November 27, 2018

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act FLR/105/2018

On October 29, 2018, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

"I am requesting information pertaining to the permit limitations of the Mining activity in the Victoria Lake area by a company called Marathon Gold. There is a significant amount of a land disturbance in this area by this company in their mining exploration activities. In looking through all documents I have procured to date - This company is occupying this Crown Land - under a Crown Lands Permit. This company has posted signage for an area stretching for approx. 20 kilometres (to date - they seem to be expanding that area year over year), saying "No Trespassing" No Hunting" etc... This encroaches on the rights of Newfoundlander's to access this land for the purpose of Hunting, Fishing etc... They have blocked off the access road to the only Boat Launch onto Victoria Lake in the area by putting a large Steel Gate across a road that existed in there for fifty years before their arrival in the area. This gate also had signage stating No trespassing / No Hunting. Given this is Crown Land - Was this company given specific rights to block access to this Crown Land and what are the parameters of any specific rights granted to Marathon Gold to allow them to block access with Gates etc...?"

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Redactions have been made using section 40 – Personal Privacy of the Access to Information Protection of Privacy Act (ATIPPA).

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P.O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that this letter will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-3730 or by email at HollyWarford@gov.nl.ca.

Sincerely,

Holly Warford
ATIPP Coordinator

Right of access

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25, of the costs of reproduction, shipping and locating a record.

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).
(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS

RENEWAL OF LICENCE TO OCCUPY 138262

WHEREAS Licence to Occupy 138262 issued by the Crown on June 3, 2013 under the authority of Section 6 of the Lands Act for the purpose of Temporary Work Camps;

AND WHEREAS MARATHON GOLD CORPORATION is the present holder of the said Licence as registered in the Registry of Crown Titles for the Province of Newfoundland & Labrador;

AND WHEREAS the said Licence to Occupy 138262 expired/expires on June 10, 2014;

AND WHEREAS MARATHON GOLD CORPORATION made application for a renewal of the said Licence to Occupy.

NOW KNOW YOU ALL BY THESE PRESENTS:

The Minister of Municipal and Intergovernmental Affairs hereby renews the said Licence to Occupy for a further term of 5 years commencing on June 10, 2014;

SUBJECT TO the terms and conditions of Schedules B and C in the original Licence to Occupy 138262 and also subject to the terms and conditions in Schedules B and C attached hereto.

YIELDING AND PAYING in advance the set rental fees during the said term of this licence.

PROVIDED that the said Licence to Occupy dated June 3, 2013, except to the extent modified by these present shall continue in full force and effect.

SIGNED by the Licence Holder on the 1st day of October A.D. 2015.

SIGNED by the Minister of Municipal and Intergovernmental Affairs on the 6th day of November A.D. 2015.
SCHEDULE B

1. The Licence does not authorize the Licence Holder to enter upon private land, to dispute private claims to land, or to obstruct any public right-of-way.

2. The Licence does not convey the right to extract any minerals including, limestone, granite, slate, marble, gypsum, marl, clay, sand, gravel, peat, coal, natural gas, petroleum or salt from or under the demised premises.

3. The Licence Holder shall pay and discharge all taxes and charges that may be levied by any Municipal, Provincial or Federal authority on or in respect to the demised premises.

4. The Licence constitutes the approval of the Lands Branch, Department of Municipal and Intergovernmental Affairs only and does not waive the required consent of other government departments or agencies.

5. The Licence Holder shall indemnify and save harmless the Minister against any loss, cost or damage resulting directly or indirectly from the Licence Holders use or occupation of the demised premises, and the Licence Holder shall remain liable for all improvements carried out on the demised premises in the event the Licence is cancelled or not renewed.

6. The Licence Holder shall display on the demised premises and in a conspicuous manner a sign containing the Licence number.

7. The demised premises shall be kept neat and tidy to the satisfaction of the Minister.

8. Disposal of garbage on the demised premises or underwater is not acceptable and shall be burned in an acceptable manner or disposed of at an approved waste disposal site.

9. The Licence is subject to the condition that the demised premises shall be holden upon, under and subject to all other regulations and conditions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such regulations as are now in force or which may at any time hereafter be made by law.

