

OCT 14 2022

COR-2022-2370

Reg. # 2207

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

Dear Bryan Oke:

RE: Crown Zone 4 Five-Year Forestry Operating Plan (2023-2027)

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 the Project is **released** from further environmental assessment, subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.
- The Climate Change Branch of this department requires that a Greenhouse Gas Management Plan must be prepared and submitted to the Minister of Environment and Climate Change for approval. A draft of this plan must be submitted within one year of the date of the Minister's decision letter with an update on the progress of this plan to be submitted in 6 months. The plan is expected to include:
 - Any carbon modeling that has been or will be used to inform forest management planning;
 - Projections on the level of greenhouse gas emissions that are anticipated to be captured and/or released over the five year period; and
 - A description of how forest management will be informed by carbon modelling with regard to climate change mitigation and climate change adaptation. For more information, please contact the Climate Change Branch at (709) 729-1485.
- The Water Resources Management Division of this department requires that a 30-metre buffer be maintained around the hydrometric station located at Conne River



at the Outlet of Conne River Pond (02ZE004). For more information, please contact the Water Resources Management Division at (709) 729-1646.

- The Land Management Division of the Department of Fisheries, Forestry and Agriculture requires the following:
 - The Land Management Division must be consulted prior to any silviculture activities planned to occur next to existing agriculture properties, within Agricultural Development Areas (ADAs) and within Agricultural Areas of Interest (AOIs).
 - Portions of the proposed Forestry Operating Plan areas fall within cottage planning areas, cottage development areas, community infilling limits and Crown land reserves. You are required to consult with the Land Management Division to determine if there are any land use conflicts.
 - The Land Management Division must be consulted for existing agriculture operations. The area has future agriculture growth potential and Agriculture lease application(s) will be accepted within the AOIs and ADAs. For more information, please contact the Land Management Division at (709) 637-2353.
- The Department of Tourism, Culture, Arts and Recreation requires the following:
 - Implementation of measures that preserve the visitor experience and viewscapes along the highway (Route 360). Cut blocks CC07014, CC07012, CC07011, CC07010, CC07017 should be developed using landscape design techniques that mitigate the visibility to the motoring public. You are advised to consult directly with the Manager of Tourism Product Development regarding efforts to minimize the visibility of clear cuts to from these routes.
 - Commercial forest harvesting in close proximity to Jipujijkuei Kuespem Provincial Park should be conducted so that cut blocks are not visible from the park and conducted outside seasonal operating times May 14-September 7. For more information, please contact Tourism, Culture, Arts and Recreation at (709) 729-4518.
- You are required 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 required 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, within one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed the Project during the environmental assessment provide the following advice:

The Pollution Prevention Division of this department advises that if the use of a pesticides is required, all pesticide purchase, storage and use are subject to compliance with the Pesticides Control Regulations. For more information, please contact the Pesticides Control Section at (709) 729-6054. They further advise that a contingency plan specific to the proposed undertaking should be developed. 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 this department advises that you must apply for and obtain permits under the **Water Resources Act**, for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of work; for development adjacent to or within a protected public water supply area; and/or within a protected public wellhead water supply area. You are to avoid any work or activities within 100-metres of private/drilled wells. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires you to follow the Environmental Protection Guidelines, including the required buffers. For more information, please contact the Wildlife Division at (709) 637-2052.

The Government Service Centre of the Department of Digital Government and Service NL advises that a permit is required, in accordance with the **Urban and Rural Planning Act** for the construction of an access road in a protected area, or for any access onto a protected road. For more information, please contact the Government Service Centre at (709) 292-4206.

The Department of Municipal and Provincial Affairs advises that where a harvesting operation overlaps a municipal planning area, the harvester must apply to the appropriate municipality for a development permit. For more information, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises that you must generally ensure that activities associated with the Project 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 this legislation. It is recommended that an emergency response plan to address any foreseeable mishap specific to the undertaking. For more information, please contact the Occupational Health and Safety Division at (800) 563-5471.

The Parks Division of Tourism, Culture, Arts and Recreation recommends a 100-metre no cut buffer between provincial park boundaries and commercial cut block boundaries, and no new road or trail construction within 500-metres of park boundaries. This includes Jipujikuei Kuespem Provincial Park Reserve. The Parks Division are to be referred on any proposed forestry development within one kilometre of Parks properties. For more information, please contact the Parks Division at (709) 637-8077.

Environment and Climate Change Canada (ECCC) recommends that you prepare the following plans:

- an oil spill prevention and response plan;
- a contingency plan that considers potential accidents and malfunctions for site specific activities;
- a management plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds; and
- a wetland compensation plan.

ECCC further advises that you avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported to ec.scatldonneesei-cwsatliadata.ec@ec.gc.ca For more information, please contact the Canadian Wildlife Service at (709) 772-4221.

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

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 are required to 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 three-year period for a maximum of three one-year periods, if needed. For further information, please email EAProjectComments@gov.nl.ca.

If you have any questions, please contact Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hon. BERNARD DAVIS, MHA".

HON. BERNARD DAVIS, MHA
District of Virginia Waters - Pleasantville
Minister

Enclosure

Cc: The Honourable Elvis Loveless, MHA – Fortune Bay-Cape La Hune