

Attachment B

Regulatory advice

EA # 2295 – Crown Zone 5 Five-Year Forestry Operating Plan Amendment (2021-2025)

Proponent: Department of Fisheries, Forestry and Agriculture

1. Climate Change Branch (CCB)

- 1.1 Proponent is advised that heavy equipment used in logging and extraction, or mechanical site preparation be operated in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

2. Pollution Prevention Division (PPD)

- 2.1 Proponent is advised that a pesticide Applicator License is required for the application of a pesticide, and a contractor hired to perform that service must have a valid Pesticide Operator License. For more information, please contact the Pesticides Control Section at (709) 729-6054.
- 2.2 Proponent is advised to develop a contingency plan specific to the Project and to have spill response equipment readily available on-site to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately to the Environmental Emergencies Telephone Line at 1-800-563-9089. For further information, please contact the PPD at (709) 729-5782

3. Water Resources Management Division (WRMD)

- 3.1 A permit is required prior to Project construction for work in or within 15 metres of a body of water (including wetlands).
- 3.2 Any effluent or runoff leaving the site must conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003. For further information, please contact the WRMD at (709) 729-2563.

4 The Government Service Centre (GSC)

- 4.1 Proponent is advised that all fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject the Storage and Handling of Gasoline and Associated Products Regulations and will require registration prior to installation.
- 4.2 The storage, handling, and disposal of used and or waste oil must be compliant with the Used Oil and Used Glycol Control Regulations.
- 4.3 The GSC advises you to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. For further information, please contact the GSC at (709) 256-1420.

5 Department of Fisheries, Forestry and Agriculture (FFA)

- 5.1 Proponent is advised that the amendment contains the majority of agriculture grant Vol. 139 Fol. 16 and a section of expropriated former Abitibi Freehold – Special Grant Vol. SG2 Fol.311. If harvesting is planned within Vol. 139 Fol. 16, permission is required from the land owner. Due to the incomplete ownership records within the Special Grant area, permission may be required if harvesting is planned within an area that appears to be in use. For further information, please contact FFA at (709) 637-2950.

6 Wildlife Division

- 6.1 The Wildlife Division (WD) of the Department of Fisheries, Forestry and Agriculture advises that you must operate under established legislation and regulations, such as the **Wild Life Act** and **Wild Life Regulations**, to avoid or minimize adverse impacts. In addition, the **Migratory Birds Convention Act, 1994**, Migratory Bird Regulations, **Wild Life Act** and Wild Life Regulations protect birds and prohibit the disturbance or destruction (including incidental ones) of bird nests and eggs in Newfoundland and Labrador. For more information on avoiding harm to avifauna, visit: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>.
- 6.2 The WD informs that the 2024 Forestry Environmental Protection Guidelines apply to all proposed operating areas. For further information, please contact FFA at (709) 637-2950.

7 Department of Industry, Energy and Technology (IET)

7.1 Proponent is advised that the amended area overlaps a number of mineral licences and also an area of recognized aggregate resource potential. Any potential issues arising from these overlaps shall be addressed as per the Mining, Mineral Exploration, and Quarrying Table of Values maintained by the Forestry Services Branch. For further information, please contact IET at (709) 729-5748.

8 Tourism Product Development Division (Tourism)

8.1 Proponent is to consult with the Newfoundland and Labrador Outfitters Association to mitigate potential concerns.

8.2 Proponent is to consult with the Director of Tourism Product Development to minimize negative impacts. For further information, please contact the Tourism Product Development Division at (709) 729-4518.

9 Department of Transportation and Infrastructure (TI)

9.1 An application must be submitted for each proposed access (new and upgrades to existing access) to TI for review.

9.2 There shall be no encroachment on property or highways owned by TI without express written consent of the Deputy Minister. Proponent is responsible to identify property and highways owned by TI. For further information, please contact TI at (709) 729- 5339.

10 Environment and Climate Change Canada (ECCC)

10.1 ECCC recommends that you develop the following plans:

10.1.1 A management plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds and wetlands.

10.1.2 An oil spill prevention and response plan.

- 10.1.3 A contingency plan that considers potential accidents and malfunctions that take into account site-specific conditions and sensitivities.
- 10.2 ECCC further advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and mid-August in this region. ECCC requests that species-at-risk sightings be reported to the Canadian Wildlife Service (CWS) at <http://accdc.com/en/contribute.html>. For further information, please contact the ECCC-CWS at (709) 777-4221.

11 Department of Fisheries and Oceans (DFO)

- 11.1 Proponent is advised to consult the Projects Near Water website to obtain information about how to comply with the **Fisheries Act**. 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