

COR-2022-2466

DEC 21 2022

EA Reg. #2209

Stephen Balsom
Assistant Deputy Minister, Forest and Wildlife Branch
Department of Fisheries, Forestry and Agriculture
E-mail; StephenBalsom@gov.nl.ca

Dear Stephen Balsam:

RE: Crown District 23 Five-Year Forestry Operating Plan (2023-2027) (the Project)

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 the Project undertaking is **released** from further environmental assessment subject to the following conditions:

- You must uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.
- A Greenhouse Gas Management Plan must be prepared and submitted for my approval. A draft of this plan must be submitted within one year of the date of my decision letter with an update on the progress of this plan to be submitted in 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 modeling with regard to climate change mitigation and climate change adaptation.

For further information, please contact the Climate Change Branch at (709) 729-1485.

- The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires you to follow the 2021 Environmental Protection Guidelines. For more information, please contact the Wildlife Division at (709) 637-2052.
- The Land Management Division of the Department of Fisheries, Forestry and Agriculture advises that existing agriculture operations must not be impacted by the Project, and you must consult with the Land Management Division as follows:
 - to determine if there are any land use conflicts with agricultural development areas within the forest management district; and
 - to determine if there are any land use conflicts with cottage planning areas and cottage development areas.

For more information, please contact the Land Management Division at (709) 637-2353.

- You must 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 to EAProjectComments@gov.nl.ca.
- You must 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. Please email the Project updates to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed the Project during the environmental assessment provide the following advice:

The Pollution Prevention Division of my Department advises that if pesticide use is required, all pesticide purchases, storage, and use are to comply with the Pesticide Control Regulations. For more information, please contact the Pesticide Control Section at (709) 729- 6054. Further, you are advised that a contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response should a spill occur. Response equipment, such as absorbents and open-ended barrels for collection of clean up debris should be stored in an accessible location on site and personnel working on the Project should be knowledgeable about response procedures. Any spill or leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my Department advises that Commercial area CC23001 is within the Big Pond Protected Public Water Supply Area for the Town of Postville. Permits are required for work in or adjacent to the Protected Public Water Supply Area and for any work in or within fifteen metres of a body of water (including wetlands). Any effluent or runoff leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations, 2003 <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>. For further information, please contact the Water Resources Management Division at (709) 729-2563.

The Government Service Centre of the Department of Digital Government and Service NL advises that, the storage, handling, and disposal of used and or waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations. For further information, please contact the Government Service Centre at (709) 256-1426.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the Project are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. This includes ensuring that contractors hired to perform work also comply with this legislation. For further information, please contact the Occupational Health and Safety Division at (709) 729-6690.

The Department of Industry, Energy and Technology advises that any quarry materials that are required for the Project must be obtained from an approved source. Given the presence of Newfoundland and Labrador (NL) Hydro assets in close proximity to the project, you are advised to consult with NL Hydro regarding project activities. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.

The Department of Municipal and Provincial Affairs advises commercial and domestic harvesting areas in Zone 23 appear to extend into the municipal planning areas of Makkovik, Postville and Rigolet. You must obtain a development permit for proposed timber harvesting within a municipal planning area boundary, and development activities must comply with municipal plan and development regulations. For further information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.

The Department of Tourism, Culture, Arts and Recreation recommends that you contact outfitters in the area of the Project. For further information, please contact the Department of Tourism, Culture, Arts and Recreation at (809) 729-4518.

The Department of Transportation and Infrastructure advises you to notify them regarding any encroachment on that Department's property and regarding any impacts from shipping of wood on the marine facility located in Northern Labrador. For further information, please contact the Department of Transportation and Infrastructure at (709) 729-7713.

Environment and Climate Change Canada (ECCC) recommends that you prepare the following plans:

- an Oil Spill Prevention and Response Plan;
- a Contingency Plan that considers potential accidents and malfunctions for site specific activities;
- a Management Plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds, and should include processes to follow should an active nest be found at any time of year; and
- a Wetland Compensation Plan.

ECCC further recommends that in order to avoid nest destruction and accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 25 and August 15 in this region. ECCC provides advice on managing revegetation and invasive species, limiting noise, the protection of Bank Swallows, effective wildlife response plans, species at risk and avoiding effects on wetlands. ECCC recommends that you complete an analysis of Project impacts on mature and interior forest habitat for migratory birds on a local scale. Further, Forest Management District 23 overlaps with areas that are designated as critical habitat for Caribou (Boreal population), listed under the **Species at Risk Act (SARA)**. ECCC advises that the prohibitions of SARA apply and a federal SARA permit may be required to undertake activities that may result in the destruction of critical habitat. For further information, please contact ECCC at (709) 689-8915.

Fisheries and Oceans Canada advises that the modernized Fisheries Act includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the Fisheries Act and as well as information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Health Canada advises that if there is the potential for impacts to human receptors from noise and/or air quality changes from the Project, you should consider establishing mitigation measures. Health Canada recommends that you establish a process to ensure

receptors are informed prior to loud activities and that any complaints are collected and addressed. If complaints are received, additional mitigation measures may be needed. In addition, Health Canada advises you to consider preparing a response plan in the event of an accident or malfunction with the potential to impact drinking and/or recreational water quality and/or country foods, including a plan to notify all potentially impacted receptors. For further information, please contact Health Canada at (902) 237-7478.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You shall 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.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, my decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period you may apply to extend the term of my decision for a maximum of three, one-year periods, if needed. Should the term of my decision expire, the Project will have to be registered again for environmental assessment, if you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions about the environmental assessment process, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or email joannesweeney@gov.nl.ca.

Sincerely,



HON. BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Enclosures

Cc: Perry Trimper, MHA - District of Lake Melville
Lela Evans, MHA - District of Torngat Mountains