

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2418 - Crown District 21 Five-Year Forestry Operating Plan (2027-2031)
(the Project)
Department of Forestry, Agriculture and Lands (the Proponent)

During the environmental assessment of the Project, provincial and federal government departments and agencies offered the following advice on technical aspects as well as plans, permits, licences, approvals and/or other authorizations that are or may be required before your Project commences. This is not intended to be a comprehensive list, and you are responsible for consulting with federal and provincial government authorities regarding any additional authorizations that may be required by law.

1 Department of Environment, Conservation and Climate Change - Climate Change Branch

- 1.1 Proponent is advised to operate heavy equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the Climate Change Branch at (709) 729-1485.

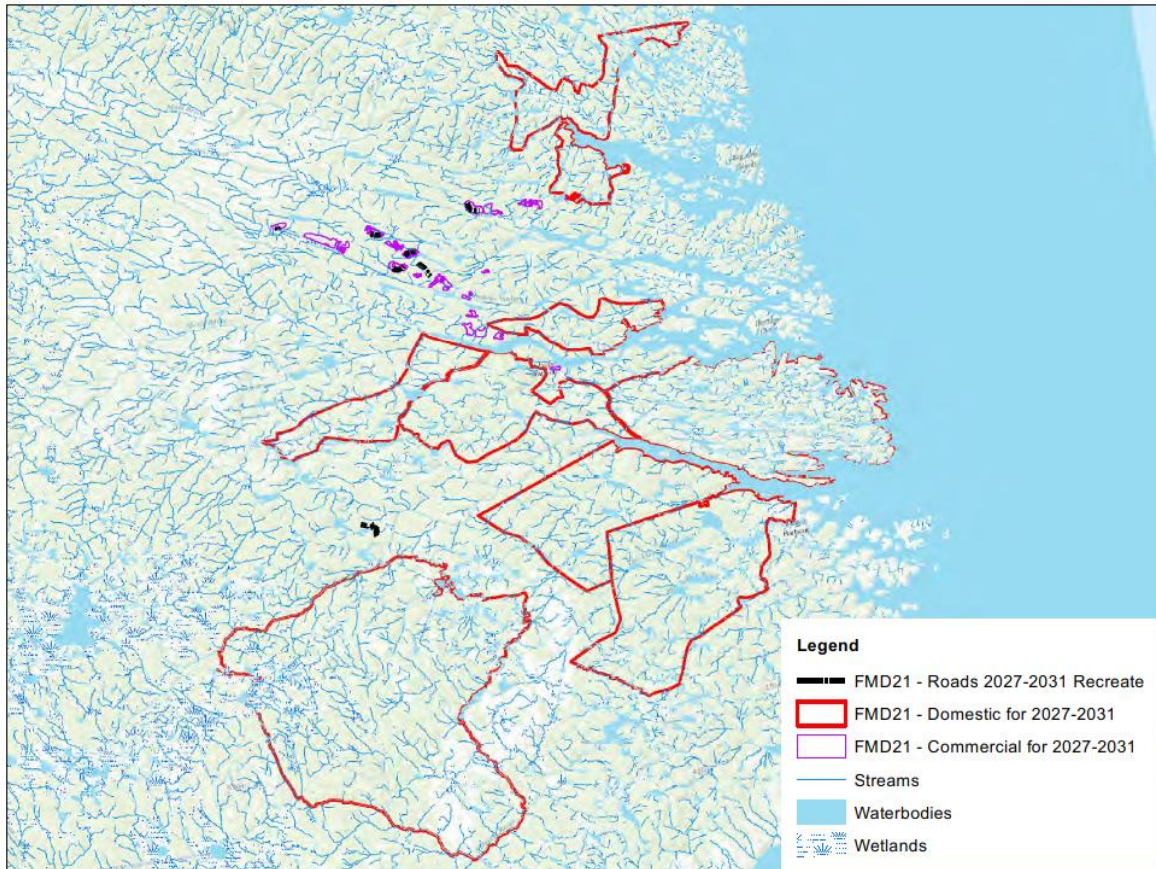
2 Department of Environment, Conservation and Climate Change - Pollution Prevention Division

