

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2356 Deer Lake Tailrace Bridge Replacement (the Project)
Department of Transportation and Infrastructure (the Proponent)

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

- 1.1 Proponent is advised to operate heavy equipment in a manner that maximizes 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), ECC

- 2.1 Proponent is advised that all waste material generated during construction and operation is to be placed in suitable refuse containers and removed to an approved waste disposal site, with the approval of the site owner/operator.
- 2.2 Proponent is advised to follow guidance documents for Treated Wood Waste available at <https://www.gov.nl.ca/ecc/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal.pdf> and for Management of Excavated Soils, Concrete Rubble and Dredged Materials available at <https://www.gov.nl.ca/ecc/files/env-protection-waste-guidancedocs-excsoilsconcreterubbledredgedmaterials.pdf>. For further information, please contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised to apply for and obtain 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) and in a designated floodplain prior to the start of construction.
- 3.2 Proponent is advised to apply for and obtain a Water Use License under the **Water Resources Act** prior to the start of construction.
- 3.3 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. For further information, please contact the WRMD at (709) 729-2563.

4 Department of Fisheries, Forestry and Agriculture (FFA)

- 4.1 Proponent is advised to operate under the **Wild Life Act, Migratory Birds Convention Act**, and the **Fisheries Act** and associated regulations to avoid or minimize adverse impacts.
- 4.2 Proponent is advised that Black Ash are known to occur within the Deer Lake area. Black Ash are listed as Threatened under the **Newfoundland and**

Labrador Endangered Species Act (NLESA) and have the potential to occur along the shoreline of the lake. The Proponent must ensure that project activities do not result in disturbance, injury, or direct loss of Black Ash or its residence. Species identification information can be provided by the Wildlife Division upon request (sending an email to WildlifeReferrals@gov.nl.ca).

- 4.3 Proponent is advised that several species 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 and 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.
- 4.4 Proponent is advised that vegetation clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and within 200 metres during the remainder of the year. The 200-metre buffer also applies to all other active raptor nests (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl) during the nesting season. The locations of any raptor nest sites must be reported to the Wildlife Division.
- 4.5 Proponent is advised that some areas within the Project area may be privately owned and not listed with the Crown Lands Office. If work is planned on such private land, permission is required from the landowners. For further information, please contact the FFA at (709) 637-2950.

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

- 5.1 Proponent is advised to consider developing a contingency plan specific to the proposed undertaking 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 GMSD by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. For further information, please contact the GSC at (709) 637-2369.

6 **Occupational Health and Safety (OHS), GMSD**

- 6.1 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.

7 **Department of Industry, Energy and Technology (IET)**

- 7.1 Proponent is advised that quarry materials that may be required for the Project must be obtained from an approved source.

7.2 The Proponent is advised to consult with Deer Lake Power as the new bridge crosses the tailrace of the Deer Lake Power Plant prior to development to avoid affecting power supply or operations. For further information, please contact IET at (709) 729-5748.

8 Department of Municipal Affairs and Community Engagement (MAC)

8.1 Proponent is advised it is the opinion of MAC - Land Use Planning Division (LUP) the undertaking is excluded from the definition of development and thus does not require a permit from the Town of Deer Lake under the Town's Municipal Plan and Development Regulations or Government Service Center – Government Modernization and Service Delivery under the Protected Road Zoning Regulations, 996/96. The Proponent should, however, seek to inform each authority of work occurring. For further information, please contact MAC at (709) 729-3090.

9 Environment and Climate Change Canada (ECCC)

9.1 Proponent is encouraged to develop the following plans:

- A wildlife emergency response plan;
- An oil spill prevention and response plan; and
- A contingency plan that considers potential accidents and malfunctions for site-specific activities.

9.2 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 ec.scfatldonneesei-cwsatlidata.ec@ec.gc.ca and to the Atlantic Canada Conservation Data Centre at <http://accdc.com/en/contribute.html>. For further information, please contact the ECCC-CWS at (709) 777-4221.

10 Fisheries and Oceans Canada (DFO)

10.1 Proponent is advised to reach out to DFO early in the planning stages of the project to ensure proper timelines for review can be met and align with proposed construction dates.

10.2 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 <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>.

10.3 In cases where impacts to fish and fish habitat cannot be avoided, the project is within waterbodies where a Fish and Fish Habitat Protection Program (FFHPP) review is required and the scope of the project is not covered under standards and codes of practice, the proponent is asked to submit a Request for Review to the NL Region-FFHPP at DFO.NLFFHPP-PPPHTNL.MPO@dfo-mpo.gc.ca. For

further information, please contact the Fisheries Protection Program at (709) 772-4140.

11 Transport Canada (TC)

11.1 Proponent is advised that approval may be required under the **Canadian Navigable Waters Act** (CNWA). More information on this process can be found at <https://www.tc.gc.ca/eng/programs-632.html>. For further information, please contact TC at (709) 351-3200 or contact the Navigation Protection Program directly at (506) 851-3113 or NPPATL-PPNATL@tc.gc.ca.