

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2430 – Humber River Ballam 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 Stephenville (nearest regional site) in Project planning
- 1.2 Proponent is advised that all heavy-duty equipment used in the construction and operating phase of this 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, 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 activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and their associated regulations.
- 2.2 Proponent is advised that all waste material generated on site during construction and operation shall 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 spill response equipment should be readily available on site and stored in an accessible location.
- 2.4 Proponent is advised that the storage, handling and disposal of used and or waste oil/glycol shall comply with the Used Oil and Used Glycol Control Regulations.
- 2.5 Proponent is advised that all fuel storage tank systems, other than those connected to a heating appliance of 2,500 litres or less, require registration prior to installation. 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 bridge must be designed and constructed for a 1:100-year climate change flow condition.
- 3.2 Proponent is advised to maintain a 15-metre environmental buffer, where feasible, on all streams, waterbodies, and wetlands during construction, development and operation of the Project.
- 3.3 Proponent is advised a Section 48 Permit is required under the **Water Resources Act** for the removal of the existing bridge.
- 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 Forestry, Agriculture and Lands

- 4.1 Proponent is advised to operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.
- 4.2 The Proponent is advised to operate under the established legislation and regulations of the **Lands Act** and it is the Proponent's responsibility to identify Crown lands required for the undertaking. Development on private lands requires landowner permission.
- 4.3 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments with the Project area. The GIS and Mapping Division of the Department of Forestry, Agriculture and Lands shall be contacted via email at CMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the Lands Act.
- 4.4 Proponent is advised that species listed under the **Newfoundland and Labrador Endangered Species Act (NLSEA)** are known to exist in the area of the proposed Project. Section 16 (1) of the **NLESA** states, "A person shall not disturb, harass, injure, or kill an individual of a species designated as threatened, endangered, or extirpated".
- 4.5 Proponent is advised that no vegetation clearing is to occur within the following buffers:
 - 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year.
 - 200 metres of all other raptor nests from March 15 to July 31.
 - 800 metres of short-eared owl (ground) nests between May 15 and August 15. Additionally, no ground disturbance is to occur within this short-eared owl nest buffer during these dates
- 4.6 Proponent is advised that work in water shall be conducted in accordance with the **Newfoundland and Labrador Off-Road Vehicles Act** and associated

regulations, NL's Guide for Water Crossings and the Best Management Practices for the Protection of Freshwater Habitat in Newfoundland and Labrador.

- 4.7 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 (SARA)**. The Proponent is advised that if species that are designated and listed under this 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 Wildlife Division, for the protection and recovery of the species. Proponent shall obtain a Section 18 permit of the **NLESA** for any Species at Risk surveys that could potentially disturb the species. For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

5 Department of Government Services - Government Service Centre

- 5.1 Proponent is advised to ensure that all waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of the site owner/operator.
- 5.2 Proponent is advised any spill or leak of gasoline or associate product is to be reported immediately to Government Service Centre by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089.
- 5.3 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. The storage, handling, and disposal of used and or waste oil shall comply with the Used Oil and Used Glycol Control Regulations. For further information, please contact the Government Service Centre at (709) 729-0248.

6 Department of Government Services - Occupational Health and Safety

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

7 Department of Municipal and Community Affairs

- 7.1 Proponent is advised the Project intersects the Municipal Boundary and Municipal Planning area of the City of Corner Brook. Proponent is recommended to notifying the City and property owners in the project area. For further information please contact the Department of Municipal and Community Affairs at (709) 729-3090.

8 Department of Tourism, Culture, Arts and Recreation

- 8.1 Proponent is advised to avoid impacts of the Project on the Man in the Mountain Trail including the trail corridor, trailhead access, future trail enhancements and overall user experience. Any disruption to trail access should be minimized and developed in consultation with relevant rail managers and partners, including Cabox Aspiring Geopark and the International Appalachian Trail Newfoundland and Labrador. For further information please contact the Department of Tourism, Culture, Arts and Recreation at (709) 729-6588.

9 Environment and Climate Change Canada

- 9.1 Proponent is advised to develop the following plans:
- A Management Plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds.
 - An Oil Spill Prevention and Response Plan.
 - A Contingency Plan that considers potential accidents and malfunctions that take into account site-specific conditions and sensitivities.
- 9.2 Proponent is advised to avoid nest destruction and to accommodate the breeding season of migratory birds by considering nesting locations between mid-April and Mid-August in this region for when and where operations occur. Environment and Climate Change Canada requests that species-at-risk sighting be reported to the Canadian Wildlife Service (CWS) at <http://www.accdc.com/en/contribute.html>. For further information, please contact Environment and Climate Change Canada at (709) 772-4313.

10 Fisheries and Oceans Canada

- 10.1 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 New 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.

11 Transport Canada

- 11.1 Proponent is advised that the Project may require an approval under the **Canadian Navigable Waters Act**. For more information, please contact Transport Canada, Navigation Protection Program, at (506) 851-3113.