

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2423 - Crown Zone 1 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 – Natural Areas

- 2.1 Proponent is advised that the Ripple Pond and Halls Gullies Proposed Ecological Reserves are situated within the Central Avalon Forest and have been identified for protection to conserve representative examples of this ecosystem and endangered lichen species, respectively.
- 2.2 Proponent is advised to review and avoid silviculture operations in the areas that overlap with the Ripple Pond Proposed Ecological Reserve boundaries. For further information, please contact Natural Areas at (709) 637-4066.

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

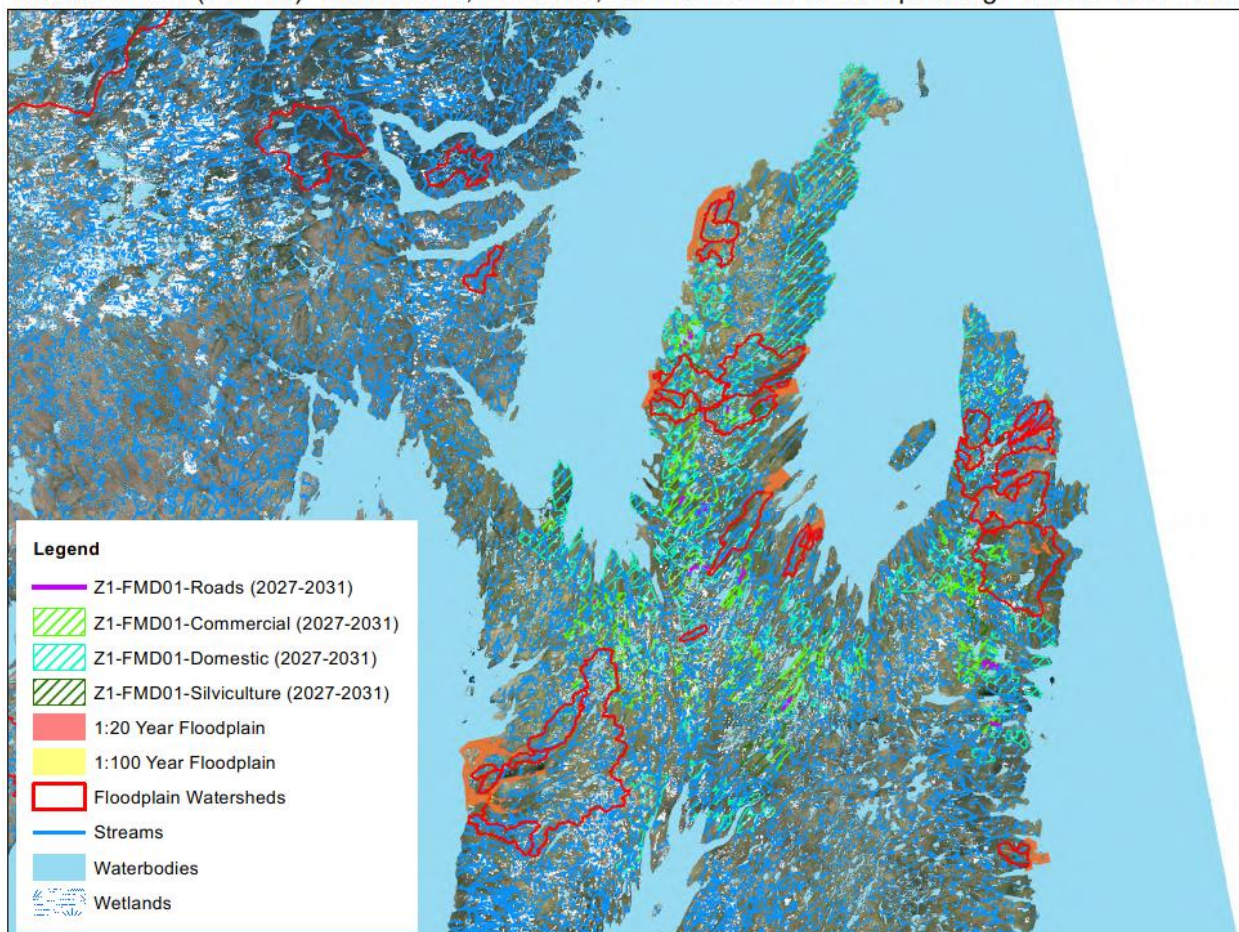
- 3.1 Proponent is advised activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 3.2 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, 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 maintain a 15-metre environment buffer around all streams, waterbodies, wetlands, and floodplain areas during harvesting and silviculture operations within the harvest blocks.

