

FEB 02 2017

Registration 1871

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

Dear Mr. Balsom:

**RE: Crown Five-Year Operating Plan (the Plan) for Zone 7 (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. Upon consideration of the comments received, please be advised that this undertaking is released from further environmental assessment subject to the following conditions:

- No domestic or commercial harvesting will occur within 100 m of all provincial parks, including the T'Railway Provincial Park;
- A minimum 30 metre undisturbed buffer is to be maintained between operations and any surrounding watercourse or water body;
- Tree screens of 30 m will be maintained between roadways and forestry operations to conceal operations from public view;
- Operations, including silviculture activities, will follow the mitigation commitments for wildlife and wildlife habitat as outlined in the 5 year forest operating management plan and as committed to by the Department of Fisheries, Forestry and Agrifoods (FFA) during the environmental assessment review of this undertaking. These mitigation commitments include restrictions during sensitive lifecycle periods and cutblock boundary amendments. Please contact the Wildlife Division at 709-637-2029 for further information.

Please provide updated maps to District Managers in order to ensure the public is aware of all existing provincial parks, wildlife and ecological reserves and their buffers occurring in the zone.

The "Environmental Protection Guidelines for Ecologically Based Forest Resource Management" (the Guidelines) is a document created by the Forestry Branch of FFA, 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 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. As a requirement of the provincial environmental assessment process, please note that the following condition also applies to this projects' release:

- 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 by April 30, 2017 for review and approval. This document will outline a more specific plan that includes both short and long term goals.

Forest harvesting and new access creation could have negative effects on outfitters and the tourism industry. It is recommended that consultations take place with officials from the Department of Business, Tourism, Culture and Rural Development (BTCRD), as well as with affected outfitters, to explore potential mitigation measures to minimize potential negative effects as identified by the BTCRD in their screening comments on this undertaking. A list of potentially affected outfitters in Zone 7 is attached.

The 2011 Climate Change Action Plan committed the Provincial Government to exploring the potential for changes in forest management practices to increase the carbon storage potential. The FFA has lead responsibility within Government for this commitment. The Department of Environment and Climate Change would welcome an opportunity to discuss any proposals from FFA that could further this strategy. Please contact Ms. Trina Caines, Manager of Risk Mitigation with the Climate Change Branch at [trinacaines@gov.nl.ca](mailto:trinacaines@gov.nl.ca) or at 709-729-1394 for further information.

In addition, please refer to the attached information from the Water Resources Management Division of this department relative to forestry operations in this zone. Please note a new requirement for a site drainage plan relative to a permit under Section 48 of the *Water*

*Resources Act*, 2002 for any work related to, but not limited to, culvert installation, bridge construction, fording or other works in any body of water, including wetlands. Please contact Dr. Abdel-Zaher Kamal Abdel-Razek, Manager of the Water Rights and Investigations Section at (709) 729-4795 for additional information on this permit requirement.

Please refer to information provided by the Water Resources Management Division for work in or near designated Protected Public Water Supply Areas (PPWSAs). As noted, please ensure all forestry operations comply with this Department's Policies and Regulations relative to PPWSAs. Please contact Ms. Paula Dawe, Manager of the Drinking Water and Wastewater Section and Dam Safety Program at (709) 729-4048 for additional information on this permit requirement.

I also draw your attention to a list of water quantity/quality or climate monitoring stations that are operated jointly by the federal and provincial governments in Zone 7. Please ensure a protective buffer is maintained around these monitoring stations as they are located in close proximity to proposed harvesting activities. Please consult Ms. Renee Paterson, Program Lead with the Real-time Water Quality Monitoring Program at (709) 729-1159 to determine appropriate buffer sizes.

Although the undertaking, as proposed, is released from further environmental assessment, it 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 or via email at [clearyb@gov.nl.ca](mailto:clearyb@gov.nl.ca).

Sincerely,



**PERRY TRIMPER, MHA**  
District of Lake Melville  
Minister

Attachments

Cc: Hon. Minister Steve Crocker, Department of Fisheries, Forestry and Agrifoods

