

ATTACHMENT A**Regulatory Advice from Government Departments****EA # 2288 Portugal Cove South to Cape Race Multiuse Trail (the Project)**

During the environmental assessment of the Project, provincial and federal government departments and agencies indicated that the following plans, permits, licences, approvals and/or other authorizations 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.

The Climate Change Branch (CCB) of the Department of Environment and Climate Change recommends you consider provincial climate change projections for St. John's in the planning of this undertaking as it is anticipated that extreme precipitation events will become more intense. All heavy-duty equipment used in the construction phase of the Project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises that a spill response contingency plan should be developed to respond quickly and effectively to any spills of hazardous materials such as fuels. For further information, contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises that prior to the start of construction, you must apply for and obtain a Water Use Licence for the use of water from any water source for any purpose and a permit for any work in or within fifteen (15) metres of a body of water, including wetlands. Additionally, where the proposed trail passes through ponds or wetlands as indicated on 1:50,000 National Topographic Maps, the trail must be ground verified and should be relocated outside a 15-metre boundary from the waterbody. 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.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that all debris from construction is to be collected daily and placed in secure storage prior to disposal. 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. For further information, contact the GSC at (709) 292-4206.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development 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 this legislation.

The Department of Fisheries, Forestry and Agriculture (FFA) advises that species listed as Threatened under the **Newfoundland and Labrador Endangered Species Act (NLESA)** are located within the area. Section 16(1) of the **NLESA** states that the disturbance, harassment, injury, or killing of any species designated as Threatened, Endangered, or Extirpated is prohibited. A Cutting Permit is required prior to any harvesting or timber removal, and an Operating Permit is required prior to the start of any work during the forest fire season. For further information, contact FFA at (709) 637-2950.

The Tourism Product Development Division (Tourism) of the Department of Tourism, Culture, Arts and Recreation (TCAR) advises that you consult with a professional trail building consultant to ensure the trail is designed and built to industry standards in a natural and sustainable manner. Tourism further advises the Project is near the East Coast Trail and you should consult with the East Coast Trail Association (ECTA) to ensure that there is no conflict between the two trails. For further information, contact Tourism at (709) 729-4518.

Environment and Climate Change Canada – Canadian Wildlife Service (ECCC-CWS) encourages you to develop the following plans:

- Oil Spill Prevention and Wildlife Response Plan;
- Contingency Plan for Oil Spills and Fuel Leaks;
- Wetland Compensation Plan;
- Invasive Species Prevention Plan;
- Species at Risk Protection Plan; and
- Contingency Plan for Site-Specific Accidents and Malfunctions.

ECCC further advised that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operation 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-cwsatliadata.ec@ec.gc.ca and to the Atlantic Canada Conservation Data Centre at <http://accdc.com/en/contribute.html>. For further information, contact Environment and Climate Change Canada at (709) 772-2126.

The Department of Fisheries and Oceans advises that the modernized Fisheries Act includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you 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. 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.