

**Attachment B**  
**Regulatory and Technical Advice from Government Departments/Divisions**

**EA #:** 2386 - Humber Valley Residential Development (the Project)  
Jane Chaulk (the Proponent)

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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 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 Climate Change Branch at (709) 729-1485.

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

- 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 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 that spill response equipment should be readily available on site and stored in an accessible location. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

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

- 3.1 Proponent is advised that the property is partially located in both a 1-in-20-year and a 1-in-100-year floodplains, and that development is only permitted in the 1-in-100-year floodplain as per the Flood Plain Management Policy. Information on the floodplains can be accessed at <https://www.gov.nl.ca/eccc/waterres/flooding/> and

<https://gnl.maps.arcgis.com/apps/webappviewer/index.html?id=24dd4bb6f03948eb93f0535367a42a1f>.

- 3.2 Proponent is advised that a Section 48 permit under the **Water Resources Act** prior to any that will occur in or within 15 metres of a body of water (including wetlands and floodplains).
- 3.3 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.
- 3.4 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 the Water Resources Management Division 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.
- 4.2 Proponent is advised that this is in an area having oil and gas potential and to be aware of potential for future activity in the Project's vicinity. For further information, please contact Energy and Mines at (709) 729-1582.

#### 5 Department of Forestry, Agriculture and Lands

- 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 Forestry, Agriculture and Lands is required to be contacted at [GMD@gov.nl.ca](mailto: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 operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.
- 5.4 Proponent is advised that the location of any raptor nest sites shall be reported to the Wildlife Division at [wildlifereferrals@gov.nl.ca](mailto: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.
- 5.5 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**. 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 Forestry, Agriculture and Lands and must obtain a Section 18 Permit of the **NLESA** for any Species at Risk surveys that could potentially disturb the species.

- 5.6 Proponent is advised that the surveys for Black Ash should be conducted prior to project commencement, including land clearing. 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](mailto:wildlifereferrals@gov.nl.ca). 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 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. 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.
- 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 Government Service Centre 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 Government Service Centre for review and approval. 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** 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 Department of Health and Community Services**

- 8.1 Proponent is advised that the Sanitation Regulations under the **Health and Community Services Act** apply to sewage disposal systems with daily sewage flows under 4546 litres per day. For further information, please contact Health and Community Services at (709) 729-3422.

## 9 Department of Municipal and Community Affairs

- 9.1 Proponent is advised to obtain a Development Approval and Permit from the Authority (Town of Steady Brook) in accordance with their municipal plan and development regulations under the **Urban and Rural Planning Act, 2000**. For more information, please contact Municipal and Community Affairs at (709) 729-3090.

## 10 Environment and Climate Change Canada

- 10.1 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>.
- 10.2 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
- 10.3 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.
- 10.4 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.
- 10.5 Proponent is advised to develop and implement measures to diminish the risk of introducing invasive species.
- 10.6 Proponent is advised to report any sightings of species at risk (e.g., Barn Swallow, Bank Swallow, Red Crossbill, Olive-sided Flycatcher, Rusty Blackbird, Short-eared Owl, Little Brown Myotis, Northern Myotis, Tri-colored Bat, Caribou) to the Canadian Wildlife Service. For further information, please contact Environment and Climate Change Canada – Canadian Wildlife Service at (709) 772-4313.

## 11 Fisheries and Oceans Canada

- 11.1 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.