

Attachment B

Regulatory advice

EA # 2297 – Gander Agricultural Development

Proponent: Craig Waterman

1. Climate Change Branch (CCB)

- 1.1. Proponent is advised to operate heavy equipment in a manner that 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)

- 2.1. A pesticide Applicator License is required for the application of a pesticide, and a contractor hired to perform that service must have a valid Pesticide Operator License. For more information, please contact the Pesticides Control Section at (709) 729-6054.
- 2.2. Proponent is advised to develop a contingency plan specific to the Project and to have spill response equipment 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.
- 2.3. 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.

3. Water Resources Management Division (WRMD)

- 3.1. Prior to the commencement of Project construction, the following licences will be required under the **Water Resources Act**: a Water Use License for the use of water from any water source for any purpose, a permit for any work in or within 15 metres of a body of water including wetlands, and a Permit for Constructing a Non-Domestic Well if a drilled well is planned.

- 3.2.** Any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, contact the WRMD at (709) 729-2563.

4. The Government Service Centre (GSC)

- 4.1.** The storage, handling, and disposal of used and or waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations.
- 4.2.** Should a livestock operation in excess of five animal units be proposed certified engineer's plans, profile, and specifications of the proposed livestock's water supply, manure handling and storage facilities must be submitted to the GSC and Certificate of Approval issued.
- 4.3.** Manure shall not be spread or stored within 30 metres of the nearest waterbody or watercourse, including ponds, lakes, and streams, or within 75 metres of any well or water supply used for drinking purposes when the land drains towards the water supply.
- 4.4.** A 30-metre buffer zone of natural forage shall be maintained between agricultural land and any watercourse or waterbody.
- 4.5.** The installation of a subsurface sewage disposal system requires the submission and approval of plans and specifications, prepared by an approved designer, in conformance with the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards.
- 4.6.** Construction of on-site service buildings require applications for Fire/Life Safety and Building Accessibility review and approvals.
- 4.7.** A development permit is required under the Protected Road Zoning Regulations prior to the commencement of Project construction .
- 4.8.** 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. Any existing tree screen concealing the operation from the public view is to be maintained, and a tree screen of 30 metres is to be maintained between the highway right-of-way and Project site. For further information, please contact the GSC at (709) 729-0248.

5. Occupational Health and Safety Division

- 5.1.** Proponent is advised to ensure that activities are 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 the legislation. For further information, please contact OHS at (709) 729-3275.

6. Department of Fisheries, Forestry and Agriculture (FFA)

- 6.1.** An Agricultural Lease is required prior to the commencement of Project construction.
- 6.2.** Approval from Corner Brook Pulp and Paper Ltd. Is required (CBPPL) prior to the commencement of Project construction, as the Project is located within CBPPL tenure.
- 6.3.** A Cutting Permit is required under the prior to any harvesting or timber removal in the area, an Operating Permit is required prior to the start of any work during the forest fire season and a Permit to Burn is required under the Forest Fire Regulations to ignite a fire on or within 300 metres of forest land during forest fire season. For further information, please contact FFA at (709) 637-2950.

7. Provincial Parks Division (ParksNL)

- 7.1.** A 15-metre undisturbed buffer must be maintained between provincial park boundaries and any buildings.
- 7.2.** A Temporary Vehicular Access (TVA) Permit is required for motor vehicle access to the Newfoundland and Labrador T'Railway Provincial Park.
- 7.3.** A Construction and Use (C&U) permit is required if the Project site is to be accessed from the Newfoundland and Labrador T'Railway Provincial Park by any means, or if the T'Railway is intended to be used in any way.
- 7.4.** The crossing of any bridge in the T'Railway with anything other than an off-road vehicle is prohibited without prior written approval of the Parks Division and may require an independent engineering study confirming the bridge's ability to withstand anticipated loads. For further information, please contact ParksNL at (709) 637-2411.

8. Provincial Parks Division (ParksNL)

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- 8.2.** A Temporary Vehicular Access (TVA) Permit is required for motor vehicle access to the Newfoundland and Labrador T'Railway Provincial Park.
- 8.3.** A Construction and Use (C&U) permit is required if the Project site is to be accessed from the Newfoundland and Labrador T'Railway Provincial Park by any means, or if the T'Railway is intended to be used in any way for Project construction or operations.
- 8.4.** The crossing of any bridge in the T'Railway with anything other than an off-road vehicle is prohibited without prior written approval of the Parks Division and may require an independent engineering study confirming the bridge's ability to withstand anticipated loads. For further information, please contact ParksNL at (709) 637-2411.

9. Department of Transportation and Infrastructure (TI)

- 9.1.** Proponent is responsible to identify property and highways owned by the TI and the construction of n access roads will require application approval prior to commencing any work within the Department's Right of Way. For further information, please contact TI at (709) 729-5399.

10. Environment and Climate Change Canada (ECCC)

- 10.1.** ECCC recommends that you 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 take into account site-specific conditions and sensitivities.
 - A gull management plan focused on the exclusion of gulls from food sources such as waste, litter, feed, and carcasses.
- 10.2.** ECCC further advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should

consider nesting locations between April 15 and August 15 in this region. ECCC requests that species-at-risk sightings be reported to the Canadian Wildlife Service (CWS) at <http://accdc.com/en/contribute.html>. For further information, please contact the ECCC-CWS at (709) 772-4313.

11. Department of Fisheries and Oceans (DFO)

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