

## **Environment and Climate Change**

October 8, 2021

### **Environmental Assessment Bulletin**

The Honourable Bernard Davis, Minister of Environment and Climate Change, has announced the following events relative to Part 10 Environmental Assessment of the Environmental Protection Act.

#### **UNDERTAKINGS REGISTERED:**

**Argentia Seafood Processing Plants** (Reg. 2172)  
**Proponent: Dandy Dan's Fish Market Ltd.**

The proponent proposes to use an existing building to process ground fish and construct a new building to process crab in Argentia. The existing building is located at 110 Charter Avenue on lot #41 and the new building would be located on an adjacent lot #30 in the Industrial Park of the Port of Argentia. The existing building is 511 square metres and new building will be 1,394 square metres.

The undertaking was registered on October 7, 2021; the deadline for public comment is November 12, 2021; and, the minister's decision is due by November 21, 2021.

**Cormack Agriculture Area of Interest #40 Land Clearing** (Reg. 2173)  
**Proponent: Department of Fisheries Forestry and Agriculture**

The proponent is proposing to conduct land clearing within the provincial Agriculture Area of Interest #40 near Cormack. The land will be used for growing vegetables and other agricultural crops. The development would consist of land clearing, where overburden is removed and stockpiled for potential further use. There would be no other road or water crossings developed.

The undertaking was registered on October 8, 2021; the deadline for public comment is November 12, 2021; and, the minister's decision is due by November 22, 2021.

#### **UNDERTAKINGS RELEASED:**

**Riverhead Commercial Wharf and Quarry** (Reg. 2153)  
**Proponent: Pennecon Marine Base Ltd.**

The project is released subject to the following conditions:

- The proponent is required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the project on the environment.

- Prior to commencing any work related to this project, a Water Resources Management Plan must be prepared and submitted to the Water Resources Management Division for review and approval. The Water Resources Management Plan should address/answer the following concerns/questions:
  - If there are any brooks, rivers, ponds, streams or wetlands, present in or within 30 metres of the boundaries of the project site, the proponent must provide the type of water body and its distance from the site.
  - If any of the above-mentioned water bodies are impacted by site operation, describe how the water body will be impacted. A permit/licence from the Water Resources Management Division may be required.
  - If there is any potential of onsite drainage water or dewatering water to discharge into a natural water body, describe what precautionary measures, such as vegetative cover, filter strip, silt curtain, etc., are to be deployed to ensure the effluent or runoff meets the requirement of the Environmental Control Water and Sewage Regulations, 2003.
  
- The Department of Fisheries, Forestry and Agriculture requires the following:
  - No vegetation clearing is to occur within 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. The 200-metre buffer also applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). The location of any raptor nest site must be reported to the Wildlife Division.
  - The Wildlife Division requires a minimum of 50-metre naturally vegetated buffer be maintained along the coast (east of the quarry). Coastal shorelines and adjacent uplands are important wildlife habitat; precautionary buffers will decrease impacts due to erosion.
  - For slopes less than 30 percent, a minimum 30-metre naturally vegetated riparian buffer zone shall be established around all waterbodies, from the high water mark, that are identified on either the 1:50,000 scale National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use Atlas. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
  - For slopes greater than 30 percent, there shall be a naturally vegetated riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (%). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
  
- The proponent is required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description,

documents, and images (where applicable) to demonstrate that the conditions have been fulfilled.

- The proponent is required to update the Environmental Assessment Division on the status of the project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the project, one year from the date of this release letter and to provide additional updates if requested.

**CBPP Zone 7 (Districts 9 and 16)  
Five-Year Operating Plan (2022-2026)**

(Reg. 2145)

**Proponent: Corner Brook Pulp and Paper Limited**

The project is released subject to the following conditions:

- The proponent is required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the project on the environment.
- The Climate Change Branch of the Department of Environment and Climate Change requires that a Greenhouse Gas Management Plan must be prepared and submitted for approval to the Minister of Environment and Climate Change. A draft of the plan must be submitted within one year of the date of this letter with an update on the progress of the plan to be submitted in six months.

The Plan is expected to include:

- Any carbon modeling that has been or will be used to inform forest management planning;
  - Projections on the level of greenhouse gas emissions that are anticipated to be captured and/or released over the five year period; and,
  - A description of how forest management will be informed by carbon modelling with regard to climate change mitigation and climate change adaptation.
- The Water Resources Management Division the Department of Environment and Climate Change requires that a 30-metre buffer must be maintained around the hydrometric stations at;
    - Southwest Brook near Baie Verte (02YM003);
    - Outlet of the Steady (NLENHM0002);
    - Indian Brook Diversion above Birchy Lake (02YM004);
    - Sheffield Brook near TCH (02YK005);
    - Boot Brook at TCH (02YK008);
    - Upper Humber River near Reidville (02YL001);
    - Cat Arm Reservoir near spillway (02YF002);
    - Main River at Paradise Pool (02YG001);
    - Upper Humber River above Black Brook (02YL008); and
    - Upper Humber above Black Brook weather station (NLENCL0007).

