

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2364 - Port Saunders Northern Minerals Limited Quarry (the Project)
Northern Minerals 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 Daniel's Harbour in Project planning and that clearing of trees and brush can contribute to climate change.
- 1.2 Heavy-duty equipment should be operated to maximize fuel efficiency and reduce greenhouse gas emissions. For further information, contact CCB at (709) 729 1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised that activities associated with the Project are subject to the **Environmental Protection Act**, **Water Resources Act**, and associated regulations.
- 2.2 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. All waste shall be considered for reuse, resale, or recycling prior to disposal.
- 2.3 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.4 Registration is required for fuel storage tank systems other than those connected to a heating appliance of a capacity of 2,500 litres of less and may be required for devices or tanks used to separate and remove oily wastes from oil and water mixtures. Used oil and glycol must be stored and disposed of in accordance with Used Oil and Used Glycol Control Regulations.
- 2.5 Proponent is advised to refer to the Management of Excavate Soils, Concrete Rubble and Dredged Materials Guidance Document.
- 2.6 Proponent is advised a Certificate of Approval under Section 78 of the **Environmental Protection Act** for Project construction and operation is required. For further information, contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised to obtain a Section 48 Permit under the **Water Resources Act** for any work within 15 meters of a waterbody or wetland, including the removal of the wetland and the temporary conversion of the pond within the

quarry boundary into a stormwater retention pond, which must be restored to its original state during the decommissioning and rehabilitation phase.

- 3.2 Proponent is advised a Water Use Licence under the **Water Resources Act** is required for any non-domestic water use prior to the start of construction.
- 3.3 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.
- 3.4 Proponent is advised a Permit for Constructing a Non-Domestic Well is required under Section 58 of the **Water Resources Act**. For further information, contact WRMD at (709) 729-2563.

4 Executive Council, Office of Women and Gender Equality (OWGE)

- 4.1 Proponent is advised to develop a Women's Employment Plan (WEP) to be approved by Minister Responsible for Women and Gender Equality prior to Project commencement. For further information, contact OWGE at (709) 729-5009.

5 Department of Fisheries, Forestry and Agriculture (FFA)

- 5.1 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.
- 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 that activities on Crown lands require a Licence to Occupy. Development on private lands requires landowner permission. Activities within the 15m Shoreline Reserve must comply with Section 7 of the **Lands Act**.
- 5.4 The Proponent is advised that species listed under the **Newfoundland and Labrador Endangered Species Act** (NLESA) have potential to occur in the area. In addition, several species in the area are currently being assessed for designation and listing under the **NLESA** 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 **NLESA** 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.
- 5.5 Bat species listed under the **NLESA** also have the potential to occur in the area. The proponent is encouraged to contact the Wildlife Division for information on approved bat-friendly exclusion techniques.

- 5.6 Proponent is advised to operate under the **Wild Life Act, Migratory Birds Convection Act** and the associated regulations to avoid or minimize adverse impacts.
- 5.7 Proponent is advised to consult with the Northwest Atlantic Fishing Organization (NAFO) Division 4R, to mitigate any negative impacts on the marine environment and local fisheries, including the risk of siltation, marine shipping and vessel strikes with mammals, increased noise and vibration and the introduction of aquatic invasive species. For further information, contact FFA at (709) 637-2950.

6 Government Service Centre (GSC), Department of Government Modernization and Service Delivery (GMSD)

- 6.1 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.
- 6.2 Proponent is advised application must be made to the GSC for Fire/Life Safety review and approval as well as Building Accessibility review and approvals.
- 6.3 Proponent is advised electrical plans shall be submitted to the GSC for review and approval. An Electrical Permit is required for each proposed meter. Should future development require the installation of a subsurface sewage disposal system, the applicant must submit and receive approval for plans and specifications for an approved sewage disposal system. These plans must be in conformance with the Sanitation Regulations and the *Private Sewage Disposal and Water Supply Standards, 2006* and prepared by an approved designer.

7 Occupational Health and Safety (OHS), GMSD

- 7.1 Proponent must ensure compliance with the **Occupational Health and Safety Act** and regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with the legislation.
- 7.2 Blasting activities must comply with Part XIX of the OHS Regulations. For further information, contact OHS at (709) 729-7454.

8 Department of Industry, Energy and Technology

- 8.1 Proponent is advised that the Project is located in the service area of Newfoundland and Labrador Hydro, as such it is recommended that the proponent consult with Newfoundland and Labrador Hydro to ensure there is no conflict with existing or planned infrastructure.
- 8.2 A Quarry Permit or Lease is required under the **Quarry Materials Act**, prior to commencement of Project. Additional information may be requested during the application process. Release from further environmental assessment does not guarantee permit issuance. For further information, contact Mines Branch at (709) 729-5748.

9 Department of Municipal Affairs and Community Engagement (MAC)

9.1 Proponent must obtain appropriate development approval and permits from the Town of Port Saunders in accordance with the Town's Municipal Plan and Development Regulations. For further information, contact MAC at (709) 729-3090.

10 Department of Tourism, Culture, Arts and Recreation (TCAR)

10.1 The Provincial Archaeology Office (PAO) advises that an Historic Resources Impact Assessment is required prior to ground disturbance. For further information, contact PAO at (709) 729-2462.

10.2 The proposed quarry is located in a region of strategic tourism investment that includes major attractions. To protect tourism values, The Tourism Product Development Division (Tourism) advises the Proponent to engage with local stakeholders, plan around peak tourism seasons, assess and mitigate visual, noise, and dust impacts, and align with the sustainability principles outlined in Vision 2026: Newfoundland and Labrador's Tourism Action Plan. For further information, contact Tourism at (709) 729-6588.

11 Environment and Climate Change Canada (ECCC)

11.1 Proponent is advised to implement measures to prevent the release of substances deleterious to fish.

11.2 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**.

11.3 Proponent is advised to avoid blasting within 1 km of Common Loon nests during the nesting season (May-July).

11.4 Proponent is advised to maintain a 30-meter buffer from the high-water mark of any water body (1:100 flood zone) to support movement corridors for migratory birds.

11.5 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 including monitoring of migratory birds during migration periods

11.6 Proponent is advised to report any sightings of species at risk to ECCC-CWS and the Atlantic Canada Conservation Data Centre. For further information, please contact ECCC at (709) 772-4313 or (709) 853-1304.

12 Fisheries and Oceans Canada (DFO)

- 12.1 Proponent shall submit a Request for Review through the 'Projects Near Water' website to receive information on how to comply with the **Fisheries Act** and information on the Project review process when conducting work in or near water. The 'Projects Near Water' website is located at. <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.
- 12.2 Proponent is advised to follow Best Management Practices for the Protection of Freshwater Fish Habitat in NL.
- 12.3 Proponent is advised to implement an Erosion and Sediment Control Plan (ESCP), including marine erosion and sediment control.
- 12.4 Proponent is advised that blasting activities near water must follow DFO's Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters. For further information, contact DFO at (709) 772-4140.

13 Transport Canada (TC)

- 13.1 Proponent is advised to inform TC of the Impact Assessment Agency of Canada (IAAC)'s determination following their review and specifically whether this Project may be considered a designated Project requiring a review under the **Impact Assessment Act**.
- 13.2 Proponent is advised that approval under the **Canadian Navigable Waters Act** is required for marine terminal infrastructure. For further information, contact TC at (506) 851-3113.