

February 13, 2017

File # 2.1133.0216
Reg. #1869

Mr. Stephen Balsom
Assistant Deputy Minister
Forest Service
Department of Fisheries, Forestry and Agrifoods
PO Box 2006
Corner Brook NL A2H 6J8

Dear Mr. Balsom:

RE: Forest Management District 21 Five-Year Operating Plan (2017-2021)

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by the Newfoundland and Labrador *Environmental Protection Act*, SNL 2002, cE-14.2.

The “Environmental Protection Guidelines for Ecologically Based Forest Resource Management” (the Guidelines) is a document created by the Forestry Branch of Newfoundland and Labrador, and is intended to be on-the-ground guidelines to be used by forest managers and operators to ensure sustainable use of the forest resource without degrading the environment. I appreciate recent discussions between representatives of the Department of Environment and Climate Change (ECC) and the Department of Fisheries, Forestry and Agrifoods (FFA) to enhance the Guidelines through the incorporation of best management practices in a risk management approach respecting avifauna.

As you are aware, the conservation, protection and management of the provinces’ avifauna and its habitat are enabled federally, under the *Migratory Birds Convention Act*, and provincially under the Wild Life Act. Additionally, avifauna species that are endangered, threatened or vulnerable receive additional protection under the federal Species at Risk Act (SARA) and/or the Newfoundland and Labrador Endangered Species Act. The enactment of the *Migratory Birds Convention Act* in 1916 stands as a conservation milestone that is still as relevant now as it was over 100 years ago.

I understand FFA will carry out a jurisdictional scan across Canada of best management practices, in consultation with the Wildlife Division of ECC and the Canadian Wildlife Service of Environment and Climate Change Canada (ECCC), with a goal of adapting and adopting these practices for Newfoundland and Labrador forest operating activities. My department commends this approach and also understands that once developed, these management tools will be

continuously improved upon as new information is obtained and will incorporate the best available spatial and non-spatial information in order to address the issue of incidental take of avifauna and to reduce operational costs. Upon consideration of the above and of the comments received, please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- A draft document that details a plan for the development and implementation of best management practices for avifauna management relative to forestry operations in Newfoundland and Labrador shall be submitted to the Minister of Environment and Climate Change for review and approval by April 30, 2017. This document will outline a more specific plan that includes both short and longterm goals.

Please refer to information provided by the Water Resources Management Division for work in or near designated Protected Public Water Supply Areas (PPWSAs). You are advised that forestry activities will not be permitted in the Forteau-Trout Brook PPWSA due to its small area and resultant sensitivity. You must ensure all forestry operations comply with this Department's Policies and Regulations relative to PPWSAs. You are encouraged to contact the Manager of the Drinking Water and Wastewater Section and Dam Safety Program at (709) 729-4048 for additional information on this permit requirement.

The Destination Development Plan for Labrador identifies the Trans Labrador Highway Route 510 and communities throughout this region along the Labrador Straits from L'anse au Clair to Charlottetown, in the short term, as a particularly important touring corridor. In addition, with the emergence of major tourism attractions, such as the new UNESCO site at Red Bay Basque Whaling Station, Battle Harbour and Mealy Mountains, there are initiatives in place to enhance this region as a strategic touring route. The Tourism and Culture Branch (TCB) advises that a 100 metre buffer may, in some cases, be insufficient coverage from a viewscape management perspective. You are encouraged to use viewscape management techniques for cutting blocks directly adjacent to Trans Labrador Highway and Route 514 in an effort to minimize any potential negative effects on tourism values.

I also draw your attention to a number of water quantity/quality or climate monitoring stations that are operated jointly by the federal and provincial governments in the project area. Please ensure a protective buffer is maintained around any of the monitoring stations that are in close proximity to proposed harvesting activities. You should consult the Program Lead with the Real-time Water Quality Monitoring Program at (709) 729-1159 to determine appropriate buffer sizes.

It is understood that FFA has committed to maintaining a 100 metre buffer around all provincial protected areas, which in this project area includes the Eastern Habitat Joint Venture St. Peters Bay Stewardship Zone and the Pinware River Provincial Park.

The Department of Municipal Affairs advises that a development permit must be obtained from any municipality before proceeding with development inside their boundaries.

In addition to the requirements noted above, the project is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. Please note that 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.

If you have any questions concerning these matters, please contact Mr. Bas Cleary, Director, Environmental Assessment Division at (709) 729-0673.

Sincerely,



PERRY TRIMPER, MHA
District of Lake Melville
Minister

Enclosure

cc: Hon. Steve Crocker, Minister
Fisheries, Forestry and Agrifoods

Hon. Christopher Mitchelmore, Minister
Business, Tourism, Culture and Rural Development