Crown Zone 1 (FMD01): Commercial, Domestic, Silviculture and Road Operating Plan for 2027-2031



- 4.2 Proponent is advised to obtain a Section 48 under the **Water Resources Act** prior to the commencement of operations for any harvesting activities proposed within the 15-metre environmental buffer of a stream, waterbody, wetland, or associated floodplain.

- 4.3 Proponent is advised that any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 4.4 Proponent is advised to maintain a 30-metre buffer around private wells in the Project Area, a 30-metre buffer around all Hydrometric and RTWQ station infrastructure, and a 100-metre undisturbed buffer around unprotected public water supply wells as identified by the Water Resources Management Division.
- 4.5 Proponent is advised that a Section 39 permit under the **Water Resources Act** is required for any work, activity or development adjacent to or within a Protected Public Water Supply Area as identified by the Water Resources Management Division.
- 4.6 Proponent is advised that a Section 61 permit under the **Water Resources Act** is required for any work, activity or development adjacent to or within Protected Public Wellhead Water Supply Area as identified by the Water Resources Management Division. 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 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.
- 5.2 Proponent is advised that the Project Area overlaps with the Wind Hydrogen Hub Land Reserve near the Bellevue area established for North Atlantic and that North Atlantic's right to apply for available Crown Land not be affected by the Forestry Plan. For further information, please contact the Department of Energy and Mines at (709) 729-1582.

6 Department of Fisheries and Aquaculture

- 6.1 Proponent is advised to maintain a 30-metre buffer around the coastline of Ecologically and Biologically Significant Areas including Placentia Bay, St. Mary's Bay, Eastern Avalon and Baccalieu Island.
- 6.2 Proponent is advised that there is the potential for siltation during forestry operations which may have negative impacts on local fisheries. Proponent is encouraged to consult with local fish harvesters for information regarding fisheries in the area and to notify harvesters of their plans to use the area. For further information, please contact the Department of Fisheries and Aquaculture at (709) 729-1514.

7 Department of Forestry, Agriculture and Lands

- 7.1 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.

- 7.2 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.
- 7.3 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).
- 7.4 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**.
- 7.5 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.
- 7.6 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.
- 7.7 Proponent is advised to consult with the Towns of Carbonear and Pouch Cove and the Wildlife Division regarding forestry activity within Habitat Stewardship Agreement Areas within those municipalities.
- 7.8 Proponent is advised to work with the Wildlife Division to develop mitigation measures to avoid maternal roosting sites of the Little Brown Myotis and the Northern Myotis and for harvesting areas and road segments that overlap with caribou core areas.
- 7.9 Proponent is advised that multiple proposed commercial cut blocks contain known occurrences and suitable habitat for listed lichen species including *Erioderma pedicellatum* and *Pectenium plumbeum*, both of which are listed as Vulnerable under the **NLSEA**. The Proponent is advised to work with the Wildlife Division for rare lichen surveys throughout the proposed undertaking and to develop mitigation measures. For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

8 Department of Government Services - Government Service Centre

- 8.1 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.

- 8.2 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.
- 8.3 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.
- 8.4 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 shall be maintained.
- 8.5 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. For further information, contact the Government Service Centre at (709) 729-2008.

