

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2377 – Indian Brook Remote Cottage (the Project)
Ben Callahan (the Proponent)

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

- 1.1 Proponent is advised that the clearing of trees and brush can contribute to climate change.
- 1.2 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 activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 2.2 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility.
- 2.3 Proponent is advised a Pesticides Applicator License is required for the application of a pesticide, application must follow required buffer zones near salmon rivers, and a contractor hired to perform that service must hold a valid Pesticide Operator License.
- 2.4 Proponent is advised that spill response equipment should be readily available on site and stored in an accessible location. For further information, please contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 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 WRMD at (709) 729-2563.

4 Department of Energy and Mines (EM)

- 4.1 Proponent is advised quarry materials used must be sourced from an approved site with a valid Quarry Permit or Lease, a byproduct of an approved development, or from within the legal boundary of the Project site in compliance with applicable regulations.
- 4.2 Proponent is advised that quarry materials (e.g., aggregate, fill, rock, stone, boulders, gravel, sand, clay, borrow material, topsoil, peat) may not be legally removed off-site unless they are the byproduct of an approved development.

- 4.3 Proponent is advised that the Project site overlaps with areas of aggregate resource potential and falls within a region with a history of mineral exploration and to be aware of potential for future activity in the Project's vicinity. For further information, please contact EM at (709) 729-1582.

5 Department of Forestry, Agriculture and Lands (FAL)

- 5.1 Proponent is advised that activities within the 15-metre Shoreline Reserve of any water body shall adhere to the Regulations in Section 7 of the **Lands Act**.
- 5.2 Proponent is advised to avoid disturbance within a 5-metre radius of any geodetic control monuments and that the GIS and Mapping Division of FAL is required to be contacted at GMD@gov.nl.ca if development within the proposed Project area has the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**.
- 5.3 Proponent is advised to adhere to section 3 of the Cutting of Timber Regulations under the **Forestry Act** and that a Cutting Permit is required prior to any harvesting or timber removal in the area.
- 5.4 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.
- 5.5 Proponent is advised to operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.
- 5.6 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 this legislation are found within the Project area, the Proponent may be required to develop mitigations, in consultation with the Wildlife Division of FAL and must obtain a Section 18 Permit of the **NLESA** for any Species at Risk (SAR) surveys that could potentially disturb the species.
- 5.7 Proponent is advised that the surveys for Black Ash should be conducted prior to project commencement. Survey protocol and permits shall be obtained from the Wildlife Division. If occurrences of the species are documented, the proponent shall consult with the Wildlife Division to identify appropriate mitigations. For further information, please contact the Wildlife Division at (709) 639-3802 or wildlifereferrals@gov.nl.ca.
- 5.8 Proponent is advised that the location of any raptor nest sites shall be reported to the Wildlife Division at wildlifereferrals@gov.nl.ca and no vegetation clearing is to occur within:
- a) 800 metres of a bald eagle or osprey nest between March 15 and July 31; 200 metres during the remainder of the year.

- b) 800 metres of a short-eared owl (ground) nest between May 15 to August 15.
 - c) 200 metres of any other raptor nests between March 15 and July 31.
- 5.9 Proponent is advised to maintain a minimum 50-metre undisturbed riparian buffer from the high-water mark of all wetlands and waterbodies that are identified on the 1:50,000 scale National Topographic System map to protect sensitive riparian and aquatic species and their habitat. For further information, please contact FAL at (709) 637-2950.

6 Government Service Centre (GSC), Department of Government Services (GS)

- 6.1 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.
- 6.2 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 (709) 772-2083 or 1-800-563-9089.
- 6.3 Proponent is advised to obtain a Development Permit under the Protected Road Zoning Regulations, pursuant to Section 108 of the **Urban and Rural Planning Act**.
- 6.4 Proponent must submit electrical plans to the GSC for review and approval and an Electrical Permit is required for each meter.
- 6.5 Proponent must submit septic plans and specifications in conformance with the Sanitation Regulations prepared by an approved designer to the GSC for review and approval. For further information, contact GSC-GS at (709) 729-2008.

7 Occupational Health and Safety (OHS), GS

- 7.1 Proponent is advised to ensure that activities are conducted in compliance with the **Occupational Health and Safety Act (OHS Act)** and related regulations. This includes the responsibility for ensuring that, should contractors be hired to perform work, they also comply with the legislation. For further information, please contact OHS at (709) 729-7454.

8 Department of Health and Community Services

- 8.1 Proponent is advised to comply with the Sanitation Regulations under the **Health and Community Services Act** for sewage disposal systems. For further information, please contact HCS at (709) 729-3422.

9 Department of Municipal and Community Affairs (MCA)

- 9.1 Proponent is advised to adhere to section 108 of the Urban and Rural Planning Act, 2000 to ensure the reconstruction is in compliance with the zoning and its associated legislation.

10 Department of Transportation and Infrastructure (TI)

- 10.1 Proponent is advised to keep the original access to the site unchanged from the original footprint and location. For further information, please contact TI at (709) 729-5972.

11 Environment and Climate Change Canada (ECCC)

- 11.1 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>.
- 11.2 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
- 11.3 Proponent is advised to maintain a 30-metre buffer from the high-water mark of any water body (1:100 Flood Zone) to maintain movement corridors for migratory birds.
- 11.4 Proponent is advised to establish vegetated buffer zones and to reduce activities around any active nests discovered during project activities to reduce the risk of impacting nests or birds caring for pre-fledged chicks at those times.
- 11.5 Proponent is advised to develop and implement measures to diminish the risk of introducing invasive species.
- 11.6 Proponent is advised to report any sightings of species at risk (e.g., Barn Swallow, Bank Swallow, Red Crossbill, Olive-sided Flycatcher, Barrow's Goldeneye, Rusty Blackbird, Short-eared Owl, Little Brown Myotis, Northern Myotis, American Marten, Caribou) to the Canadian Wildlife Service. For further information, please contact ECCC at (709) 772-4313.

12 Fisheries and Oceans Canada (DFO)

- 12.1 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 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.