

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2404 – Crown Zone 8 Five-Year Operating Plan Harvesting Amendment (2023-2027) (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 – Natural Areas Division

- 2.1 Proponent is advised that proposed Birches amendment area (Operating Area No: C17056a) is within 500 metres of the Highlands of St. John's Proposed Reserve. Proponent is advised to include the proposed reserve boundary in their mapping to avoid any inadvertent encroachment or damage to the proposed reserve area. For further information, please contact the Natural Areas Division at (709) 637-4066.

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

- 3.1 Proponent is advised activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 3.2 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 3.3 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.

- 3.4 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.
- 3.5 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.

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

- 4.1 Proponent is advised to obtain a Permit under Section 48 of the **Water Resources Act** for any work in or within 15 metres of a body of water (including wetlands) prior to the start of the work.
- 4.2 Proponent is advised that any effluent leaving the site will be required to conform to the Environmental Control Water and Sewage Regulations. For further information, please contact the Water Resources Management Division at (709) 729-2563.

5 Department of Energy and Mines

- 5.1 Proponent is advised that the Project falls within a hydrocarbon basin with oil and gas potential. For further information, contact the Department of Energy and Mines at (709) 729-5748.

6 Department of Forestry, Agriculture and Lands

- 6.1 Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.
- 6.2 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.
- 6.3 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**.
- 6.4 Proponent advised is to operate under the established legislation and regulations of the **Lands Act**. It is the Proponent's responsibility to identify Crown lands required for their undertaking.

- 6.5 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.
- 6.6 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). For further information, 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 waste material should be considered, for reuse, resale or recycling, prior to disposal.
- 7.2 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.
- 7.3 Proponent is advised 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.
- 7.4 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. 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 Department of Municipal and Community Affairs

- 9.1 Proponent is advised to apply for and obtain a development permit from the Authority under the Protected Road Zoning Regulations. For further information, please contact the Department of Municipal and Community Affairs at (709) 729-3090.

10 Department of Tourism, Culture, Arts and Recreation

- 10.1 Proponent is advised to notify licensed outfitters around the amended harvest zones.

10.2 Proponent is advised that cut blocks along Routes 430 and 432 should incorporate landscape design techniques to reduce their visual impact on visitors, which would apply to the cut blocks previously identified in the original forestry plan as well as the amended areas. For further information, please contact the Tourism Product Development Division at (709) 729-6588.

11 Department of Transportation and Infrastructure

11.1 Proponent is advised that any access to a roadway owned by the Department of Transportation and Infrastructure requires a permit and shall comply with the Department's Access Policy. This applies specifically to the Dawes Pond Block (CC18056) and the River of Ponds Block (CC17069), which overlap with routes 430 and 432. For further information, contact the Department of Transportation and Infrastructure at (709) 729-5972.

12 Environment and Climate Change Canada

12.1 Proponent is advised that the comments provided on the original Five-Year Forestry Operating Plan and the amendments in 2022, 2023, and 2025 remain relevant to the Project; however, changes introduced, particularly under the Migratory Bird Regulations, should also be considered.

12.2 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**.

12.3 Proponent is advised to report any sightings of species at risk (e.g., Bank Swallow, Red Crossbill, Olive-sided Flycatcher, Rusty Blackbird, Little Brown Myotis, Northern Myotis, Tri-colored Bat, Caribou, American Marten, Fernald's Braya, Barrens Willow, Porsild's Bryum) to the Canadian Wildlife Service.

12.4 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.

12.5 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.

12.6 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.

13 Fisheries and Oceans Canada

13.1 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>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.