

JUN 29 2023

COR-2023-1655

Reg. No. 2240

Bryan Oke
Director, Forest Ecosystem Management
Department of Fisheries, Forestry and Agriculture
Box 2006, Wheelers Road
Corner Brook, NL A2H 6J8
E-mail: bryanoke@gov.nl.ca

Dear Bryan Oke:

RE: Crown Zone 8 Five-Year Operating Plan Amendment (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 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 amendment submission to mitigate the effects of the Project on the environment.
- Commitments made in the environmental assessment registration document for EA Reg. # 2210, Crown Zone 8 Five-year Forestry Operating Plan (2023-2027), apply to this Project as do the conditions of release of EA #2210 from further environmental assessment in the Minister's decision letter of October 28, 2022.
- You are 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 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 requested. Submit Project updates to EAProjectComments@gov.nl.ca.

The reviewing Federal and Provincial government departments and agencies have provided advice, which is attached for your reference.



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 must 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 term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project would 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, Environmental Assessment Division, at (709) 729-0673 or via email joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to be "HBD", 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 – District of Humber-Gros Morne
The Honourable Krista Lynn Howell, MHA - District of St. Barbe-L'Anse aux Meadows

Attachment A

Federal and Provincial government departments and agencies provide the following advice:

The Climate Change Branch (CCB) of my Department advises that heavy-duty equipment should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of my 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 my Department 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. 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 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. 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 Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises that generally, you must ensure that activities 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 the legislation. For further information, please contact the OHS at 1 (800) 563-5471.

Department of Fisheries, Forestry and Agriculture (FFA) advises that the 2023 Environmental Protection Guidelines for Forestry Operations in Newfoundland and Labrador are to be followed for Project activities. FFA further advises of the proximity of the Project area to the Hawke's Bay Crown Land Cottage Development Area, as well as two (2) land titles issued to Newfoundland and Labrador Hydro Inc. Project activities are not to encroach on existing titles and you should be aware of cottage owners and recreational activities during forestry operations. For further information, please contact FFA at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that the proposed domestic cutting areas are located in the general vicinity of the former Daniel's Harbour Zinc

Mine and there is some overlap with the boundaries of the former underground mine workings. You are advised to contact IET for information that may be provided to domestic harvesters prior to issuing domestic harvesting permits/authorizations or conducting any activities in the former mine area. IET further advises that Newfoundland and Labrador Hydro Inc (NL Hydro) assets are located in the Project area and recommends that you notify NL Hydro of the Project prior to harvesting activities. For further information please contact IET at (709) 729-2358 or (709) 729-5811.

Environment and Climate Change Canada (ECCC) advises you to manage Project activities to ensure compliance with the **Fisheries Act**, the **Migratory Birds Convention Act** and the Migratory Birds Regulations. ECCC recommends that you prepare the following plans:

- a Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds;
- an Oil Spill Prevention and Response Plan; and
- a Contingency Plan that considers potential accidents and malfunctions for site-specific activities.

ECCC further recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. The Canadian Wildlife Service of ECCC requests that species-at-risk sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca. For further information, please contact the Canadian Wildlife Service at (709) 777-4221.

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.qc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.