

COR-2023-1747

MAY 24 2023

Reg. # 2241

Bryan Oke  
Director Forest Ecosystem Management  
Department of Fisheries, Forestry and Agriculture  
Forestry & Wildlife Branch  
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Bishops Falls NL A0H 1C0  
E-mail: [bryanoke@gov.nl.ca](mailto:bryanoke@gov.nl.ca)

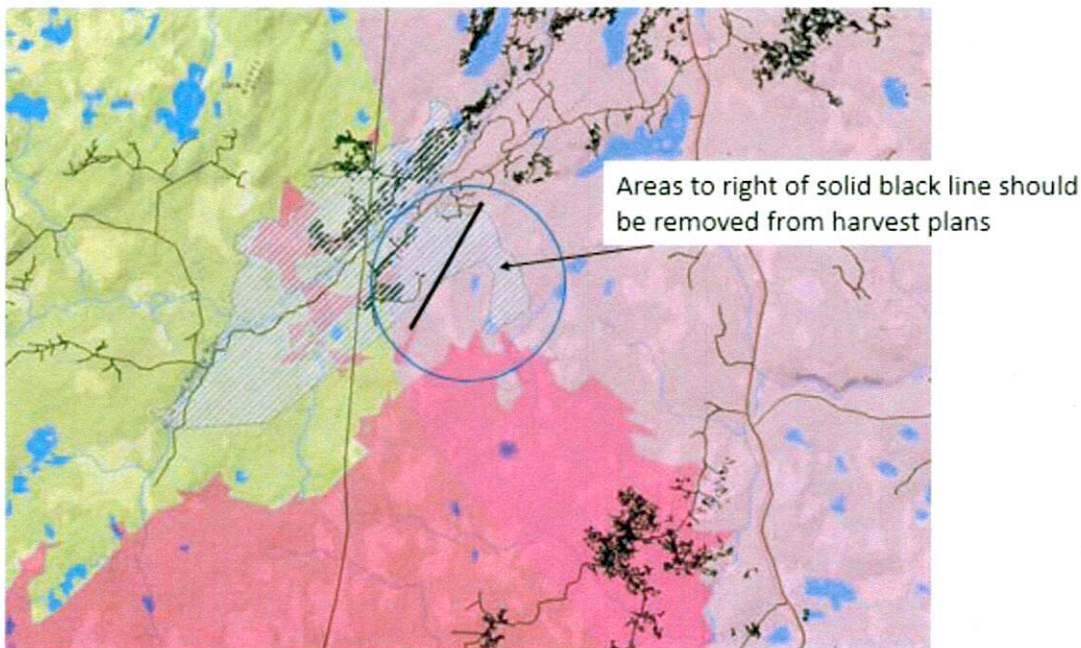
Dear Bryan Oke:

**RE: Crown Zone 5 Five-Year Plan Amendment (2021-2025) (the Project)**

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador **Environmental Protection Act**, SNL 2002, cE-14.2. Please be advised that the Project is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
- Commitments made in the environmental assessment registration document for EA Reg. # 2108, Crown Zone 5 Five-Year Forestry Operating Plan (2021-2025), apply to this project as do the conditions of release of EA # 2108 from further environmental assessment in the Minister's letter of March 11, 2021.
- The Department of Fisheries, Forestry and Agriculture requires the following:
  - The area falls within Newfoundland Marten core habitat. Newfoundland Marten are listed as Threatened under the Newfoundland and Labrador Endangered Species Act. Vegetation clearing or excessive noise must not be undertaken during the denning, breeding and brood rearing period, which runs from early-April to end of June.

- The salvage harvest in the region of CC11030 extends into what is known as the 'Restoration30' area (light pink), for the Mount Peyton caribou population, for which the management objective is to reduce new disturbance given high levels of existing disturbance within the range. In particular, the 'arm' that extends into the range, where there are currently no roads. The following map outlines the region that must be removed from the proposed harvest area. For more information, please contact the Wildlife Division at (709) 637-2052.



- You are 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 to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
- You are 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, within one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).



The reviewing federal and provincial government departments and agencies have provided advice, which is attached for your reference.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, my decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period, you may apply to extend the term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project will have to be registered again for environmental assessment if you wish to proceed. For further information, please email [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

If you have any questions about the environmental assessment process, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or email [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, appearing to be "BD", with a long horizontal line extending to the right.

**HON. BERNARD DAVIS, MHA**  
District of Virginia Waters - Pleasantville  
Minister

Enclosure

Cc: Chris Tibbs, MHA, District of Grand Falls-Windsor-Buchans



## Attachment A

Federal and Provincial government departments and agencies provide the following advice:

The Climate Change Branch (CCB) of the Department of Environment and Climate Change advises that heavy equipment used for Project construction and operations should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For more information, please contact the CCB at (709) 729-1485.

The Natural Areas Program of the Department of Environment and Climate Change requests that no new roads or trails will be constructed within 500 metres of protected areas, including the Stony Lake proposed ecological reserve, which was released in May 2020 as part of the Home for Nature - Protected Areas Plan for the island of Newfoundland. For more information, please contact Natural Areas Program at (709) 637-2240.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change advises that a Pesticide Applicator Licence is required for the application of a pesticide, and a contractor hired to perform that service must have a valid Pesticide Operator Licence. For more information, please contact the Pesticides Control Section at (709) 729-6054. You are also advised to develop a contingency plan specific to the Project and to have spill response equipment readily available on-site 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 Environmental Emergencies Telephone Line at 1-800-563-9089. For more information, please contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises that permits are required for any work in or within 15 metres of a body of water (including wetlands), and effluent or runoff leaving the site is required to conform to the Environmental Control Water and Sewage Regulations. The proponent may wish to discuss the location with Marathon Gold as there may be a water monitoring station going in on Victoria River. For more information, please contact the WRMD at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL (DGSNL) advises that a development permit is required in accordance with the **Urban and Rural Planning Act** for the construction of an access road in a protected area, or for any access onto a protected road. For further information, please contact the Government Service Centre Regional Office at (709) 292-4206.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises that generally, you must ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with the legislation. For further information, please contact the Occupational Health and Safety Division at 1 (800)563-5471.

The Department of Fisheries, Forestry and Agriculture (FFA) advises that the 2023 Environmental Protection Guidelines for Forestry Operations in Newfoundland and Labrador are to be followed; and, you are to develop and implement appropriate preventative and mitigation measures to avoid incidental take of birds, nests and eggs. The proposed activities are not to encroach on existing titles and the proponent should keep the safety of residents, cottage owners and other recreational users in mind during forestry activities. For more information, please contact FFA at (709) 637-2353.

The Provincial Archaeology Office of the Department of Tourism, Culture, Arts and Recreation advises that a 100-metre buffer is required on Victoria River and Great Rattling Brook where no ground-disturbing activities are permitted. For further information, please contact the Provincial Archaeology Office at (709) 729-2462.

Environment and Climate Change Canada (ECCC) recommends that you prepare 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; and,
- a Contingency Plan that considers potential accidents and malfunctions for site specific activities.

ECCC further advises you to avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to [ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca](mailto:ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca). For more information, please contact the Canadian Wildlife Service at (709) 772-4221.

DFO advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the **Fisheries Act** and as well as information on the project review process. The “Projects Near Water” website is located at <http://www.dfo-mpo.gc.ca/pnw-pppe/index-eng.html>. For more information, please contact the Fisheries Protection Program at (709) 772-4140.