

OCT 28 2022

COR-2022-2622

EA Reg. # 2210

Stephen Balsam
Assistant Deputy Minister, Forest and Wildlife Branch
Department of Fisheries, Forestry and Agriculture
E-mail: bryanoke@gov.nl.ca

Dear Stephen Balsam:

RE: Crown Zone 8 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 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 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 this department requires the following:

- A 30-metre buffer must be maintained around the hydrometric station # 02YD002 located at Northeast Brook near Roddickton and no Project work is to occur within 100-metres of domestic wells. For more information on the locations of domestic wells, please contact the Water Resources Management Division at (709) 729-1646.
- Forestry operations in the Parsons Pond River flood watershed 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 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.

- The Provincial Archeological Office of the Department of Tourism, Culture, Arts and Recreation requires a 50-metre buffer, where no ground disturbing activity is permitted around Ethnographic site "12P/02/03 Ethno 1." For more information, please contact the Provincial Archeological Office at (709) 729-2462.

- 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, within one year from the date of this release letter and to provide additional updates, if requested. Please email 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 the use of a pesticide is required, all pesticide purchases, storage and use are subject to compliance with the Pesticides Control Regulations. For more information, please contact the Pesticides Control Section of the Department of Environment and Climate Change 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. 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 my Department's Policy for Land and Water Related Developments in Protected Water Supply Areas, which can be found 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 that you must generally ensure that activities associated with the Project 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 (IET) advises that Newfoundland and Labrador Hydro assets are located in the Project area and recommends that you notify NL Hydro of the Project. IET further advises that the Project falls within the Anticosti Hydrocarbon basin which is an area known for having oil and gas potential. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.

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 viewsapes. Cut blocks along the Viking Trail, Route 430, should be developed using landscape design techniques to minimize visual impact to visitors, including the following cut blocks: CC17062, CC17061, CC17056, CC17055, CC17054, CC17053 and CC1705. For further information, please contact the Tourism Product Development Division at (709) 729-4518.

The Parks Division of the Department of Tourism, Culture, Arts and Recreation recommends a 100-metre 'no cut' buffer between provincial park boundaries and commercial cut block boundaries, and no new road or trail construction within 500-metres of park boundaries. This includes The Arches Provincial Park Reserve and Pistolet Bay Provincial Camping Park. The Parks Division requests to be referred on any proposed forestry development within one kilometre of provincial park properties. For further information, please contact the Parks Division at (709) 637-8077.

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 that if there is 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-demandes-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 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 the 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 "B. Davis", with a horizontal line extending to the right.

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

Enclosure

Cc: The Honourable Dr. Andrew Fury, Premier
The Honourable Krista Lynn Howell, MHA – District of St. Barbe-L'Anse aux Meadows