

COR-2022-2652

OCT 28 2022

EA Reg. # 2208

Stephen Balsam
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 19 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 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 this department requires that a Greenhouse Gas Management Plan must be prepared and submitted to the Minister of Environment and Climate Change for approval. 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 6 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 further information, please contact the Climate Change Branch at (709) 729-1485.

- The Water Resources Management Division of this department requires the following:

- A 30-metre buffer must be maintained around infrastructure for hydrometric monitoring stations and no Project work or is to occur within 100-metres of domestic wells. The hydrometric stations and domestic well locations are identified in the attached list; and
- Forestry operations in the Churchill River flood watershed, Otter Creek flood watershed, and other local creeks flood watersheds in the Town of Happy Valley-Goose Bay have the potential to release sediment and turbid water into the waterbody. The vulnerable areas and preventative measures must be identified to avoid releasing sediment and turbid water into the waterbody, and this information must be submitted to the Water Resources Management Division for review and approval prior to the start of forestry operations.

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 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 must be consulted as follows:
 - prior to conducting any silviculture activities next to existing agriculture properties, within agricultural development areas (ADAs) and within agricultural areas of interest (AOIs);
 - to determine if there are any land use conflicts with ADAs, AOIs and home gardening areas within the Forest Management District;
 - to determine if there are any land use conflicts with cottage planning areas and cottage development areas;
 - prior to the decommissioning of all roads constructed within the operating plan;
 - existing agriculture operations must not be impacted by the Project;
 - the Project must not encroach on existing land titles where proposed timber harvest areas fall within community infilling limits; and
 - the Project must not encroach on Crown Land Reserves where proposed timber harvest areas overlap these Reserves.

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

- In response to your commitment to address public concerns related to the alignment of a Project boundary with a fire break, and a lack of domestic harvesting opportunities, this department requires the following:

- You are to adjust the boundary of the 'No Cut' area in Operating Area CC19515-NWRN1 to align with the current fire break within the Town of North West River, effective for the 2023-2027 plan;
- You are to undertake the necessary mapping and consultation work to explore options that may permit domestic harvesting across a wider geographical area of District 19. Consultation should occur in 2023 with the goal of implementing any domestic harvesting boundary changes on January 1, 2024; and
- You are to examine past silviculture treatment data for the Johnson's Road area to assess the available hardwood supply outside silviculturally treated areas and the 'No Cut' areas for potential opportunities for harvest.

For more information, please contact the Environmental Assessment Division at 729-0090.

- 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 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 this 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. Furthermore, 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 this department advises you to obtain permits under the **Water Resources Act** for any work in or within fifteen metres of a body of water (including wetlands) prior to the start of work; for development adjacent to or within a protected public water supply area; and/or development within a protected public wellhead water supply area. You are advised to avoid any work or activities within 100-metres of private/drilled wells, and to comply with this department's Policy for Land and Water Related Developments in Protected Water Supply Areas, which can be found on at: <https://www.gov.nl.ca/ecc/waterres/regulations/policies/water-related/>. Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL (DGSNL) advises that a development permit under the Protected Road Zoning Regulations will 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. Any proposed access roads to the site must also be approved by the Department of Transportation and Infrastructure. For more information, please contact the GSC at (709) 896-5428.

The Occupational Health and Safety Division (OHS) of DGSNL 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. OHS recommends that you prepare an emergency response plan, which includes the provision and maintenance of first aid kits. For further information, please contact OHS at (800) 563-5471.

The Department of Industry, Energy and Technology advises that any quarry materials needed for this undertaking must be obtained from approved sources. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5748.

The Department of Municipal and Provincial Affairs advises that where a harvesting operation overlaps a municipal planning area, the harvester must apply to the appropriate municipality for a development permit. Where a harvesting operation involves a protected road outside a municipality, the harvester must apply with DGSNL for a development permit. Where a harvesting operation includes a protected road within a municipal planning area, a permit must be obtained from both DGSNL and the municipality. For further information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.



The Tourism Product Development Division of the Department of Tourism, Culture, Arts and Recreation recommends that Project activities that may impact scenic settings near touring corridors, be managed to minimize adverse effects on visual viewscales. For further information, please contact the Tourism Product Development Division at (709) 729-4518.

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 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, 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 19A overlaps with areas that are designated as critical habitat for Caribou (Boreal population), listed under the **Species at Risk Act** (SARA). Small portions of the District are within the Labrador Inuit Settlement Area (LISA). ECCC advises that the prohibitions of SARA apply on LISA land and a federal SARA permit may be required to undertake any 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.

Transport Canada advises you to use their project review tool to determine your obligations under the **Canadian Navigable Waters Act** with respect to any water crossings associated with the construction of access roads. The tool is available at: <https://npp-submissions-demands-ppn.tc.canada.ca/projectreview-outildexamenduprojet>. For further information, please contact Transport Canada at (709) 351-3200.

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,

A handwritten signature in blue ink, appearing to be "Bernard Davis", written over a horizontal line.

