.5 There are a number of issued Crown titles and active applications for Crown land within this area. If work is to take place within these issued title sites, permission from the landowner is required.
- 6.6 There may be private land located within this area which may not be on record with the Crown Lands Office. If work is planned on private land sites, permission is required from the landowners.

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

- 7.1 The Proponent requires exploration approvals under the **Mineral Act** to carry out the work proposed and shall adhere to the terms and conditions of the respective exploration approvals and the Environmental Guidelines for Mineral and Quarry Materials Exploration.
- 7.2 The proposed Project is located in the service area of Newfoundland Power and it is recommended that the Proponent advise Newfoundland Power of the Project.

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

- 8.1 The site for the proposed mineral exploration spans across an area located within the Appleton municipal planning area and an area outside planning jurisdiction. Within Appleton, the Project site is zoned resource and industrial park. Mineral exploration is a permitted use within the resource zone and a discretionary use within the industrial park. As a discretionary use, Council must advertise and review all submissions prior to making a decision.

## **9 Provincial Archeology Office (PAO), Department of Tourism, Culture, Arts and Recreation (TCAR)**

- 9.1 The Proponent is responsible for adhering to the **Historic Resources Act** and the Archeological Permit Guidelines.

## **10 Environment and Climate Change Canada (ECCC)**

10.1 ECCC recommends that the Proponent develop the following plans:

- A Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds.
- An Oil Spill Prevention and Response Plan.
- A Contingency Plan that considers potential accidents and malfunctions that consider site-specific conditions and sensitivities.
- A Plan to Prevent the Introduction and Spread of Invasive Species, including Aquatic Invasive Species.

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 (SAR) sightings be reported to the Canadian Wildlife Service (CWS) at [ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca](mailto:ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca). SAR observations should also be submitted to the Atlantic Canada Conservation Data Centre; directions on how to contribute data can be found at: <http://accdc.com/en/contribute.html>.

## 11 Fisheries and Oceans Canada

- 11.1 The modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. The 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.