9 Department of Government Services - Occupational Health and Safety

- 9.1 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.

10 Department of Municipal and Community Affairs

- 10.1 Proponent is advised to assess permitting requirements under applicable municipal by-laws for forestry activities proposed within a municipal boundary and to obtain any required permits or approvals from the relevant Municipal Authority in accordance with the **Towns and Local Service Districts Act**.
- 10.2 Proponent is advised to submit development application(s) to the relevant Municipal Authorities and obtain any required development approvals and permits prior to commencing activities within a Municipal Planning Area in accordance with the **Urban and Rural Development Act**.
- 10.3 Proponent is advised to make application to the appropriate Authority and obtain any required approvals and permits for activities in the Butterpot – Witless Bay Line Environs in accordance with the St. John's Urban Region Regional Plan and the Butterpot-Witless Bay Line Environs Development Control Regulations, 1084/96.
- 10.4 Proponent is advised to make application to the appropriate Authority and obtain any required approvals and permits for activities within a Protected Road Zone with building control lines established under the **Urban and Rural Development Act, 2000** in accordance with the Protected Road Zoning Regulations, 996/96.

11 Department of Tourism, Culture, Arts and Recreation

- 11.1 The Proponent is advised that a known archaeological site designated under the Historic Resources Act is located within Operating Area CC01014. No activities shall occur within 50 metres of the site unless otherwise authorized. For further Information, please contact the Provincial Archaeology Office at (709) 729-2462.
- 11.2 Proponent is advised on the **Provincial Parks Act** and associated Regulations relating to the T'Railway Provincial Park, including prohibitions.
- 11.3 The Proponent shall maintain a 100-metre no-cutting buffer for commercial forest harvesting and shall not construct any new roads or forest extraction trails within 500 metres of a provincial park property, including park reserves and camping parks. The Proponent shall refer any proposed forestry development within 1 kilometre of ParksNL properties to ParksNL for review.
- 11.4 Proponent is advised that should contractors or subcontractors need to travel along the T'Railway in a motor vehicle other than an All-Terrain Vehicle or Utility Terrain Vehicle, a Temporary Vehicular Access permit would be required. For further information, please contact the Provincial Parks Division at (709) 637-2411.
- 11.5 Proponent is advised that cut blocks along Routes 1, 100, 81, and 80 should be designed and developed using landscape design techniques to minimize visibility of harvesting for travellers.
- 11.6 Proponent is advised that cut blocks within or adjacent to the East Coast Trail buffers (50 metres on each side in forested areas, 250 metres on each side in high visibility areas such as barrens and open landscapes) should be managed to reduce negative visual impacts and protect wilderness qualities.
- 11.7 Proponent is advised that development within or adjacent to the Park should be managed in consultation with the Provincial Parks Division (TCAR) to minimize visual impacts and support wilderness qualities. For further information, please contact the Tourism Product Development Division at (709) 729-0559.

12 Department of Transportation and Infrastructure

- 12.1 Proponent is advised to obtain approval from the Department of Transportation and Infrastructure under the **Works, Services and Transportation Act** for any work within the Department's highway right-of-way, including timber harvesting, and for any new access or changes to existing access to a provincial highway. The Proponent is responsible for reviewing and ensuring compliance with the Department's Highway Access Policy. 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 and provided regulatory advice on the **Fisheries Act, Migratory Birds Convention Act, Species at Risk Act** 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, Evening Grosbeak 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 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 and Response Plan.
 - A Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds.
- 13.5 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.
- 13.6 Proponent is advised on management practices for working on/near waterbodies or riparian environments to reduce impacts on migratory birds and their habitats.
- 13.7 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, please contact the Department of 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>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

15 Transport Canada

- 15.1 Proponent is advised that proposed access roads, and crossings appear to potentially involve non-scheduled waterways per the **Canadian Navigable Waters Act (CNWA)** and that approval may be required under the **CNWA**. For further information, please contact Transport Canada at (506) 851-3113.