10. Should the Licence Holder, the heirs, executors, administrators and assigns default in the performance of any of the provisions herein contained, the Minister may give thirty (30) days notice for the termination of this Licence, and upon the expiration of the thirty (30) days, this Licence shall cease and the Licence Holder shall forthwith vacate the demised premises.

11. In the event the Licence is cancelled or not renewed, the Licence Holder shall remove all buildings, structures and personal property from the demised premises and restore the demised premises to the satisfaction of the Minister of Service NL and the Minister of Municipal and Intergovernmental Affairs within ninety (90) days from the date of cancellation or expiration. Should the Licence Holder fail to comply with this condition, the Minister may remove or demolish all buildings, structures and personal property remaining on the demised premises and restore the demised premises in any manner the Minister sees fit, and the costs incurred by the Minister in the removal or demolition and restoration of the demised premises shall be recovered from the Licence Holder as a debt due to the Minister. Furthermore, the indemnity contained in Condition 5 of this Licence shall remain in full force and effect until all structures and property are removed or demolished and the demised premises is restored to the satisfaction of the Minister of Service NL and the Minister of Municipal and Intergovernmental Affairs.
12. If during the term of the Licence the Minister requires the demised premises for any reason the Licence may be terminated after thirty (30) days written notice and the Licence Holder shall have the demised premises restored to the satisfaction of the Minister of Service NL and the Minister of Municipal and Intergovernmental Affairs and the Licence Holder shall indemnify and save harmless the Minister against any loss, cost or damage resulting directly or indirectly from the Licence Holders use, occupation or restoration of the demised premises.

13. The failure of the Crown to insist upon strict performance of any of the covenants and provisos contained in this Licence shall not be deemed a waiver of any rights or remedies that the Crown may have or a waiver of any subsequent breach or default.

14. The Licence Holder shall permit access to the demised premises at all times by Officers authorized by law or by the Minister.

15. This Licence shall be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador.
SCHEDULE C

LTO TEMPORARY WORK CAMP

1. The work camp shall be used for the designated work project only and not as a base for recreational or other unrelated uses.

2. Sewage disposal facilities are to be installed in accordance with the Sanitary Regulations under the Public Health Act.

3. Buildings or structures shall be located a minimum of thirty (30) metres from the highwater mark of any waterbody.

4. A firebreak, six (6) metres wide, shall be maintained around all buildings or structures.

5. All buildings shall have a fire resistant roof surface and any chimney(s) are to be equipped with a functional spark arrester.

6. The Licence Holder shall comply with all regulations as may be in effect to prevent the start of forest fires and each building or structure must be equipped at all times with a fire extinguisher in serviceable condition.

7. The Licence Holder is not permitted to access the site by All-Terrain Vehicles excepted in accordance with the Motorized Snow Vehicles and All-Terrain Vehicles Regulations. Contravention of the Regulations shall constitute grounds to revoke the Licence.

8. The issuance of this Licence does not commit Government to the issuance of a Licence for the purposes of constructing a designated access trail pursuant to the Lands Act and the Motorized Snow Vehicles and All-Terrain Vehicles Regulations.

9. Pursuant to subsection 7(1) of the Lands Act, a reservation fifteen (15) metres wide, is to be maintained around all waterbodies and the Licence Holder covenants and agrees that:

   a. the Licence does not authorize the Licence Holder to occupy the said reservation.

   b. cutting of trees or development of any type on this reservation is prohibited unless an application to develop is duly processed and approved by the Minister.
LICENCE
FOR OCCUPANCY OF CROWN LAND
for the purpose of
Temporary Work Camps

Under the provisions of Subsection 6(1) of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, Her Majesty the Queen in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Environment and Conservation for the Province of Newfoundland and Labrador (hereinafter called the "Minister") does hereby issue a LICENCE FOR OCCUPANCY (hereinafter called the "Licence") unto

