

OCT 22 2021

COR/2021/03327

Reg. # 2146

Ms. Kimberly Childs
Corner Brook Pulp and Paper Limited
Email: kim.childs@kruger.com

Dear Kimberly:

Re: CBPP Zone 3 Five-Year Forestry Operating Plan (2022-2026)

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 conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- The Climate Change Branch of my Department requires that a Greenhouse Gas Management Plan must be prepared and submitted to the Climate Change Branch for approval by the Minister of Environment and Climate Change. A draft of the plan must be submitted within one year of the date of this decision letter with an update on the progress of the 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. For further information, please contact the Climate Change Branch at 709-729-1485.
- The commercial harvest block and associated road at Southwest Gander K-06-07 has been nominated as a potential protected area by members of the public. You are

required to engage with stakeholders who submitted concerns about harvesting in this area during the environmental assessment consultation period, and you are to submit a Stakeholder Engagement Report for my approval prior to commencing any commercial forestry activity or road work in this cut block. For more information, please contact the Environmental Assessment Division at (709) 729-0188.

- The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires the following:
 - You must work with the Wildlife Division for final sign off on the operating areas below. Annual operating plans shall be submitted to the Wildlife Division for final approval before any activities take place. Planning of forestry activities shall consider the following:
 - FMD 5:
 - A minimum 75-metre undisturbed buffer is required along the Gander Lake – Main River channel (e.g. Operating Areas 3 and 21);
 - A minimum 30-metre undisturbed buffer is required around Whitman’s Pond, Jonathan’s Park Pond, Big Jonathan’s Pond, Lower Jonathan’s Pond and all the waters running in and out of these ponds to protect the function of riparian zones such as adult spawning and juvenile rearing areas for salmonid species.
 - FMD 6:
 - No harvesting is to occur within overlapping primary core calving areas in Operating Area 4, and no seasonal harvesting activities are to be implemented for any overlapping secondary core calving areas in Operating Area 4 from April 15 to July 15. For more information, please contact the Wildlife Division at (709) 637-2052.

- The Department of Industry, Energy and Technology requires that your annual silviculture plans submitted to the Department of Fisheries, Forestry and Agriculture for approval must also be forwarded to the Mines Branch for review to check for overlaps with areas covered by quarry permits (or leases), anticipated areas of quarry expansion, and areas of recognized aggregate resource potential. For more information, please contact the Mines Branch at (709) 729-5748.

- The Department of Tourism, Culture, Arts and Recreation (TCAR) requires the following:

- You are to coordinate forest management efforts with outfitters during the big game season from September 15 – December 31 and during spring bear harvest which occurs from May 1 - July 15.
 - You are 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 you must include in your consultations. The Consultation Plan must be approved by Tourism, Culture, Arts and Recreation prior to conducting forestry operations.
 - You shall implement measures that preserve the visitor experience and viewscapes along the TCH. Cut blocks along the TCH should be developed using landscape design techniques that mitigate visibility to the motoring public. You are advised to continue to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts from the TCH. For further information, please contact TCAR at (709) 729-4518.
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- You are to uphold the commitments made in your annual operating plans and the environmental assessment registration document with respect to reforestation. For more information, please contact the Environmental Assessment Division of my Department at (709) 729-0673.
 - You are 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 to EAPProjectComments@gov.nl.ca.
 - You are required to update the Environmental Assessment Division on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to EAPProjectComments@gov.nl.ca.

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

The Pollution Prevention Division of my Department advises that if pesticides 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.

The Water Resources Management Division of my Department advises that the proposed development is adjacent to or within the Gander Lake Protected Public Water Supply Area servicing the Communities of Appleton, Gander and Glenwood. Work adjacent to or within this designated Protected Public Water Supply Area must comply with this Department's Policy for Land and Water Related Developments in Protected Public Water Supply Areas, and requires a permit under the Water Resources Act, Section 39. The Water Resources Management Division further advises that you must obtain permits for work in any body of water including a wetland, for any work within a designated flood risk area, for any work in shore water zones, or any infilling work within fifteen metres of a water body. Additionally, you must obtain a water use licence for the use of water from any water source for any purpose, and no work is to occur within 100 metres of drilled drinking water wells. The Water Resources Management Division has provided list of coordinates for drilled drinking water wells within the project area in the attached document entitled "Comments for the proponent." For more information, please contact the Water Resources Management Division at (709) 729-1646.

Fisheries, Forestry and Agriculture advises you to be aware that portions of the District 5 proposed timber harvest areas fall within cottage planning areas and cottage development areas. Fisheries, Forestry and Agriculture further advises you to be aware that portions of the proposed timber harvest areas in District 6 are within the Northwest/Southwest Gander River cottage planning area and in close proximity to existing cottage development areas. Agriculture Development Areas, Areas of Interest boundaries and Crown titles can be found using the Land Use Atlas or by contacting the Land Management Division. The Land Use Atlas can be found online at <https://www.gov.nl.ca/landuseatlas/details/>. For more information, please contact the Crown Lands Administration Division at 1-833-891-3249.

The Government Service Centre of the Department of Digital Government and Service NL advises that a development permit may be required for any construction within 400 metres of the centre line of the TCH or other protected road. For more information, please contact the Government Service Centre at (709) 637-2204.

The Occupational Health and Safety Division of Digital Government and Service NL advises you to ensure that the activities associated with the development are conducted in compliance with the Occupational Health and Safety Act and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation. The Occupational Health and Safety Division reminds you to consider procedures associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador (e.g. physical distancing, handwashing).

The Department of Industry, Energy and Technology reminds you that any agreements reached regarding overlaps of your timber rights, harvest areas, and silviculture areas with mineral exploration activities, mining, and quarries/aggregate resources and to be upheld. Industry, Energy and Technology advises you that any quarry material needed for this undertaking must be obtained from approved sources. Industry, Energy and Technology recommends that you advise Newfoundland and Labrador Hydro and Newfoundland Power of this project due to the location of distribution assets in the project area. For more information, please contact the Department of Industry, Energy and Technology at (709) 729-5748.

The Department of Municipal and Provincial Affairs advises that, where harvesting areas overlap a municipal planning area, harvesters are to apply to the municipality for a development permit. For more information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.

The Parks Division of the Department of Tourism, Culture, Arts and Recreation recommends a 100-metre no cut buffer between commercial harvesting and provincial park boundaries, and no new road or trail construction within 500 metres of park boundaries. The Parks Division requests to be referred on any project activity within 1 kilometre of provincial park property and within 50 metres of the NL T'Railway Provincial Park (T'Railway). The Parks Division advises that the operation of a motor vehicle or a four-wheel drive vehicle is not permitted in the T'Railway, however, all-terrain vehicles are permitted to use the T'Railway. A permit for temporary vehicular use can be obtained through Parks Division. For more information, please contact the Parks Division at (709) 637-8077.

Environment and Climate Change Canada (ECCC) 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. ECCC provides advice on dealing with revegetation and invasive species, limiting noise,

protection of Bank Swallows and for effective wildlife response plans. ECCC further recommends that you complete an analysis of project impacts on mature and interior forest habitat for migratory birds on a local scale. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

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 changes to air quality, noise, drinking or recreational water quality, and country foods caused by forestry management activities, you should consider establishing mitigation measures as well as a process to ensure complaints are collected and addressed. If complaints are received, you should consider additional mitigation measures.

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. 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.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



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

Cc: Hon. Derrick Bragg, MHA, District of Fogo Island – Cape Freels
Hon. John Haggie, MHA, District of Gander
Lloyd Parrott, MHA, District of Terra Nova

Enclosures