

File # 2.1132:0004  
Reg. 2029

SEP 23 2019

Mr. Bryan Oke  
Director Forest Ecosystem Management  
Department of Fisheries and Land Resources  
Forestry Services Branch  
Fortis Bldg. PO Box 2006  
Corner Brook NL A2H 6J8

Dear Mr. Oke:

**RE: Crown Zone 8 (Districts 17 & 18) Forestry Operating Plan  
Amendment (2018-2022)**

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 this undertaking is **released** from further environmental assessment subject to the following condition:

- A minimum 30-metre undisturbed buffer must be maintained between forestry operations and any surrounding watercourse or waterbody.

The Local Governance and Planning Division of this Department advises that the protected road building control line extends 400 metres from the Northern Peninsula Highway (Route 430). According to the Northern Peninsula Protected Road Zoning Plan forestry activities, wherever possible, be screened from highway view and where excessive noise is generated be located a minimum of 90 metres from any other development. A permit for any activity within 400 metres of the highway centre line must be obtained from the Western Region Government Service Centre.

The Department of Natural Resources advises that you should be aware of the proximity of the undertaking to the former Daniel's Harbour zinc mine and that underground workings of the mine present risks to forestry project developments and human activities, including sudden and unexpected failure through caving in or collapsing. You are encouraged to work with the Department of Natural Resources and the Occupational Health and Safety Branch of Service NL to assess and mitigate the risks.

The Water Resources Management Division of this Department advises that a permit is required under the Water Resources Act, 2002, specifically Section 48

<https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any work in any body of water (including wetland) including but not limited to culverts, bridges, diversion channels, etc.. Contact: Amir Ali Khan, Manager, Water Rights, Investigations, and Modelling Section (709) 729-2295.

Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003  
<https://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>.

For infilling within 15 metres of bodies of water you must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48  
<https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>. Also, any proposed infilling within 15 metres of a body of water must comply with this Department's Policy for Infilling Bodies of Water: [https://www.mae.gov.nl.ca/waterres/regulations/policies/bodies\\_of\\_water.html](https://www.mae.gov.nl.ca/waterres/regulations/policies/bodies_of_water.html).

Environment and Climate Change Canada recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15 and August 15 in this region. However, as some species protected under the Migratory Birds Convention Act (MBCA) do nest outside of this time period, it is the responsibility of the proponent to ensure that project activities are in compliance with the MBCA and associated regulations.

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 Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,



**DERRICK BRAGG, MHA**  
Minister of Municipal Affairs and Environment  
District of Fogo Island-Cape Freels

cc Premier Dwight Ball, MHA, Humber - Gros Morne