MARATHON GOLD CORPORATION

in the Province of Newfoundland and Labrador (hereinafter called the "Licence Holder") his/her or their heirs, executors, administrators and assigns ALL THAT piece or parcel of land delineated in the attached Schedule A, and being situate at Victoria Lake (hereinafter called the demised premises), TO HAVE AND TO HOLD the demised premises unto the Licence Holder for the term of one (1) year from the 3rd day of June A.D. 2013, SUBJECT to the reservations, terms and conditions hereinafter set out;

YIELDING AND PAYING unto the Crown as the price and consideration of the said Licence the sum of $100 per year for the (1) year term, the first payment to be made on the execution of this Licence;

PROVIDED that the Licence Holder covenants and agrees to comply in all respects to the terms and conditions as outlined in Schedule B and Schedule C of these presents;

AND FURTHER PROVIDED that this Licence shall not be assigned or conveyed without the prior written consent of the Minister and then only on such terms and upon payment of such fees as the Minister may prescribe.

SIGNED by the Licence Holder
on the 15 day of May A.D. 2013

SIGNED by the Minister of Environment and Conservation
on the 3rd day of June A.D. 2013
Name: Marathon Gold Corporation  
Licence No.: 138262  
Location: Victoria Lake  
Map No.: 12A6  

Scale: 1: 50,000  

Boundaries and positions of features are approximate.
SCHEDULE B

1. The Licence does not authorize the Licence Holder to enter upon private land, to dispute private claims to land, or to obstruct any public right-of-way.

2. The Licence does not convey the right to extract any minerals including, limestone, granite, slate, marble, gypsum, marl, clay, sand, gravel, peat, coal, natural gas, petroleum or salt from or under the demised premises.

3. The Licence Holder shall pay and discharge all taxes and charges that may be levied by any Municipal, Provincial or Federal authority on or in respect to the demised premises.

4. The Licence constitutes the approval of the Lands Branch, Department of Environment and Conservation only and does not waive the required consent of other government departments or agencies.

5. The Licence Holder, hereby indemnifies and saves harmless the Minister and the Government of Newfoundland and Labrador of and from any and all manner of claims, damages, losses, costs and charges whatsoever occasioned to or suffered by or imposed upon the Minister and the Government of Newfoundland and Labrador directly or indirectly in respect of any matter or thing in consequence of or in connection with or arising out of the occupancy or use of the demised premises by the Licence Holder in connection with the occupancy or use of the same by the Licence Holder or in respect of any accident, damage or injury to any person, animal or thing by from or on account of the same. The Covenants of the Licence holder for indemnity herein contained shall extend to all damages and claims for damage by reason of improper or faulty erection or construction of structures erected or installed on or in the demised premises herein described or in connection therewith by the Licence Holder and by reason of an insufficiency in said structures and whether or not the same have been approved by the Minister and the Government of Newfoundland and Labrador, their servants or agents.

6. The Licence Holder shall display on the demised premises and in a conspicuous manner a sign containing the Licence number.

7. The demised premises shall be kept neat and tidy to the satisfaction of the Minister.

8. Disposal of garbage on the demised premises or underwater is not acceptable and shall be disposed of at an approved waste disposal site or burned in an acceptable manner with the written permission of the Department of Environment and Conservation.

9. The Licence is subject to the condition that the demised premises shall be holden upon, under and subject to all other regulations and conditions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such regulations as are now in force or which may at any time hereafter be made by law.

10. Should the Licence Holder, the heirs, executors, administrators and assigns default in the performance of any of the provisions herein contained, the Minister may give thirty (30) days notice for the termination of this Licence, and upon the expiration of the thirty (30) days, this Licence shall cease and the Licence Holder shall forthwith vacate the demised premises.