- 2.1 Proponent is advised activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 2.2 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.3 Proponent is advised that all pesticide use shall comply with the Pesticides Control Regulations. If pesticides are required, a Pesticide Applicator Licence is necessary and shall follow required buffer zones for pesticide application around scheduled salmon rivers. Contracted pest control services shall hold a valid Pesticide Operator Licence.
- 2.4 Proponent is advised that the storage, handling and disposal of used and or waste oil/glycol shall comply with the Used Oil and Used Glycol Control Regulations.
- 2.5 Proponent is advised that spill response equipment should be readily available on site and stored in an accessible location. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

3 Department of Environment, Conservation and Climate Change - Water Resources Management Division

- 3.1 Proponent is advised to maintain a 15-metre environment buffer around all streams, waterbodies and wetlands during harvesting and silviculture operations within the harvest blocks.

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- 3.2 Proponent is advised to obtain a Permit under Section 48 of the **Water Resources Act (WRA)** if forestry activities are proposed in or within 15 metres of a body of water (including wetlands) prior to the start of the work.
- 3.3 Proponent is advised that any effluent leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations.
- 3.4 Proponent is advised to obtain a Section 39 Permit under the **WRA** for any development adjacent to or within any of the Protected Public Water Supply Areas (PPWSAs) designated by WRMD and the work must comply with WRMD's Policy for Land and Water Related Developments in PPWSAs. For further information, please contact the Drinking Water & Wastewater Section at (709) 729-1158.

- 3.5 Proponent is advised to maintain a 30-metre buffer around all real time water monitoring stations and drinking water wells within the project area as identified by WRMD. For further information, please contact the Water Resources Management Division at (709) 729-2563.

4 Department of Energy and Mines

- 4.1 Proponent is advised that quarry materials used must be sourced from an approved site with a valid quarry Permit or Lease, a byproduct of an approved development, or from within the legal boundary of the project site in compliance with applicable regulations.
- 4.2 Proponent is advised of mineral overlaps with domestic cutting areas and of the potential future mineral licences in commercial cutting areas. Parties engaged in domestic or commercial harvesting should be advised of the potential to encounter mineral exploration activity and of potential hazards that may be associated with mineral exploration activity.
- 4.3 Proponent is advised that proposed domestic and commercial cutting areas overlap a number of quarry permits located near the highway or woods roads. Parties engaged in domestic and commercial harvesting should not enter or closely approach quarry sites and should be advised of the potential hazards that would be associated with entering a quarry site.
- 4.4 Proponent is advised that quarry sites may not be used as a laydown or wood storage area in support of forest harvesting activities.
- 4.5 Proponent is advised that Mineral Exploration companies are permitted to use some harvested timber within access routes for the purposes of corduroy or brushmatting to prevent rutting and minimize ground disturbance on sensitive sites. For further information, contact the Department of Energy and Mines at (709) 729-1582.

5 Department of Fisheries and Aquaculture

- 5.1 Proponent is advised to maintain a 30-metre buffer around the Gilbert Bay Marine Protected Area to protect important ecological features.
- 5.2 Proponent is advised to engage in consultation with local fish harvesters in the specifically in Northwest Atlantic Fisheries Organization Division 2J to better understand fisheries' use of the area and to provide advance notification of planned activities. For further information, please contact the Department of Fisheries and Aquaculture at (709) 729-1514.

6 Department of Forestry, Agriculture and Lands

- 6.1 Proponent advised is to operate under the established legislation and regulations of the **Lands Act**, including Section 7 for any activities within the 15-metre Shoreline Reserve. It is the Proponent's responsibility to identify Crown lands required for their undertaking.

