

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2354 - Musgrave Harbour Ball Ridge Quarry (the Project)
Coady Construction & Excavating Limited (the Proponent)

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

- 1.1 Proponent is advised to consider provincial climate change projections for Gander in Project planning and that clearing of trees and brush can contribute to climate change.
- 1.2 Proponent is advised to operate heavy-duty equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised that all waste material generated on site during construction and operation must be collected in appropriate refuse containers and removed to a waste disposal facility that is approved to accept the specific type and quantity of waste. The Proponent should ensure that all disposal practices comply with applicable environmental regulations and facility-specific acceptance criteria.
- 2.2 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.3 Spill response equipment should be readily available on-site to ensure a quick and effective response to a spill event. Proponent should consider developing a spill event contingency plan specific to the proposed undertaking. Any spill or leak of gasoline or associated product must be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089.
- 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 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 PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent must apply for and obtain a Water Use Licence under the **Water Resources Act** for the use of water from any water source for any purpose.
- 3.2 Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. For further information, please contact WRMD at (709) 729-2563.

4 Department of Fisheries, Forestry and Agriculture (FFA)

- 4.1 Proponent is advised to use the existing road for access.
- 4.2 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.
- 4.3 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.
- 4.4 Proponent 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.
- 4.5 Proponent is advised that the **Migratory Birds Convention Act**, 1994, Migratory Birds 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 the province.
- 4.6 Proponent is advised that several species in the Project area are currently under assessment for designation and listing under the Newfoundland and Labrador **Endangered Species Act** and the federal **Species at Risk Act**. If any designated and listed species are found, relevant legislation will apply, and the Proponent may need to develop mitigation measures in consultation with FFA, Wildlife Division. For further information, please contact FFA at (709) 637- 2950.

5 Occupational Health and Safety (OHS), Government Modernization and Service Delivery (GMSD)

- 5.1 Proponent is advised to ensure all activities comply with the **Occupational Health and Safety Act** and its associated regulations. This includes ensuring that contractors hired to perform work also comply with the legislation. For further information, please contact OHS at 1 (800) 563-5471.

6 Department of Industry, Energy and Technology (IET)

- 6.1 Proponent is advised that a Quarry Permit or Quarry Lease is required under the **Quarry Materials Act**, 1998, prior to commencement of Project. A release from environmental assessment does not guarantee approval. Further, IET may require the Proponent to submit additional information in support of the application.
- 6.2 Proponent is advised to notify Newfoundland Power of the Project. For further information concerning this response, please contact the Mines Branch of IET at (709) 729-5748.

7 Department of Municipal Affairs and Community Engagement (MAC)

- 7.1 Proponent is advised that the northeast portion of the proposed undertaking is within Musgrave Harbour's municipal boundary and may require permits under the **Towns and Local Service District Act**.
- 7.2 Proponent is advised that the parcel is near the building control lines of Route 330, a protected road. If development encroaches on these control lines, an application, approval, and permit will be required from GSC under the Protected Road Zoning Regulations. For further information, please contact MAC at (709) 729-3090.

8 Environment and Climate Change Canada (ECCC)

- 8.1 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected under the **Migratory Birds Convention Act**.
- 8.2 Proponent should use native plant species for revegetation and implement measures to prevent the introduction of invasive species during all project phases.
- 8.3 Proponent is advised to develop the following plans:
 - A Contingency Plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
 - An Oil Spill Prevention and Response Plan.
 - A Wildlife Emergency Response Plan.
- 8.4 Proponent is advised to report any sightings of species at risk (e.g., Bank Swallow, Red Crossbill, Olive-sided Flycatcher, Little Brown Myotis) to the Canadian Wildlife Service. For further information, please contact ECCC at (709) 772-4313 or (709) 853-1304.

9 Fisheries and Oceans Canada (DFO)

- 9.1 Proponent is advised to 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 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.