11. In the event the Licence is cancelled or not renewed, the Licence Holder shall remove all buildings, structures and personal property from the demised premises and restore the demised premises to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation within ninety (90) days from the date of cancellation or expiration. Should the Licence Holder fail to comply with this condition, the Minister may remove or demolish all buildings, structures and personal property remaining on the demised premises and restore the demised premises in any manner the Minister sees fit, and the costs incurred by the Minister in the removal or demolition and restoration of the demised premises shall be recovered from the Licence Holder as a debt due to the Minister. Furthermore, the indemnity contained in Condition 5 of this Licence shall remain in full force and effect until all structures and property are removed or demolished and the demised premises is restored to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation.
12. If during the term of the Licence the Minister requires the demised premises for any reason the Licence may be terminated after thirty (30) days written notice and the Licence Holder shall have the demised premises restored to the satisfaction of the Minister of Government Services and the Minister of Environment and Conservation and the Licence Holder shall indemnify and save harmless the Minister against any loss, cost or damage resulting directly or indirectly from the Licence Holders use, occupation or restoration of the demised premises.

13. The failure of the Crown to insist upon strict performance of any of the covenants and provisos contained in this Licence shall not be deemed a waiver of any rights or remedies that the Crown may have or a waiver of any subsequent breach or default.

14. The Licence Holder shall permit access to the demised premises at all times by Officers authorized by law or by the Minister.

15. This Licence shall be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador.
SCHEDULE C

LTO TEMPORARY WORK CAMP

1. The work camp shall be used for the designated work project only and not as a base for recreational or other unrelated uses.

2. Sewage disposal facilities are to be installed in accordance with the Sanitary Regulations under the Public Health Act.

3. Buildings or structures shall be located a minimum of thirty (30) metres from the highwater mark of any waterbody.

4. A firebreak, six (6) metres wide, shall be maintained around all buildings or structures.

5. All buildings shall have a fire resistant roof surface and any chimney(s) are to be equipped with a functional spark arrester.

6. The Licence Holder shall comply with all regulations as may be in effect to prevent the start of forest fires and each building or structure must be equipped at all times with a fire extinguisher in serviceable condition.

7. The Licence Holder is not permitted to access the site by All-Terrain Vehicles excepted in accordance with the Motorized Snow Vehicles and All-Terrain Vehicles Regulations. Contravention of the Regulations shall constitute grounds to revoke the Licence.

8. The issuance of this Licence does not commit Government to the issuance of a Licence for the purposes of constructing a designated access trail pursuant to the Lands Act and the Motorized Snow Vehicles and All-Terrain Vehicles Regulations.

9. Pursuant to subsection 7(1) of the Lands Act, a reservation fifteen (15) metres wide, is to be maintained around all waterbodies and the Licence Holder covenants and agrees that:

   a. the Licence does not authorize the Licence Holder to occupy the said reservation.

   b. cutting of trees or development of any type on this reservation is prohibited unless an application to develop is duly processed and approved by the Minister.
Dear Sir/Madam:

RE: APPLICATION NO: 150214
TYPE: Permission Letter
PURPOSE: Access Roads
LOCATION: Valentine Lake Area

Permission to Construct access roads on Crown lands as shown on Schedule A attached is hereby given subject always to the following conditions:

1. This Permission is issued to Marathon Gold Corporation (hereinafter "Marathon") on an exclusive use basis for the areas where new construction has occurred and where five (5) gates have been erected all as indicated on the attached Schedule "A" and non-exclusive use for pre-existing access routes, on which the erection of one (1) gate is permitted, as outlined on the attached Schedule "A". This condition may be revoked or amended at the discretion of the Minister of Fisheries and Land Resources upon reasonable notice to Marathon.

2. Marathon shall be solely responsible for; the erection and maintenance of all safety signage, public notification of the existence of all structures that may impede access, and ensuring that all such signage and structures are constructed to a standard that shall not present a risk to the health and safety of the general public.

3. Marathon must provide the Forestry Services Branch of the Department of Fisheries and Land Resources with keys or codes to the gates to allow access for fire protection and inspection purposes.

4. This Permission is issued for a term of five (5) years from the 25th day of April, 2017 and may be extended at the sole discretion of the Minister, upon application by Marathon within six (6) months of the expiry date.
5. This Permission may be amended at the sole discretion of the Minister upon application by Marathon and subject to those terms and conditions as the Minister may prescribe.

6. This Permission does not permit you to enter upon private land or to dispute claims to land.

7. This Permission does not guarantee that all lands identified are Crown lands. It is your responsibility to obtain permission from any private land owners.

