

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2387 – L'Anse au Loup Dam Reconstruction (the Project)
Town of L'Anse au Loup (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 that all heavy-duty equipment is to be operated in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that contribute to climate change. For further information, 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 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 a Pesticide Applicator Licence is required for the application of pesticides and a contractor hired to perform that service must have a valid Pesticide Operator License. For further information, contact the Pesticides Control Section at (709) 729-6054.
- 2.3 Proponent is advised that brush should be chopped/shredded and may be removed to an approved compost facility or an approved waste disposal site for disposal with the prior permission of the owner/operator.
- 2.4 Proponent is advised to follow the guidance documents for Treated Wood Waste and the Management of Excavated Soils, Concrete Rubble and Dredged Materials. For further information, 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 to obtain a Section 48 Permit under the **Water Resources Act** for any work on the Water Supply Dam prior to the start of construction.

- 3.2 Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003.
- 3.3 Proponent is advised to designate their Public Water Supply Area as a Protected Public Water Supply Area under Section 39 of the **Water Resources Act**. 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, 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 Proponent is advised to operate under the **Wild Life Act** and their associated regulations.
- 5.2 Proponent is advised that the existing infrastructure/new construction requires a Licence to Occupy or Grant under Section 9 of the **Lands Act**.
- 5.3 The Proponent is advised that species listed under the **Newfoundland and Labrador Endangered Species Act (NLESA)** have potential to occur in the area. In addition, several species in the area 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, the **NLESA** and/or the federal **SARA** will apply and the Proponent may be required to develop mitigations, in consultation with the Department of Forestry, Agriculture and Lands - Wildlife Division, for the protection and recovery of the species.
- 5.4 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments within the Project area. The GIS and Mapping Division of the Department of Forestry, Agriculture and Lands must be contacted via email at GMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**. For further information, 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 electrical plans must be submitted to the Government Service Centre for review and approval.
- 6.2 Proponent is advised that waste material should be considered, for reuse, resale or recycling, prior to disposal.
- 6.3 The 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 associate product is to be reported

immediately to the Government Service Centre by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.

- 6.4 Proponent is advised that plans and specifications for buildings, structures and properties subject to the **Buildings Accessibility Act** and the **Fire Protection Services Act** must be submitted to the Department of Government Services prior to project commencement. When applicable, design work must be carried out by a professional engineer or architect. For further information, contact the 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, they also comply with the legislation. For further information, please contact Occupational Health and Safety at (709) 729-7454.

8 Department of Labrador Affairs

- 8.1 Proponent is advised to communicate with residents about any impacts to water services during the construction phase. For further information, contact Labrador Affairs at (709) 896-1780

9 Department of Municipal and Community Affairs

- 9.1 Proponent is advised that in the opinion of the Department of Municipal and Community Affairs, the proposed undertaking is exempt from the definition of development under the **Urban and Rural Planning Act, 2000**. As such, the Town is not required to issue a permit to itself; however, it may choose to issue permits to contractors to ensure development conditions are applied. For further information, contact the Department of Municipal and Community Affairs at (709) 729-3090.

10 Environment and Climate Change Canada

- 10.1 Proponent is advised about the potential applicability of the **Canadian Environmental Protection Act**.
- 10.2 Proponent is advised of the applicability of Section 36(3) of the **Fisheries Act** that prevents the deposition of deleterious substances in waters frequented by fish. Proponent is responsible for taking appropriate measures to prevent the release of deleterious substances to fish.
- 10.3 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected in accordance with the **Migratory Birds Convention Act**.
- 10.4 Proponent is advised that the **Species at Risk Act** "General Prohibitions" apply to this project. No person shall kill, harm, harass, capture or take an individual of

a listed species: possess, collect, buy, sell, or trade any individual or its parts; or damage or destroy the residence of one or more individuals.

10.5 Environment and Climate Change Canada-Canadian Wildlife Services recommend the Proponent to develop the following plans:

- A Contingency Plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
- An Oil Spill Prevention Plan.
- A Wildlife Emergency Response Plan.

10.6 Proponent should develop mitigation measures appropriate for migratory birds with different nesting strategies and implement measures to diminish the risk of introducing invasive species. For further information, please contact the Department of Environment and Climate Change Canada at (709) 772-4313 or (709) 853-1304.

11 Fisheries and Oceans Canada

11.1 Proponent is responsible for understanding the potential impacts of the project on fish and fish habitat, implementing measures to avoid and mitigate those impacts and obtaining authorization from the Minister of the Department of Fisheries and Oceans where avoidance and mitigation are not possible.

11.2 Proponent shall submit a Request for Review through the 'Projects Near Water' website to receive information on how to comply with the **Fisheries Act** and 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. For further information, contact the Department of Fisheries and Oceans Canada at (709) 772-4140.

12 Transport Canada

12.1 Proponent is advised that the Project is considered a major work and will require a **Canadian Navigable Waters Act** approval. For further information, contact the Department of Transport Canada at (506) 851-3113.