- The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires the following:
  - The proponent must work with the Wildlife Division for final sign off on the blocks listed below. Annual operating plans shall be submitted for final approval by the Wildlife Division before any project activities take place. Planning of forestry activities shall consider the following:
    - K-09-16, K-09-17 and K-09-38 overlap with caribou core calving areas for the Adies Lake herd and the Hampden Downs herd. Both herds are classified as Restoration herds. No harvesting or new road development is to occur within overlapping primary core calving areas (66 spring kernels) within its Tier 1 and Tier 2 ranges and seasonal constraints are to be implemented for any overlapping secondary core calving areas (80 spring kernels) no harvesting activities shall occur from April 15 to July 15.
    - K-16-38, K-16-44 and K-16-47 overlap with caribou core calving areas for the Adies Lake herd. This herd is classified as Restoration herd. No harvesting or new road development shall occur within overlapping primary core calving areas (66 spring kernels) within its Tier 1 and Tier 2 ranges and seasonal constraints are to be implemented for any overlapping secondary core calving areas (80 spring kernels) no harvesting activities are to occur from April 15 to July 15.
    - K-16-47 overlaps with Marten Critical habitat. Newfoundland Marten are listed as threatened under the *Newfoundland and Labrador Endangered Species Act* (NLESA). Section 16 (1) of NLESA states, “A person shall not disturb, harass, injure, or kill an individual of a species designated as threatened, endangered, or extirpated”. Denning of female marten and young occurs from early April to the end of June and dens must be protected from damage and disturbance during this time period as dens are protected under the provincial NLESA and the Federal *Species at Risk Act*. To help reduce any negative impacts on marten, the Wildlife Division requires that necessary vegetation clearing or excessive noise be undertaken outside of the denning, breeding and brood rearing period, which runs from early-April to end of June. Disturbance could result in negative impacts on survival or condition of young or denning females (Marten Recovery Plan 2010).
    - K-16-44 and K-16-47 overlap with the Birchy Basin Upper Humber Management Unit and also received special recognition as a significant wetlands complex. As per the Provincial Sustainable Forest Management Strategy, a minimum 75-metre undisturbed buffer is required along the wetland complex. The proponent is required to consult with the Wildlife Division on the boundaries of the Management Unit, the wetland complex and the proposed forest harvest areas and their potential overlap.
- The Department of Industry, Energy and Technology requires that the proponent’s annual silviculture plans submitted to the Department of Fisheries, Forestry and

Agriculture for approval must also be forwarded to the Mines Branch for review to check for overlaps with areas covered by quarry permits (or leases), anticipated areas of quarry expansion, and areas of recognized aggregate resource potential.

- The Department of Tourism, Culture, Arts and Recreation requires the following:
  - The proponent is to coordinate forest management efforts with outfitters during big game season from September 15 - December 31 and during spring bear harvest which occurs from May 1 - July 15.
  - The proponent is required to submit a Tourism Stakeholder Consultation Plan (Consultation Plan) that will report on consultations with tourism stakeholders. The Consultation Plan is to identify the potential impacts of forestry operations on each tourism stakeholder and describe how harvesting, road construction and silviculture activities will be modified to minimize impacts to tourism stakeholder values, which include but are not limited to, wildlife populations and hunting success rates, pristine and remote wilderness settings, and increased access by local residents. The Consultation Plan must be reviewed and approved by Tourism, Culture, Arts and Recreation prior to conducting forestry operations.
  - The proponent shall implement measures that preserve the visitor experience and viewsapes along the TCH. Cut blocks along the TCH should be developed using landscape design techniques that mitigate visibility to the motoring public. You are advised to continue to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts from the TCH.
  
- The proponent is to uphold the commitments made in their annual operating plans and the environmental assessment registration document with respect to reforestation.
  
- The proponent is to submit a viewscape management plan for harvesting activities on the Baie Verte Peninsula to the Environmental Assessment Division for the Minister's approval prior to the commencement of project activities. The viewscape management plan shall use landscape design techniques to mitigate the visibility of cut blocks.
  
- The proponent is to submit a domestic harvesting plan for the Baie Verte Peninsula for the Minister's approval and the approval of the Minister of Fisheries, Forestry and Agriculture prior to the commencement of project activities. It is recommended that the proponent submit this plan prior to November 15, 2021.
  
- The proponent is required to advise the Environmental Assessment Division when the conditions of release have been met.

- The proponent is required to update the Environmental Assessment Division on the status of the project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for the project, one year from the date of this release letter and to provide additional updates if requested.

### **Learn more**

Environmental Assessment Division  
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Public comments may be forwarded to: [EAprojectcomments@gov.nl.ca](mailto:EAprojectcomments@gov.nl.ca)

Environmental assessment information: <https://www.gov.nl.ca/ecc/env-assessment/>

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