- 6.2 Proponent is advised to avoid disturbance within 5 metres of geodetic control monuments. The GIS and Mapping Division shall be contacted via email at GMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**.
- 6.3 Proponent is advised that there may be private land located within this area which may not be on record with the Crown Lands Office. If work is planned on private lands, permission is required from the landowners.
- 6.4 Proponent is advised that all constructed resource roads for this project remain open for public access. The Land Management Division advises consultations before any roads constructed for purposes within the operating plan become decommissioned and/or the removal of infrastructure (roads/culverts).
- 6.5 Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act**, the **Migratory Birds Convention Act** and associated regulations, to avoid or minimize adverse impacts.
- 6.6 Proponent is advised that several species are currently being assessed for designation and listing under the **Newfoundland and Labrador Endangered Species Act (NLSEA)** and the federal **Species at Risk Act (SARA)**. The Proponent should be aware that if species that are designated and listed under endangered species legislation are found within the project area, the **NLESA** and/or the federal **SARA** shall apply and the Proponent may be required to develop mitigations, in consultation with the Wildlife Division, for the protection and recovery of the species.
- 6.7 Proponent is advised that the location of any raptor nest site must be reported to the Wildlife Division (WildlifeReferrals@gov.nl.ca) and that no vegetation clearing is to occur within:
- 800 metres of a bald eagle or osprey nest between March 15 and July 31; 200 metres during the remainder of the year.
 - 800 meters of a short-eared owl (ground) nest between May 15 to August 15
 - 200 meters of any other raptor nests between March 15 and July 31.
- 6.8 Proponent is advised that Forestry Environmental Protection Guidelines apply to all proposed operating areas. For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

7 Department of Government Services - Government Service Centre

- 7.1 Proponent is advised that all fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, require registration prior to installation. The storage, handling, and disposal of used and or waste oil shall comply with the Used Oil and Used Glycol Control Regulations.
- 7.2 Proponent is advised that any spill or leak of gasoline or associate product is to be reported immediately to Government Service Centre by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563 9089.

- 7.3 Proponent is advised that construction within 100 to 400 meters of the centerline of any Protected Road requires a Development Permit from the Department of Government Services - Government Service Centre under the Protected Road Zoning Regulations.
- 7.4 Proponent is advised to maintain a 30-metre tree screen between the highway right-of-way and the Project area and any existing tree screens must be maintained.
- 7.5 Proponent is advised that on-site stockpiles of treated utility poles and timber are to be stored such that they are not in direct contact with the ground.
- 7.6 Proponent is advised that all sawmill operations must be set back according to the Set-back requirements of the Protected Roadway (Protected Road Zone Regulations - Schedules A & B, under the **Urban and Rural Planning Act 2000**).
- 7.7 Proponent is advised that sawing should be done within the confines of a shed and all sawdust is to be removed to an approved waste disposal site with permission of the site owner/operator or disposed of by other means as approved by the Department of Government Services.
- 7.8 Proponent is advised that prior to the relocation of a mobile sawmill, the applicant must obtain approval from Department of Forestry, Agriculture and Lands, and the respective Town Council if operating within town boundaries. The owner/operator of a mobile sawmill and/or the property owner, where sawing takes place, must remove all sawdust and associated waste material on regular basis and at the end of operations at each location. For further information, contact the Government Service Centre at (709) 729-2008.

8 Department of Government Services - Occupational Health and Safety

- 8.1 Proponent is advised to ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and related regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with the legislation. For further information, please contact Occupational Health and Safety at (709) 729-7454.

9 Labrador Affairs

- 9.1 Proponent is advised to inform Labrador Affairs for any planned tree removal in the vicinity of snowmobile trails for planning and administrative purposes. For further information, please contact the Department of Labrador Affairs at (709) 896-1780.

10 Department of Municipal and Community Affairs

- 10.1 Proponent is advised to apply for and obtain a development permit prior to commencement of the undertaking for any activities within a Municipal Planning Area.
- 10.2 Proponent is advised to apply for and obtain a development permit and approval under the Protected Road Zoning Regulations, 996/96, prior to commencement

of the undertaking for any activities within building control lines established under the **Urban and Rural Planning Act**, 2000.

