

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2382 - North Arm River Bridge Replacement (the Project)
Department of Transportation and Infrastructure (the Proponent)

During the environmental assessment of the Project, provincial and federal government departments and agencies offered the following advice on technical aspects as well as plans, permits, licences, approvals and/or other authorizations that are or may be required before your project commences. This is not intended to be a comprehensive list, and you are responsible for consulting with federal and provincial government authorities regarding any additional authorizations that may be required by law.

1 Department of Environment, Conservation and Climate Change - Climate Change Branch

- 1.1 Proponent is advised to consider provincial climate change projections for St. John's in the planning of this undertaking.
- 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 Climate Change Branch at (709) 729-1485.

2 Department of Environment, Conservation and Climate Change - Pollution Prevention Division

- 2.1 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility.
- 2.2 Proponent is advised to comply with the Air Pollution Control Regulations under the **Environmental Protection Act** and be aware of the prohibitions of burning waste according to Schedule D of these Regulations.
- 2.3 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.
- 2.4 Proponent is advised all fuel storage systems must meet the Storage and Handling of Gasoline and Associated Products Regulations.
- 2.5 Proponent is advised that the storage, handling and disposal of used and or waste oil/glycol must comply with the Used Oil and Used Glycol Control Regulations.
- 2.6 Proponent is advised when applying pesticides to ensure all label directions are followed including application method and rate, required buffer zones, including buffers on salmon rivers, restricted entry intervals and pre-harvest intervals.
- 2.7 Proponent is advised to follow guidance documents for Treated Wood Waste available: <https://www.gov.nl.ca/eccc/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: <https://www.gov.nl.ca/eccc/files/env-protection-waste-guidancedocs-excsoilsconcreterubbledredgedmaterials.pdf>

2.8 Proponent is advised that the use of halocarbons or other related substances in fire suppression, air conditioning or refrigeration systems associated with the Project are subject to the Halocarbon Regulations. For further information, contact PPD at (709) 729-5782.

3 Department of Environment, Conservation and Climate Change - Water Resources Management Division

3.1 Proponent is advised Section 48 permit(s) is required under the **Water Resources Act** for any work in or within 15 metres of a body of water (including wetlands) prior to start of construction for both the temporary and permanent bridge structures.

3.2 Proponent is advised to obtain a Water Use Licence under the **Water Resources Act** prior to the start of construction for the use of water from any source for any purpose.

3.3 Proponent is advised that any effluent leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations. For further information, contact WRMD at (709) 729-2563.

4 Department of Energy and Mines

4.1 Proponent is advised that quarry materials must be obtained from approved sources. For further information concerning this response, please contact the Mines Branch of the Department of Energy and Mines at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands

5.1 The Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.

5.2 The Proponent is advised of that the **Migratory Birds Convention Act, 1994**, Migratory Bird Regulations, **Wild Life Act** and Wild Life Regulations protect birds and prohibit the disturbance or destruction (including incidental ones) of bird nests and eggs in Newfoundland and Labrador. For more information on avoiding harm to avifauna visit: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>.

5.3 Proponent is advised to adhere to section 3 of the Cutting of Timber Regulations under the **Forestry Act**. A cutting permit is required prior to any harvesting or timber removal in the area.

5.4 Proponent is advised an operating permit under section 13 of the Forest Fire Regulations is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office.

- 5.5 Proponent is advised during the forest fire season, a permit to burn is required under section 3 of the Forest Fire Regulations to ignite a fire on or within 300 meters of forest land.
- 5.6 Proponent is advised to operate under the established legislation and regulations of the **Lands Act**. It is the proponent's responsibility to identify Crown lands required for their undertaking.
- 5.7 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**.
- 5.8 Proponent is advised that the Project area may overlap with private land and if work is planned on private lands, permission is required from the landowners and title holders should be advised of proposed activities and associated timelines.
- 5.9 Proponent is advised to avoid disturbance within a five-metre radius of any geodetic control monuments and that the GIS and Mapping Division is required to be contacted (GMD@gov.nl.ca) if development within the proposed Project area has the potential to disturb an existing control survey marker.
- 5.10 Proponent is advised that vegetation clearing is not to occur within (a) 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31); (b) 200 metres during the remainder of the year, and (c) 800 metres of a short-eared owl (ground) nest between May 15 and August 15. The 200-metre buffer also applies to all other active raptor nests during the nesting season March 15 to July 31. The locations of any raptor nest sites must be reported to the Wildlife Division at WildlifeReferrals@gov.nl.ca.
- 5.11 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 this legislation are found within the Project area, the Proponent may be required to develop mitigations, in consultation with the Wildlife Division and must obtain a Section 18 permit of the **NLESA** for any Species at Risk (SAR) surveys that could potentially disturb the species. For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

6 Department of Government Services- Government Service Centre

- 6.1 Proponent is advised that any proposed fuel cache will require approval by the Government Service Centre prior to installation.
- 6.2 Proponent is advised all fuel storage systems must meet the Storage and Handling of Gasoline and Associated Products Regulations.
- 6.3 Proponent is advised the storage, handling and disposal of used and or waste oil/glycol must comply with the Used Oil and Used Glycol Control Regulations.
- 6.4 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. Personnel working on the Project should be knowledgeable about response procedures. Any spill or leak of gasoline or associate product is to be reported

immediately to GMSD by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact Government Service Centre at (709) 729-2008.

7 Department of Government Services - Occupational Health and Safety

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, also comply with the legislation. For further information, please contact Occupational Health and Safety at (709) 729-7454.

8 Environment and Climate Change Canada

8.1 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.

8.2 Environment and Climate Change Canada 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) atec.scatldonneesei-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.

9 Fisheries and Oceans Canada

9.1 Proponent is advised to 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.

10 Transport Canada

10.1 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://tc.canada.ca/en/marine/about-canadian-navigable-waters-act>. For further information, please contact Transport Canada at (709) 351-3200 or contact the Navigation Protection Program directly at (506) 851-3113 or NPPATL-PPNATL@tc.gc.ca.