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

Hydrometric Stations:

STATION_NU	STATION_NA	LATITUDE	LONGITUDE
03OE014	CHURCHILL RIVER 6.15 KMS BELOW LOWER MUSKRAT FALLS	N 53.23758	W 60.67525
03OE016	CHURCHILL RIVER AT HAPPY VALLEY	N 53.295417	W 60.292583
03OE017	MUD LAKE OUTLET TRIBUTARY AT MUD LAKE	N 53.303833	W 60.167389
03OE018	CHURCHILL RIVER AT END OF MUD LAKE ROAD	N 53.334833	W 60.188361
03OE019	CHURCHILL RIVER BELOW TRAVERSPINE RIVER	N 53.279389	W 60.27275
03PC001	CHURCHILL RIVER ENGLISH POINT	N 53.337	W 60.17203
03PD002	RABBIT ISLAND AT OUTLET CHURCHILL RIVER	N 53.402167	W 60.149389

Wells:

Well Number	LAT_DD	LONG_DD	Well Town
7816	53.30394	-60.3216	
7817	53.529157	-60.147739	NORTH WEST RIVER
7818	53.529157	-60.147739	NORTH WEST RIVER
7819	53.529157	-60.147739	NORTH WEST RIVER
12373	53.303942	-60.3216	GOOSE BAY
12403	53.515237	-60.138736	SHESHATSHIU
12403	53.51574	-60.14249	SHESHATSHUI
12404	53.515237	-60.138736	SHESHATSHIU
12404	53.51574	-60.14249	SHESHATSHUI
12405	53.51323	-60.14254	SHESHATSHUI
12405	53.515237	-60.138736	SHESHATSHIU
12406	53.515237	-60.138736	SHESHATSHIU
12406	53.51574	-60.14249	SHESHATSHUI
12407	53.50712	-60.13335	SHESHATSHUI
12407	53.515237	-60.138736	SHESHATSHIU
14608	53.50712	-60.13335	SHESHATSHUI
14608	53.515237	-60.138736	SHESHATSHIU
16021	53.303942	-60.3216	GOOSE BAY

16251	53.30394	-60.3216	GOOSE BAY
17443	53.303942	-60.321596	GOOSE BAY
17444	53.303942	-60.321596	GOOSE BAY
17446	53.303942	-60.321596	GOOSE BAY
17447	53.303942	-60.321596	GOOSE BAY
17825	53.279222	-60.478614	HAPPY VALLEY GOOSE BAY
17826	53.279222	-60.478614	HAPPY VALLEY GOOSE BAY
17827	53.279222	-60.478614	HAPPY VALLEY GOOSE BAY
17828	53.279222	-60.478614	HAPPY VALLEY GOOSE BAY
17829	53.279222	-60.478614	HAPPY VALLEY GOOSE BAY
19557	53.303942	-60.321596	
20704	53.329388	-60.19122	MUD LAKE
25856	53.310583	-60.272583	HAPPY VALLEY- GOOSE BAY
25857	53.249935	-60.741583	MUSKRAT FALLS
25858	53.249935	-60.741583	MUSKRAT FALLS
25859	53.249935	-60.741583	MUSKRAT FALLS
25860	53.249935	-60.741583	MUSKRAT FALLS
25861	53.249935	-60.741583	MUSKRAT FALLS
25862	53.249935	-60.741583	MUSKRAT FALLS
25863	53.235667	-60.741583	MUSKRAT FALLS
26492	53.253028	-60.475806	GOOSE BAY
26842	53.019028	-61.328972	EAST METCHIN RIVER
26917	53.301594	-60.331361	HAPPY VALLEY- GOOSE BAY
27617	53.282833	-60.470389	HAPPY VALLEY-GOOSE BAY
27618	53.284583	-60.467389	HAPPY VALLEY-GOOSE BAY
27619	53.269389	-60.843	LOWER BROOK
27872	53.019083	-61.339722	GULL ISLAND
28060	53.266056	-60.780028	GOOSE BAY
28060	53.266056	-60.780028	GOOSE BAY
28104	53.300139	-60.279639	GOOSE BAY
28147	53.342278	-60.403139	TERRINGTON BASIN
28193	53.215767	-60.551508	FORTEAU

28204	53.295611	-60.286611	GOOSE BAY
28274	53.278611	-60.541389	GOOSE BAY
28601	53.391861	-60.420833	HAPPY VALLEY - GOOSE BAY
28952	53.310639	-60.289944	GOOSE BAY
29410	53.268536	-60.838164	LOWER BROOK
29411	53.268922	-60.836078	LOWER BROOK
29701	53.355042	-60.413306	Happy Valley-Goose Bay
30021	53.507139	-60.133694	Sheshatshiu
30022	53.512806	-60.144028	Sheshatshiu

Community	Source Well	LONG_DD	LAT_DD	WS Number
Happy Valley-Goose Bay	#1 Well	-60.44839	53.27855	WS-G-0323
Happy Valley-Goose Bay	#2 Well	-60.4495	53.27813	WS-G-0323
Happy Valley-Goose Bay	#3 Well	-60.45107	53.27811	WS-G-0323
Happy Valley-Goose Bay	#4 Well	-60.45389	53.27758	WS-G-0323
Happy Valley-Goose Bay	#5 Well	-60.45676	53.27725	WS-G-0323
Happy Valley-Goose Bay	Spring Gulch			
Sheshatshiu	#1 Well	-60.14249	53.51574	WS-G-0645
Sheshatshiu	#2 Well	-60.13335	53.50712	WS-G-0645
Sheshatshiu	#3 Well	-60.14254	53.51323	WS-G-0645