8. The area of Crown lands to be occupied must not exceed 15.84 hectares with a width not to exceed 5 metres and a length not to exceed 31,680 metres, as shown on the attached supplemental mapping.

9. This Permission does not waive the required consent of, or permission from, any other Government Departments and Agencies.

10. All waste materials generated from the use of the subject land must be removed and disposed of as outlined under Conditions (Waste:) attached from Service NL (Government Service Centre).

11. Any construction located within the 15 metre wide reservation of any water body must have prior approval from Fisheries Oceans Canada and the Water Resources Management Division of the Department of Municipal Affairs and Environment.

12. All costs associated with the construction, maintenance and repair of the access roads, whenever incurred shall remain the sole responsibility of Marathon.

13. The subject land shall be held under and subject to all regulations and provisions of the Lands Act and to such statutes and regulations as are now in force or which may at anytime hereafter be made by law for lands within the Province of Newfoundland and Labrador;

14. The Minister of Fisheries and Land Resources has the right to cancel this Permission immediately if at any time the mineral licences (or subsequently issued mining leases) held by Marathon are terminated, or on a default by Marathon under this Permission, if such default is not cured within sixty (60) days of notice of such default by the Minister. The Crown will accept no liability for improvements carried out on the subject land if this Permission is cancelled.

15. You must contact the nearest Forestry Office concerning the cutting or clearing of any timber from the subject land.

16. Marathon shall indemnify and save harmless the Crown against any loss, cost or damage resulting directly from Marathon’s use or occupation of the access roads described in this Permission.

17. Marathon shall be liable for injury or loss to person or property which results from Marathon’s fault, negligence or act or omission by fault or negligence, or an act or omission by fault or negligence by Marathon’s employees, subcontractors, agents or assigns, in the performance or non-performance of any of their or Marathon’s obligations respecting its use or occupation of the access roads described in this Permission and specifically the erection of any gates (exclusive use only roads) placed by Marathon on or near the exploration operations.
18. This Permission does not convey the right to extract any minerals including limestone, granite, slate, marble, gypsum, marl, clay, gravel, peat, coal, naturally occurring gas or petroleum, or salt from or under the subject land.

19. The access roads shall be all weather gravel roads.

20. This Permission for the construction of access roads is subject to the conditions as defined in Environmental Assessment Registration number 1839 on file with the Environmental Assessment Division of the Department of Municipal Affairs and Environment which was released in July, 2016 and conditions stipulated within this application’s approval notice. Rehabilitation of roads is required when operations cease in accordance with a Decommissioning Strategy approved by the Minister of Municipal Affairs and Environment, as stated in Environmental Assessment Registration #1839.

21. This Permission shall not come into effect until both copies of this Permission have been signed by Marathon in the space provided, sent back to Crown Lands Administration Division and a copy returned to Marathon from the Crown Lands Administration Division.

Rodger Primmer

SEE ATTACHED CONDITION(S)

Regional Lands Manager

Agreement of MARATHON GOLD CORPORATION:

MARATHON GOLD CORPORATION hereby accepts all of the terms and conditions of this Permission to Construct on Crown lands dated April 25, 2017.

Attachments

cc: GSC/Corner Brook
    Wildlife Division
    Tourism & Culture Branch
    Forestry Services Branch (Springdale & St. George’s)
    Mineral Lands Division
    Service NL (Occupational Health & Safety)
CONDITION(S)

SERVICE NL (GOVERNMENT SERVICE CENTRE)

Service NL (Government Service Centre) has no objections to this proposal provided the following stipulations are adhered to:

Environmental Protection:

1. The extent of land clearing and grubbing should be restricted such that naturally vegetated buffers between the site and surrounding properties and thoroughfares are maintained.
2. Any existing tree screen concealing the operation from public view is to be maintained.
3. Access to the site must be approved by Department of Transportation and Works.
4. If at any time this operation is deemed to be creating environmental problems, corrective action will have to be taken by the owner/operator, as directed by Service NL and/or the Department of Environment and Climate Change.

