

DEC - 8 2021

COR/2021/04574

Reg. # 2162

Mr. Stephen Balsom
Assistant Deputy Minister
Fisheries, Forestry and Agriculture
Box 2006, Wheeler's Road
Corner Brook, NL
A2H 6J8

E-mail: StephenBalsom@gov.nl.ca

Dear Mr. Balsom:

Re: District 22 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 you to submit a Greenhouse Gas Management Plan for my approval within one year of the date of this 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 .

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

- The Water Resources Management Division of my Department requires that a 30-metre buffer must be maintained around the following real-time hydrometric, water quality and climate monitoring stations:
 - Trans-Labrador Highway between Churchill Falls and Labrador City (NLENCL0008),
 - Metchin River near Trans-Labrador Highway (NLENCL0009),
 - Wabush Lake at lake outlet (03OA005),
 - Luce Brook Below Tinto Pond (03OA012),
 - Wabush Lake at Dolomite Road (03OA014),
 - Flora Creek below Trans-Labrador Highway (03OA015),
 - Goodream Creek 2 km Northwest of Timmons 6 (03OB006),
 - Elross Creek below Pinette Lake inflow (03OB007),
 - Hook Bay (03OBX01),
 - Lobstick (03OBX02),
 - Oorma Lake (03OBX03),
 - Churchill River above Churchill Falls Tailrace (03OD008),
 - Joan Brook below outlet of Joan Lake (03OB009),
 - Dumbell Stream above Dumbell Lake (03OA016),
 - Pumphouse Stream above Drum Lake (03OA017),
 - Churchill River below Churchill Falls Tailrace (03OD010) and
 - Goodream Creek above Triangle Lake (03OB010).

For more information, please contact the Water Resources Management Division at (709) 729-1646.

- The Land Management Division of the Department of Fisheries, Forestry and Agriculture requires the following:
 - You are 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 with planned cottage developments, issued Crown titles and for Crown land within and adjacent to proposed harvest areas.
 - There are two existing titles within this project's proposed scope. Domestic harvesters should be aware that there are titles issued in the area and they should reference the Land Use Atlas prior to harvesting.

For more information, please contact the Land Management Division at 1-833-891-3249.

- The Tourism Product Development Division of the Department of Tourism, Culture and Recreation requires the following:

- You are to coordinate forest management efforts with outfitters during the big game season from September 15-December 31 and spring bear harvest, which occurs May 1-July 15.
- You are 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,
- You shall implement measures that preserve the visitor experience and viewscapes along the Trans Labrador Highway. Harvest blocks visible from this route should be developed using landscape design techniques to minimize the negative visual effects of clear cuts. You are advised to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts from the Trans Labrador Highway.

For more information, please contact the Tourism Product Development Division at (709) 729-4518.

- 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 EAProjectComments@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 EAProjectComments@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 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.

The Water Resources Management Division of my Department requires you to obtain a water use licence for the use of water from any water source for any purpose. In addition, you must apply for and obtain permits for any work within any body of water (including wetlands), any work within Shore Water Zones, any infilling work within 15 metres of a body of water, and for any development adjacent to or within a Protected Public Water Supply Area. A list of Protected Public Water Supply Areas in the project area have been included in the attached document entitled "Comments for the Proponent." You are advised to comply with my Department's policies on Shore Water Zones, Infilling Bodies of Water, and on Land and Water Related Developments in Protected Water Supply Areas. These policies are found on the Department's web page at <https://www.gov.nl.ca/ecc/waterres/regulations/policies/>.

The Water Resources Management Division further advises that you are to avoid any work or activities within 100 metres of drinking water wells. A list of coordinates for private/drilled wells located within the project area is included in the attached document entitled "Comments for the Proponent." For more information, please contact the Water Resources Management Division at (709) 729-1646.

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 a highway or other protected road. A permit is also required for the construction of an access road in a protected area, or for any access onto a protected road. For more information, please contact the Government Service Centre at (709) 944-5282.

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 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. 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 needed for this undertaking must be obtained from approved sources. In addition, the department expects that values expressed in other recent Five-year Operating Plans with respect to mining, mineral exploration and quarrying, will also apply to the District 22 Five-year Operating Plan. Industry, Energy and Technology is also of the understanding that the plans for specific silviculture treatments within the project area will be submitted on an annual basis through the inter-departmental land use (ILUC) process. The Mines



Branch of the department will take those opportunities to review for specific overlaps. Furthermore, and if you have not already done so, advise Newfoundland and Labrador Hydro of this project as there are distribution assets in the project area. For more information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.

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

The Provincial Parks Division of the Department of Tourism, Culture and Recreation reminds you that domestic cutting is not to occur within Duley Lake Provincial Park. Furthermore, Parks Division requests that no cutting occur within the 1 kilometre Land Use Atlas referral buffer and that you consult with them should any development be proposed within that buffer. For more information, please contact Parks Division at (709) 637-2411

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 25 and August 15 in this region. ECCC provides advice on managing revegetation and invasive species, limiting noise, the protection of Bank Swallows and for effective wildlife response plans. ECCC recommends that you complete an analysis of project impacts on mature and interior forest habitat for migratory birds on a local scale. Further, you are requested to provide a GIS file of the project boundaries so that the project can be mapped for cumulative effects considerations. For further information, please contact ECCC at (709) 772-2126.

The Department of Fisheries and Oceans 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 potential for impacts to human receptors from changes to air quality, noise, drinking or recreational water quality, or country foods caused by forestry management activities (including the use of heavy equipment, prescribed burning, and spraying of pesticides), 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. For further information, please email EAProjectComments@gov.nl.ca.

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

Sincerely,

A handwritten signature in blue ink, appearing to be "Bernard Davis", written over a circular stamp or seal.

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

cc: Jordan Brown, MHA, District of Labrador West
Lela Evans, MHA, District of Torngat Mountains
Perry Trimper, MHA, District of Lake Melville

Enclosures