

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2342 Garia River Crossing (the Project)
Cape Ray Mining Limited / AuMEGA Metals Ltd. (the Proponent)

1 Pollution Prevention Division (PPD), Department of Environment and Climate Change (ECC)

- 1.1 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility. For further information, please contact the PPD at (709) 729-5782.

2 Water Resources Management Division (WRMD), ECC

- 2.1 Proponent must apply for and obtain a permit under section 48 of the **Water Resources Act**, prior to commencement of Project, for any work in or within 15 metres of a body of water (including wetlands).
- 2.2 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.

3 Government Service Centre (GSC), Department of Digital Government and Service NL (DGSNL)

- 3.1 Proponent is advised any proposed fuel cache will require approval by DGSNL prior to installation.
- 3.2 The Proponent should consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.
- 3.3 Proponent is advised any spill or leak of gasoline or associated product is to be reported by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact the GSC at (709) 729-0248.

4 Occupational Health and Safety (OHS), DGSNL

- 4.1 Proponent must ensure all 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 this legislation. For further information, please contact OHS at 1 (709) 729-7454.

5 Department of Fisheries, Forestry and Agriculture (FFA)

- 5.1 Proponent is advised to operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.

- 5.2 Proponent is advised that several species are currently being assessed for designation and listing under the Newfoundland and Labrador **Endangered Species Act (ESA)** 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 **ESA** 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.
- 5.3 Caribou on the Island are of conservation concern and the proposed undertaking is located within identified core range/habitat for caribou. Any new footprint (e.g. trails, drill patches) within this sensitive caribou area must be kept to a minimum.
- 5.4 The Project must not interfere with forestry operations within the Project vicinity.
- 5.5 A Cutting Permit is required prior to any harvesting or timber removal in the area, as per section 3 of the Cutting of Timber Regulations under the **Forestry Act**.
- 5.6 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 forest land during the forest fire season.
- 5.7 The Crown Lands Division of FFA advises the Proponent to notify land title holders of their activities and associated activities.
- 5.8 Mitigations for water crossings must be in accordance with the following:
- **NL Off-Road Vehicles Act** and associated Regulations (www.assembly.nl.ca/legislation/sr/statutes/o05-1.htm),
 - GNL's Guidelines for Water Course Crossings (www.gov.nl.ca/ecc/files/waterres-regulations-appforms-guide-applyingalterbodywater.pdf), and
 - Best Management Practices for the Protection of Freshwater Fish Habitat in Newfoundland and Labrador (<https://waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/41030217.pdf>).
- 5.9 Proponent is advised that trail building without remediation often leads to uncontrolled off-shoot trail development into remote wildlife regions, wildlife habitat fragmentation, destruction of sensitive wildlife habitats such as barrens/lichen covered grounds and wetlands, and crossings of fish-bearing watercourses. Any long-term indirect effects on caribou and fish habitat must be mitigated by avoiding any unnecessary disturbances to important habitats, maintaining large, vegetated wetland buffers, and restoring riverbeds and banks. For further information, please contact FFA at (709) 637-2950.

6 Department of Industry, Energy and Technology (IET)

- 6.1 Proponent is advised that travel over exposed ground or ground not frozen below the ground surface shall adhere to the terms and conditions of exploration approvals issued under the **Mineral Act** and the Environmental Guidelines for

Minerals and Quarry Materials Exploration. The guidelines are available at <https://www.gov.nl.ca/iet/mines/exploration/guidelines/>.

- 6.2 Proponent is advised the Project is located in the service area of Newfoundland Power and to contact Newfoundland Power regarding potential interactions of the Project with existing or planned electrical infrastructure. For further information, please contact IET at (709)729-5748.

7 Department of Tourism, Culture, Arts and Recreation

- 7.1 Proponent is advised on the provisions of the **Historic Resources Act** protecting archaeological sites and artifacts, and procedures to be followed in the event an archaeological object is found. Information on archaeology in the province is available at <https://www.gov.nl.ca/tcar/>.
- 7.2 Should any archaeological remains be encountered, activity in the area of the find must cease immediately and contact should be made with the Provincial Archaeologist at (709) 729-2465.

8 Environment and Climate Change Canada (ECCC)

- 8.1 ECCC recommends a 30-metre undisturbed buffer from the high-water mark of any water body (1:100 Flood Zone) in-order to maintain movement corridors for migratory birds.
- 8.2 ECCC recommends the Proponent develop the following plans:
- An Oil Spill Prevention and Response Plan.
 - A Contingency Plan that considers potential accidents and malfunctions that consider site-specific conditions and sensitivities.
 - A Wildlife Emergency Response Plan.
- 8.3 Proponent is advised, with respect to the **Species at Risk Act (SARA)**, that no person shall:
- kill, harm, harass, capture or take an individual;
 - possess, collect, buy, sell or trade an individual, or any part or derivative;
 - damage or destroy residence of one or more individuals.
- 8.4 For species which are not listed under **SARA** but have been assessed and designated by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), it is best practice to consider these species as though they were listed under **SARA**.
- 8.5 The following avian species at risk (as listed on Schedule 1 of the **Species at Risk Act**) may occur within the study area: Bank Swallow (Threatened), Red Crossbill (Threatened), Olive-sided Flycatcher (Special Concern). The following non-avian species at risk (listed on Schedule 1 of the **Species at Risk Act** or assessed as “at risk” by COSEWIC) may occur within the study area: Little Brown Myotis (Endangered) and Northern Myotis (Endangered), American Marten (Newfoundland population, Threatened), and Caribou (Newfoundland

population, Special Concern). ECCC-CWS requests that any species at risk sightings be reported to ECCC-CWS at ec.scfatldonneesei-cwsatlidata.ec@ec.gc.ca. Species at risk observations should 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>.

- 8.6 ECCC advises the Proponent to develop and implement measures to diminish the risk of introducing invasive species. For further information, please contact (709) 772-4313.

9 Fisheries and Oceans Canada (DFO)

- 9.1 DFO advises that it is the duty of the Proponent to notify DFO if they have caused, or are about to cause, the unauthorized death of fish. Such notifications should be directed to the Fish and Fish Habitat Protection Program office located in the area.
- 9.2 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. A Request for Review should be submitted to the “Projects Near Water” website 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.