

Environment and Climate Change

November 12, 2021

Environmental Assessment Bulletin

The Honourable Bernard Davis, Minister of Environment and Climate Change, has announced the following events relative to Part 10 Environmental Assessment of the Environmental Protection Act.

UNDERTAKINGS RELEASED:

Port Hope Simpson Scrapyard Proponent: Penney's Pit Stop Limited

(Reg. 2171)

The project is released subject to the following conditions:

- The proponent is required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the project on the environment.
- The Department of Fisheries, Forestry and Agriculture requires that vegetation clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year; the 200-metre buffer applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl); and, the location of any raptor nest site must be reported to the Wildlife Division.
- The Department of Tourism, Culture, Arts and Recreation notes that tourism operators in Port Hope Simpson have received significant provincial and federal government assistance to help develop the tourism industry to attract non-resident visitors. The proponent is required to erect a tall fence and/or effective tree screening to obscure the view of the scrapyard from the Trans Labrador Highway.
- The proponent is 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.
- The proponent is 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, one year from the date of this release letter and to provide additional updates if required.

Crown Zone 1 Five-Year Forestry Operating Plan (2022-2026) (Reg. 2164) Proponent: Department of Fisheries, Forestry and Agriculture

The project was released subject to the following conditions:

- The proponent is required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the project on the environment.
- The Climate Change Branch of the Department of Environment and Climate Change requires that a Greenhouse Gas Management Plan must be prepared and submitted for approval by the Minister of Environment and Climate Change. A draft of this plan must be submitted within one year of the date of the Minister's decision letter with an update on the progress of this plan to be submitted in six months. The plan is to include:
 - any carbon modeling that has been or will be used to inform forest management planning;
 - projections on the level of greenhouse gas emissions that are anticipated to be captured and/or released over the five year period; and
 - a description of how forest management will be informed by carbon modelling with regard to climate change mitigation and climate change adaptation.
- The Water Resources Management Division of the Department of Environment and Climate Change requires that a 30- metre buffer must be maintained around the hydrometric stations at:
 - Northeast Pond River at Northeast Pond (02ZM006); and
 - Seal Cove Brook near Cappahayden (02ZM009). For more information, please contact the Water Resources Management Division at (709) 729-1646.
- The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires the following:
 - The proponent must work with the Wildlife Division to mitigate impacts to caribou in the operating areas specified below. Annual operating plans shall be submitted to the Wildlife Division for final approval before any project activities take place. Planning of forestry activities shall consider the following:
 - Operating area CC01060 overlaps with the southern portion of a sensitive wildlife area for caribou (Bay de Verde Peninsula), and you must maintain a 100-metre forested buffer towards the eastern and northern located lichen/ barren grounds.
 - The lichens, *Erioderma mollissimum* and *Degelia plumbea* , are confirmed to be present in operating area CC01063. Both of these lichen species are designated and listed under the Newfoundland and Labrador **Endangered Species Act** and are also listed under the federal **Species at Risk Act** as Special Concern. The southern portion of this operating area

is to be removed from the harvest areas.

- Operating area CC01064 overlaps with a designated sensitive wildlife area for waterfowl. As per the Environmental Protection guidelines, a 50-metre undisturbed naturally vegetated buffer is required along all wetland/waterbodies within this designated area.
- The Land Management Division of Fisheries, Forestry and Agriculture requires the following:
 - Portions of the proposed Forestry Operating Plan areas fall within cottage planning areas, cottage development areas, community infilling limits and Crown land reserves. The proponent is required to consult with the Land Management Division to determine if there are any land use conflicts.
 - There are issued Crown titles and applications for Crown land within and adjacent to the proposed harvest areas. The proponent is required to implement a 100- metre buffer around established cottage development areas and consult with the Land Management Division to ensure buffers are adequate prior to implementation of the five-year plan.
- The Department of Tourism, Culture, Arts and Recreation requires the following:
 - The proponent is to coordinate forest management efforts with outfitters during the big game season from September 15- December 31 and the spring bear harvest, which occurs from May 1 - July 15.
 - The proponent is required to submit a Tourism Stakeholder Consultation Plan (Consultation Plan) that will report on consultations with tourism stakeholders. The Consultation Plan will identify the potential impacts of forestry operations on each tourism stakeholder and describe how harvesting, road construction and silviculture activities will be modified to minimize impacts to tourism stakeholder values, which include but are not limited to: wildlife populations and hunting success rates, pristine and remote wilderness settings, and, increased access by local residents. Tourism, Culture, Arts and Recreation has provided a list of Outfitters in the attached document entitled "Comments for the Proponent," whom the proponent is to include in the consultations. The Consultation Plan must be reviewed and approved by the Minister of Tourism, Culture, Arts and Recreation prior to conducting forestry operations.
 - The proponent shall implement measures that preserve the visitor experience and viewsapes along the Trans Canada Highway, Route 100 and Route 80. Cut blocks visible from these routes should be developed using landscape design techniques that mitigate the visibility to the motoring public. The proponent is advised to continue to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts from the Trans