Waste:

1. All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
2. 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 on a weekly basis, with the approval of Service NL and the site owner/operator.
3. Derelict vehicles, scrapped equipment and other debris are not to be stored on site. Such material is to be removed to an approved waste disposal site or scrap yard on a regular basis, with the approval of the site owner/operator.
4. The site is to be kept neat and tidy at all times.
5. Any cut brush should be chopped/shredded, and may be burnt on-site with the approval of the Forestry and Agrifoods Agency or removed to an approved waste disposal site with the permission of the owner/operator of the waste disposal site.
6. Tires and used or waste oil is not to be used to aid in the burning of brush.

Gasoline and Associated Products

1. All fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, and any proposed fuel cache will require approval by Service NL prior to installation.
2. Storage of Used Oil must be in compliance with the Used Oil Control Regulations.
3. The storage, handling and disposal of used and or waste oil must be in compliance with the *Used Oil Control Regulations*.

4. In order to ensure that a quick and effective response to a spill event is possible, spill response equipment should be readily available on-site. Response equipment, such as absorbents and open-ended barrels for collection of cleanup debris, should be stored in an accessible location on-site. Personnel working on the project should be knowledgeable about response procedures. The proponent should consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.

5. Any spill or leak of gasoline or associated product is to be reported immediately to Service NL by calling the Environmental Emergencies Line at 772-2083 or 1-800-563-9089.

**DEPARTMENT OF FISHERIES AND LAND RESOURCES – WILDLIFE DIVISION**

The Wildlife Division advises applicant to operate under established regulations and guidelines with respect to wildlife and their habitats (e.g. nesting birds, caribou, waterfowl, wetlands, inland fish, rare plants, riparian species) to minimize adverse impacts (Section 106 of the *Wild Life Regulations* under the *Wild Life Act* (O.C. 96-809)).

The proposed work falls within the current Newfoundland Marten critical habitat. Newfoundland Marten are listed as Threatened under the Newfoundland and Labrador *Endangered Species Act* (NLESA). Section 16 (1) of NLESA states, "A person shall not disturb, harass, injure, or kill an individual of a species designated as threatened, endangered, or extirpated”.

The denning period for marten occurs from early April to the end of June. Disturbance to dens could result in negative impacts on survival or condition of young or denning females (Marten Recovery Plan). To help reduce any negative impacts on wildlife species, including marten, the Wildlife Division recommends that vegetation clearing or excessive noise be undertaken outside of the nesting, breeding and brood rearing period, which runs from early-April to mid-July.

Activities, disturbance and habitat destruction must be minimized as much as possible in order to avoid causing harm to individuals or degrading important marten habitat. Ground personnel are reminded to travel with caution within the area at all times.

Access Roads/ trails must be revegetated once abandoned.

The proposed takes part within a designated waterfowl area. The Wildlife Division recommends that a minimum 50 m naturally vegetated buffer be maintained along all waterbodies and wetlands to protect sensitive riparian and aquatic species, and their habitat.
• Tourism and Culture has concerns with the development of new access roads in areas used by outfitting businesses. It is recommended the proponent develop a decommissioning strategy for the proposed access roads once development has concluded. This was agreed to by the proponent in Environmental Assessment Reg. 1839. Increased access into areas used by the outfitting industry results in crowding in angler and hunting experiences and negatively affects population of habitat and success rates.

There are four outfitters in this area that the proponent must contact to mitigate conflict regarding the mineral exploration and access road developments in the area of Valentine Lake.

1. Dave Evans of Victoria Outfitters Ltd. (Victoria Lodge), 6 Birmingham Street, St. John’s, NL, A1E 5C8, Tel: 709-745-1048, Fax: 709-745-5452, Email: devans@victoriaoutfitters.com, Website: www.victoriaoutfitters.com

2. Everett Kinden of Kinden’s Quinn Lake Outfitters Ltd. (Quinn Lake Lodge), P.O. Box 787, 46 Centennial Drive, Lewisporte, NL, A0G 3AO, Tel: 709-535-8811/541-1340/1353, Fax: 709-535-1927, Email: info@kindensoutfitters.com, Website: www.kindensoutfitters.com