- 10.3 Proponent is advised to assess permitting requirements under By-Law from the Municipal Authority under the **Towns and Local Service Districts Act** for any development activities occur within a Municipal Boundary only.
- 10.4 Proponent is advised that forestry activities are prohibited in Municipal Planning Areas where forestry is not described as a permitted or discretionary use, unless or until the Town amends the Municipal Plan and Development Regulations. For further information, please contact the Department of Municipal and Community Affairs at (709) 729 3090.

11 Department of Tourism, Culture, Arts and Recreation

- 11.1 Proponent is advised to incorporate landscape design techniques to reduce the visual impact on residents and visitors for cut blocks within Port Hope Simpson and along Routes 510 and 514. For further information, please contact the Tourism Product Development Division at (709) 729-6588.

12 Department of Transportation and Infrastructure

- 12.1 Proponent is advised to obtain Department approval for cutting within the Department's right of way and for any new access or changes to existing access from a department roadway. For further information, please contact the Department of Transportation and Infrastructure at (709) 729-5972.

13 Environment and Climate Change Canada

- 13.1 Proponent is advised to comply with the **Fisheries Act**, **Migratory Birds Convention Act** (MBCA), **Species at Risk Act** (SARA) and the **Canadian Environmental Protection Act**.
- 13.2 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected in accordance with the **Migratory Birds Convention Act**.
- 13.3 Proponent is advised to report any sightings of species at risk (e.g., Red Crossbill, Olive-sided Flycatcher, Common Nighthawk, Harlequin Duck, Barrow's Goldeneye, Short-eared Owl, Rusty Blackbird, Little Brown Myotis, Northern Myotis, Caribou) to the Canadian Wildlife Service.
- 13.4 Proponent is advised that portions of District 21 Forest Management District overlap with areas that have been designated as critical habitat (CH) for **SARA**-listed (Threatened) Boreal Caribou (*Rangifer tarandus*)
- 13.5 ECCC-Canadian Wildlife Services recommends the Proponent to develop the following plans:
 - A Contingency Plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
 - An Oil Spill Prevention Plan.

- A Wildlife Emergency Response Plan.

- 13.6 Proponent is advised to develop mitigation measures specific to forestry practices that are appropriate for migratory birds with different nesting strategies and implement measures to diminish the risk of introducing invasive species.
- 13.7 Proponent is advised to use best management practices for working on/near waterbodies or riparian environments to reduce impacts on migratory birds and their habitats.
- 13.8 Proponent is advised to maintain a 30-metre buffer from the high-water mark of any water body or wetland (1:100 Flood Zone) to maintain movement corridors for migratory birds. For further information, contact Environment and Climate Change Canada at (709) 772-4313 or (709) 853-1304.

14 Fisheries and Oceans Canada

- 14.1 Proponent is advised to refer to the Projects Near Water website for information about how to comply with the **Fisheries Act** as well as information on the project review process when conducting work in or near water. The 'Projects Near Water' website is located at <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>.
- 14.2 In cases where impacts to fish and fish habitat cannot be avoided, the Project is within waterbodies where a Fish and Fish Habitat Protection Program (FFHPP) review is required and the scope of the Project is not covered under standards and codes of practice, the Proponent is asked to submit a Request for Review to the NL Region-FFHPP at DFO.NLFFHPP-PPHTNL.MPO@dfo-mpo.gc.ca. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

15 Transport Canada

- 15.1 The Proponent has indicated that they will apply to the Transport Canada's Navigation Protection Program for approval under the **Canadian Navigable Waters Act** for any water crossings prior to the commencement of any work. For further information, please contact Transport Canada at (709) 351-3200 or contact the Navigation Protection Program directly at (506) 851-3113 or NPPATLPPNATL@tc.gc.ca.