Canada Highway.

- The proponent is required to uphold the commitments made in the annual operating plans and the environmental assessment registration document with respect to reforestation.
- The proponent is 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.
- The proponent is 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, one year from the date of this release letter and to provide additional updates if required.

Crown Zone 7 Five- Year Operating Plan (2022-2026) (Reg. 2155)
Proponent: Department of Fisheries, Forestry and Agriculture

The project is released subject to the following conditions:

- The proponent is required to uphold all commitments made in the environmental assessment submission to mitigate the effects of the project on the environment.
- The proponent is to uphold the commitments made in their annual operating plans and the environmental assessment registration document with respect to reforestation.
- A 75-metre undisturbed natural buffer shall be maintained between forestry operations and the high water mark of the mainstem of the Humber River.
- The Climate Change Branch of my Department requires the proponent to submit a Greenhouse Gas Management Plan for the Minister's approval within one year of the date of the decision letter, with an update on the progress of this plan to be submitted within six months. The plan is expected to include:
 - any carbon modeling that has been or will be used to inform forest management planning;
 - projections on the level of greenhouse gas emissions that are anticipated to be captured and/or released over the five year period; and,
 - a description of how forest management will be informed by carbon modelling with regard to climate change mitigation and climate change adaptation.

- The Water Resources Management Division of my Department requires that a 30-metre buffer must be maintained around:
 - hydrometric stations at:
 - Southwest Brook near Baie Verte (02YM003);
 - Outlet of the Steady (NLENHM0002);
 - Indian Brook Diversion above Birchy Lake (02YM004);
 - Sheffield Brook near Trans Canada Highway (Trans Canada Highway) (02YK005);
 - Boot Brook at Trans Canada Highway (02YK008);
 - Upper Humber River near Reidville (02YL001);
 - Cat Arm Reservoir near Spillway (02YF002);
 - Main River at Paradise Pool (02YG001); and,
 - Upper Humber River above Black Brook (02YL008); and
 - climate stations at:
 - Upper Humber above Black Brook (NLENCL0007); and,
 - Sandy Lake near Birchy Narrows (NLENCL0005).

- The Wildlife Branch of the Department of Fisheries, Forestry and Agriculture requires the following:
 - The proponent must work with the Wildlife Division to mitigate impacts to caribou in operating areas within District 09: CK09040, CK09048 and CC09002; and within District 16: CC16012, CC16013, CC16014 and CK16016. Annual operating plans shall be submitted for final approval of the Wildlife Division before any activities take place in these areas. Planning of forestry activities in these areas will consider the conservation targets proposed by the Wildlife Division in an effort to mitigate impacts to the caribou core calving areas for the Adies Lake herd, the Hampden Downs herd, the Hodges Hill herd and the Gaff Topsails herd.
 - Operating area CC09006 borders the Springdale Municipal Stewardship Management Units “Upper Burnt Berry Bog North and South”. These are conservation areas set aside by the municipality to protect significant wetlands within their jurisdiction. Rare flora is also present in these areas. The proponent must maintain a minimum 50-metre undisturbed buffer along the boundaries of these conservation units. The proponent may contact the Wildlife to confirm boundaries and potential overlap.
 - Operating areas CC09011, CK09019 and CC09031 overlap with significant wetlands. The Wildlife Division requires a 30-metre undisturbed naturally vegetated buffer along these important wetland/waterbody complexes. The Wildlife Division can be contacted to confirm boundaries and potential overlap. The proponent is required to maintain a 30-metre undisturbed buffer along these significant wetland areas.
 - FMD 16: Operating areas CC16012, CC16013, CC16014, CC16015 and CC16020 overlap with Marten Critical habitat. To help reduce any negative

