

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2344 Beaver Brook Bridge Removal (the Project)
Gander Bay Indian Band Council (the Proponent)

1 Pollution Prevention Division (PPD), ECC

- 1.1 Proponent is advised that waste material should be disposed of at an approved waste disposal facility.
- 1.2 Registration may be required for devices or tanks used to separate and remove oily wastes from oil and water mixtures.
- 1.3 Proponent was provided with guidance documents for Treated Wood Waste and for Management of Excavated Soils, Concrete Rubble and Dredged Materials. For further information, please contact PPD at (709) 729-5782.

2 Water Resources Management Division (WRMD), ECC

- 2.1 Proponent is advised that a Section 39 permit under the **Water Resources Act**, 2002, for any work adjacent to or within the Gander Lake Protected Public Water Supply Area is required prior to the start of work.
- 2.2 Proponent is advised that a Section 48 permit under the **Water Resources Act**, 2002, for any work in or within 15 metres of a body of water (including wetlands) is required prior to the start of work.
- 2.3 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 that all fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, require registration prior to installation.
- 3.2 Proponent is advised that any proposed fuel cache will require approval by DGSNL prior to installation. For further information, please contact GSC at (709) 729-0248.

4 Occupational Health and Safety (OHS), DGSNL

- 4.1 Proponent is advised to ensure that 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 the legislation. For further information, please contact OHS at (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 (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.
- 5.3 Proponent is advised that any activities that occur within the 15 metre Shoreline Reserve of any water body must adhere to the regulations in Section 7 of the **Lands Act**. If new road construction is planned on crown land, the Proponent must apply for and obtain a licence to occupy prior to commencement of construction.
- 5.4 Proponent is advised that no vegetation clearing is to occur within 800 metres of a bald eagle or osprey nest during the nesting season (i.e., March 15 to July 31) and 200 metres during the remainder of the year. The 200-metre buffer also applies to all other raptor nests (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). Additionally, the location of any raptor nest sites must be reported to the Wildlife Division at wildlifereferrals@gov.nl.ca. For further information, please contact FFA at (709) 729-1582.

6 Department of Industry, Energy and Technology (IET)

- 6.1 The Proponent is advised that quarry materials must be obtained from approved sources. For further information, please contact the Mines Branch of IET at (709) 729-5748.

7 Environment and Climate Change Canada (ECCC)

- 7.1 Proponent should be aware of the general applicability of Section 36(3) of the **Fisheries Act** which states: “no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substances or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water”. Environmental protection and mitigation measures should reflect the need to comply with Section 36(3) of the **Fisheries Act**.
- 7.2 ECCC advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and Mid-August in this region. ECCC requests that species at risk sighting be reported to the Canadian Wildlife Service (CWS) at <http://www.accdc.com/en/contribute.html>.

7.3 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.

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

8 Fisheries and Oceans Canada (DFO)

8.1 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 conduction 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.

9 Transport Canada (TC)

9.1 Proponent is advised that the project may implicate a non-scheduled waterway defined under the **Canadian Navigable Waters Act (CNWA)** and that an authorization(s) under the CNWA may be required. More information on this process can be found at <http://www.tc.gc.ca/eng/programs-621.html>. For further information, please contact the Navigation Protection Program directly at (506) 851-3113 or NPPATL-PPNATL@tc.gc.ca.