

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2359 - Crown Zone 3 Five-Year Forestry Operating Plan Amendment #2 District 5
(2022-2026) (the Project)
Department of Fisheries, Forestry and Agriculture (the Proponent)

1 Climate Change Branch (CCB), Department of Environment and Climate Change (ECC)

- 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 CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 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 that waste material should be disposed of at an approved waste disposal facility.
- 2.3 Registration is required for fuel storage tank systems other than those connected to a heating appliance of a capacity of 2,500 litres or less and may be required for devices or tanks used to separate and remove oily wastes from oil and water mixtures. For further information, please contact the PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 A Section 48 Permit is required for the stream crossing associated with the access road and for any harvesting operations in or within 15 metres of streams, waterbodies, or wetlands.
- 3.2 Proponent is advised that all waters discharged from the proposed site during construction and operation are subject to compliance with the Environmental Control Water and Sewage Regulations, 2003.
- 3.3 A Section 39 Permit is required for any proposed development to, within, or adjacent to the Gander Lake Protected Public Water Supply Area. For more information, please contact the WRMD at (709) 729-2563.

4 Department of Fisheries, Forestry and Agriculture (FFA)

- 4.1 Proponent is advised to operate under established legislation (**Wild Life Act** and **Wild Life Regulations**) and guidance with respect to wildlife and their habitats (e.g., nesting birds, caribou, waterfowl, wetlands, inland fish, rare plants, riparian buffers) to avoid or minimize adverse effects.

- 4.2 Proponent is advised that no vegetation clearing is to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year. A 160-metre buffer applies to all other raptor nests (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). Additionally, the location of any raptor nest sites should be reported to the Wildlife Division at wildlifereferrals@gov.nl.ca. For further information, please contact FFA at (709) 729-1582.

5 Government Service Centre (GSC), Department of Government Modernization and Service Delivery (GMSD)

- 5.1 A permit is required from GMSD 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.
- 5.2 Proponent is advised that any proposed fuel cache will require approval by GMSD prior to installation.
- 5.3 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 GMSD at (709) 729-2008

6 Occupational Health and Safety (OHS), GMSD

- 6.1 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, contact OHS at (709) 729-7454.

7 Department of Industry, Energy, and Technology (IET)

- 7.1 Proponent is advised to consult with Newfoundland Power as the Project site falls within their service area. For further information, contact IET at (709) 729-1582.

8 Department of Municipal Affairs and Community Engagement (MAC)

- 8.1 Proponent must obtain a development permit and approval from the Town of Gander prior to development commencing. For further information, please contact MAC at (709) 729-3090.

9 Department of Tourism, Culture, Arts and Recreation (TCAR)

- 9.1 Proponent is advised that **Provincial Parks Act** and Provincial Parks Regulations must be strictly adhered to, and no person shall operate a motor vehicle or four-wheel drive vehicle, except an off-road vehicle, in the

Newfoundland and Labrador T-Railway Provincial Park. For further information, please contact TCAR at (709) 637-2040.

10 Environment and Climate Change Canada (ECCC)

- 10.1 Proponent is advised to avoid nest destruction and to accommodate the breeding season of migratory birds by considering 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://www.accdc.com/en/contribute.html>.
- 10.2 Proponent is advised to maintain a 30-metre buffer from the high-water mark of any water body to maintain corridors for migratory birds.
- 10.3 Proponent is advised to develop the following plans:
 - A contingency plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities;
 - A wildlife Emergency Response Plan; and
 - An Oil Spill Prevention and Response Plan.
- 10.4 Proponent is advised to develop and implement measures to diminish the risk of introducing invasive species. For further information, please contact ECCC (709) 772-4313.

11 Fisheries and Oceans Canada (DFO)

- 11.1 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 conduction 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.