impacts on marten, the Wildlife Division requires that necessary vegetation clearing or excessive noise be undertaken outside of the denning, breeding and brood rearing period, which runs from early April to the end of June. Disturbance could result in negative impacts on survival or condition of young or denning females (Marten Recovery Plan 2010).

- FMD 16: Operating area CC16012 (Whites River Sensitive Waterfowl Area) and CK16017 (significant wetland complex) overlap with provincially recognized conservation areas. A minimum 50-metre undisturbed buffer is required along these recognized wetland complexes. The proponent may contact the Wildlife Division to confirm boundaries and potential overlap.
- The Crown Land Administration Division of Fisheries, Forestry and Agriculture requires the following:
 - Portions of the proposed Forestry Operation Plan fall within cottage planning and cottage development areas. The proponent is required to implement a 100- metre buffer around established cottage development areas and consult with the Land Management Division to determine if there are any land use conflicts.
 - The proponent must be aware of any issued Crown titles and applications, and you are advised to consult the Land Use Atlas at <https://www.gov.nl.ca/ffa/gis/lu/> or with the Land Management Division to determine if there are any land use conflicts.
 - There may be private land within the project area, which may not be recorded with the Crown Land Administration Division. If work is planned on private land, permission is required from the land owners and access is not to be blocked. All domestic harvest areas are to avoid private land. The proponent is required to consult with the Crown Lands Administration Division to determine if private land is located within the areas proposed plan.
 - A portion of CK09042 (Red Cliff Pond) is overlapping with an application for an extension to Flatwater Pond Park, and CC09012 (Bear Pond) has issued title for a shooting club. The proponent is required to consult with the Central Regional Lands Office in Gander for more details on these blocks.
- The Fisheries and Aquaculture Branch of Fisheries, Forestry and Agriculture requires the proponent to maintain a 50-meter no cut buffer near waterbodies hosting shellfish aquaculture operations. The Aquaculture Division will work with the Forestry and Wildlife Branch to determine locations of approved aquaculture leases.
- The Department of Tourism, Culture, Arts and Recreation requires the following;
 - The proponent is to coordinate forest management efforts with outfitters during the big game season from September 15 - December 31 and during the spring bear harvest, which occurs from May 1 - July 15.

- The proponent is required to submit a Tourism Stakeholder Consultation Plan (Consultation Plan) that will report on consultations with tourism stakeholders. The Consultation Plan is to identify the potential impacts of forestry operations on each tourism stakeholder and describe how harvesting, road construction and silviculture activities will be modified to minimize impacts to tourism stakeholder values, which include but are not limited to: wildlife populations and hunting success rates, pristine and remote wilderness settings, and, increased access by local residents. The Consultation Plan must be reviewed and approved by Tourism, Culture, Arts and Recreation prior to conducting forestry operations. If the consultation plan is derived from the EngageNL process, Tourism, Culture, Arts and Recreation would like to review it with Fisheries Forestry and Agriculture to ensure that all stakeholders are represented; and,
 - The proponent shall implement measures that preserve the visitor experience and viewscapes along the Trans Canada Highway. Cut blocks along the Trans Canada Highway should be developed using landscape design techniques that mitigate visibility to the motoring public. The proponent is advised to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts from the Trans Canada Highway.
- The proponent is 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.
 - The proponent is 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, one year from the date of this release letter and to provide additional updates if required.

Learn more

Environmental Assessment Division
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Public comments may be forwarded to: EAProjectComments@gov.nl.ca

Environmental assessment information: <https://www.gov.nl.ca/ecc/env-assessment/>

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If you submit comments on a project that is under environmental assessment, please advise the Department if you DO NOT wish to share your comments with the project proponent.

Media contact:

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