3. Randy Parsons of Notch Mountain Outfitters Inc. (Valentine Lake Lodge), P.O. Box 462, Buchans, NL, A0H 1G0, Tel: 709-672-3589/8607, Fax: 709-672-3843, Email: randyparsons2004@hotmail.com, Website: www.notchmountainoutfitters.com

4. Leonard McCarthy of Caribou Cove Outfitters Ltd. (Moose Lodge), 468 Rocky Lake Drive, Bedford, NS, B4A 2T6, Tel: 902-209-0099, Fax: 902-455-0775, Email: fivestar@fivestarroofing.ns.ca, Website: www.foxharbouroutfitters.ca

FORESTRY SERVICES BRANCH

Gates will not be an impediment to future commercial timber harvesting operations.

The Newfoundland and Labrador Forest Services will be provided keys or codes to the gates so that we have access for fire protection and inspection purposes.

DEPARTMENT OF NATURAL RESOURCES – MINES BRANCH

The Mines Branch — in its mandate to facilitate the exercise of mineral rights, including the carrying out of mineral exploration upon mineral licences — supports the presence of gates because without them members of the public would have unrestricted access to exploration work sites where heavy machinery is operating and where ground is being excavated, whereas the presence of gates will go a long ways toward ensuring that exploration work can proceed without interruption due to the unexpected arrival and presence of people and vehicles unrelated to the operation. The gates need to be highly visible and, for newly constructed or refurbished side roads, placed at the entrance to the side roads.
The applied-for permission is for the purpose of constructing access roads in support of a large, ongoing mineral exploration program carried out by Marathon Gold Corp. If the permission is to have a term of duration or be accompanied by the issuance of a licence to occupy then the following shall apply:

The Mines Branch requires that, with regard to duration and transferability, the licence (or permission) to occupy be considered attached to the mineral licences with which it overlaps (licences 10899M and 10943M held by Marathon Gold Corp.). Specifically, the licence (or permission) to occupy must contain conditions in the title document to the effect of the following:

1. Should mineral licence 10899M or 10943M or one of their descendants* overlapping with a portion of the licence to occupy be transferred, that portion of the licence to occupy shall be transferred with it.

2. Should a portion of mineral licence 10899M or 10943M or one of their descendants overlapping with a portion of the licence to occupy be surrendered, then that portion of the licence to occupy shall be extinguished.

3. Should mineral licence 10899M or 10943M or one of their descendants overlapping with a portion of the licence to occupy be cancelled or expire, then that portion of the licence to occupy shall be extinguished.

*‘Descendant’ refers to a mineral licence resulting from an original mineral licence being split, grouped, or partially surrendered. Descendant licences have new and unique licence numbers.

SERVICE NL – OCCUPATIONAL HEALTH AND SAFETY

All work is to be conducted in accordance the Occupational Health and Safety Act and its Regulations. The development of all roads shall be in accordance with said regulations. The gates shall be properly delineated/marked and appropriate signage shall be installed warning the public of the gate and of potential workers who may be working in said areas.

NOTE: Under the Occupational Health and Safety Act, Section 4 states: An employer shall ensure, where it is reasonably practicable, the health, safety and welfare of his or her workers. Section 5, outlines more of specific duties of employers and their responsibility. Under the Occupational Health and Safety Regulations (2012) – Section 654 (protection of workings, pits and quarries) states: An employer shall ensure that a surface mine working or open face is securely fences or otherwise protected against inadvertent entry by persons where: (a) the working constitutes a hazard by reason of its depth; (b) the approaches to and openings of the workings are not readily visible; or (c) the hazard caused by the workings is greater than the hazard caused by natural topographical features within 600 metres of the workings.

It is the employers duty – Marathon Gold Corporation to protect workers from potential hazards that they may face and to protect the public from any hazards created by them because of their work activity.
Schedule "A1"

Gate

Exclusive Use

Non-Exclusive Use

Permission No.: 150214

Name: Marathon Gold Corporation
Location: Valentine Lake
Map No.: 12A-06

SCHEDULE: 1:30,000

Government and permission are approximate.