

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2403 - Town of Victoria Route 70 Water and Sewer Main Replacement (the Project)
Town of Victoria (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 for this undertaking.
- 1.2 Proponent is advised to operate all heavy-duty equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could 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 their associated regulation.
- 2.2 Proponent is advised that all waste material generated on site during construction and operation must be collected in appropriate refuse containers and removed to a waste disposal facility that is approved to accept the specific type and quantity of waste.
- 2.3 Proponent is advised that pesticide use is subject to the Pesticides Control Regulations. A Pesticide Applicator Licence is required for the application of pesticides. Where the slope of the terrain is less than or equal to 20 degrees, herbicide application is not permitted within 30 metres of a scheduled salmon river. Where the slope of the terrain is greater than 20 degrees, herbicide application is not permitted within 50 metres of a scheduled salmon river. 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 Water Use Licence under the **Water Resources Act** prior to the start of Project construction for the use of water from any source for any purpose.
- 3.2 Proponent is advised to obtain a Water Use Licence under the **Water Resources Act** prior to start of construction for the non-domestic use of water from any source for any purpose.
- 3.3 Proponent is advised to obtain a permit under Section 36 and/or 37 of the **Water Resources Act**, for the construction of public drinking water or wastewater system infrastructure.
- 3.4 Proponent is advised any effluent or runoff leaving the Project site shall comply with 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 shall be obtained from approved sources. For further information, 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 in accordance with the **Lands Act**, the **Wild Life Act** and associated regulations.
- 5.2 Proponent is advised that there may be private land within the Project area that is not recorded with the Crown Lands Office. If work is planned on private property, the Proponent is advised to obtain permission from the landowners prior to commencement of Project.
- 5.3 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 shall 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 a Certificate of Approval issued by the Department of Government Services is required prior to commencement of operations.
- 6.2 Proponent is advised that a Development Permit issued by the Department of Government Services is required prior to commencement of operations under the Protected Road Zoning Regulations.

- 6.3 Proponent is advised that an Access to Provincial Roads Permit under the **Works Services & Transportation Act** is required.
- 6.4 Proponent is advised to develop 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 the Government Service Centre by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.
- 6.5 Proponent is advised that water and sewage systems exceeding 4,546 litres shall comply with the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards 2006 and will require the submission of certified engineering drawings and specifications to Government Service Centre for review and approval. For further information, contact the Government Service Centre at (709) 637-2369.

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, contact the Occupational Health and Safety Division at (709) 729-7454.

8 Department of Municipal and Community Affairs

- 8.1 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.

9 Department of Transportation and Infrastructure

- 9.1 Proponent is advised to submit water and sewer design plans meeting the minimum setbacks requirements for the approval of the Department of Transportation and Infrastructure prior to commencement of project construction. For further information, contact the Department of Transportation and Infrastructure at (709) 729-5972.

10 Environment and Climate Change Canada

- 10.1 Proponent is advised about the 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 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.

10.5 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. For further information, contact Environment and Climate Change Canada at (709) 772-4313.

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 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, contact the Fisheries Protection Program at (709) 772-4140.

12 Transport Canada

12.1 Proponent is advised of the potential applicability of the **Canadian Navigable Waters Act**.

12.2 Proponent is advised to submit an application for approval, prior to commencing work, if the proposed works do not meet all the criteria of the Minor Works Order. For further information, contact Transport Canada - Navigational Protection Program at (506) 851-3113.