

File # 2.1133.0216  
Reg. #1870

FEB 02 2017

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

Dear Mr. Balsom:

**RE: Forest Management District 22 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. As a requirement of the provincial environmental assessment process, please be advised that this undertaking is **released** from further environmental assessment subject to the following condition:

- 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.

The Water Resources Management Division of this department requires that you obtain permits to operate in any body of water and within Protected Public Water Supply Areas. The Division would also like to discuss water quality and quantity monitoring stations and climate monitoring stations throughout the District. For further information, please contact the Water Resources Management Division at (709) 729-2563.

It is understood that FFA has committed to maintaining a 100 metre buffer around all provincial protected areas, which in this project area includes Duley Lake Provincial Park.

The Mineral Lands Division of the Department of Natural Resources require further information regarding overlaps between silviculture blocks and quarry permit and lease areas. They also require you to apply for and obtain a Quarry Permit from the Mines Branch to source aggregate for access road construction from a location outside of the immediate road right-of-way. For further information, please contact the Mineral Lands Division at (709) 729-5748.

The Department of Municipal Affairs advises that a development permit must be obtained from the Towns of Labrador City and Wabush before proceeding with development inside their boundaries.

The Department of Service NL advises that a development permit is required from the Government Service Centre prior to development within Building Control Lines established under the *Protected Road Zoning Regulations*. For further information, please contact the Government Service Centre at (709) 896-5471.

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  
Department of Fisheries, Forestry and Agrifoods

