

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: EA 2376 - Crown District 21 Five-Year Forestry Operating Plan Amendment
(2022-2026) (the Project)

Department of Forestry, Agriculture and Lands (the Proponent)

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

- 1.1 Proponent is advised that responsible forest management can reduce the impact of timber harvesting that affects climate change due to the release of CO₂ caused by deforestation.
- 1.2 Proponent is advised that all heavy-duty equipment is to be operated in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, contact CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and associated regulations.
- 2.2 Proponent is advised that brush should be chopped/shredded and may be removed to an approved compost facility or an approved waste disposal site for disposal with the prior permission of the owner/operator.
- 2.3 Any spill or leak of gasoline or associated product shall be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089.
- 2.4 Proponent is advised that a Pesticide Applicator Licence is required for the application of pesticides and a contractor hired to perform that service must have a valid Pesticide Operator License. For further information, contact the Pesticides Control Section at (709) 729-6054.
- 2.5 Proponent is advised to comply with the Air Pollution Control Regulations under the **Environmental Protection Act** and be aware of the prohibitions of burning waste according to Schedule D of these Regulations. For further information, contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised to obtain a Section 48 Permit under the **Water Resources Act (WRA)** for construction activities in or within 15 metres of waterbodies.
- 3.2 Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003.

- 3.3 Proponent must obtain a Permit to Develop under Section 39 of the **WRA** prior to issuing new domestic harvesting maps and commencing of harvesting activities. For further information, contact WRMD at (709) 729-2563.

4 Department of Energy and Mines (EM)

- 4.1 Proponent is advised that the proposed domestic cutting area overlaps a quarry permit which pose significant safety hazards. Domestic harvesters are not authorized to enter the quarry and shall keep a safe distance. For further information, contact Mines Branch at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands (FAL)

- 5.1 Proponent is advised to operate under the **Wild Life Act**, **Lands Act** and their associated regulations.
- 5.2 Proponent is advised that there is an Agriculture Lease within the Project's boundary, however the Project does not interfere with existing or anticipated agriculture activities.
- 5.3 Proponent is recommended to advise Crown Land title holders and any private landowners within the project area of any proposed activities and the associated timelines. Forestry activities should not encroach on issued titles or private property without permission and should consider the safety of title holders and recreational users.
- 5.4 Proponent is advised that activities occurring within the 15 metre Shoreline Reserve of any water body must adhere to Section 7 of the **Lands Act**.
- 5.5 Proponent is advised to obtain Crown titles prior to commencement of any road construction.
- 5.6 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments within the project area. The GIS and Mapping Division of FAL must 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**.
- 5.7 Proponent is advised to identify areas to the Crown Lands Division of FAL where Crown Land applications for the purpose of a cottage can be accepted and processed. For further information, contact FAL at (709) 637-2950.

6 Government Service Centre (GSC), Department of Government Services (GS)

- 6.1 Proponent is advised that tires and used or waste oil must not be used to aid in the burning of brush. Used or waste oil is not to be burned during fire training exercises.
- 6.2 Proponent must maintain a Certificate of Approval and comply with all conditions of that approval.
- 6.3 Proponent is advised that sawing should be done inside a shed, and all sawdust must be removed and disposed of at an approved waste disposal site. The

sawmill site must be remediated to the satisfaction of GS upon completion of operation.

- 6.4 Proponent is advised that any construction within 400 meters of the centerline of the Trans-Labrador Highway or Charlottetown Access Road (Route 514), including highway access, requires a development permit under the Protected Road Zoning Regulations. For further information, contact GSC-GS at (709) 729-2008.

7 Occupational Health and Safety (OHS), GS

- 7.1 Proponent is advised to ensure compliance with the **Occupational Health and Safety Act** and its associated regulations. This includes ensuring that any work completed near, in or over water is done in compliance with Part XXIII of the NL Occupational Health and Safety Regulations. For further information, contact OHS at (709) 729-7454.

8 Department of Municipal and Community Affairs (MCA)

- 8.1 Proponent is advised that any development resulting from the amendment requires Development Approval from the Town of Charlottetown. For further information, contact MCA at (709) 729-3090.

9 Labrador Affairs (LA)

- 9.1 Proponent is advised that cutting trees in winter can leave stumps hidden by snow posing a potential safety risk for the travelling public and recommends stumps be removed or any potential hazards clearly identified. For further information, contact LA at (709) 896-1780.

10 Department of Transportation and Infrastructure (TI)

- 10.1 Proponent is advised that any access from TI's department-owned roadway to the location requires a permit and must comply with the Department's Access Policy. For further information, contact TI at (709) 729-5972.

11 Environment and Climate Change Canada (ECCC)

- 11.1 Proponent is advised that the comments provided on the original Five-Year Forestry Operating Plan remain relevant to the Project; however, because the plan was registered in 2021, changes introduced, particularly under the Migratory Bird Regulations, 2022 should also be considered.
- 11.2 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**.
- 11.3 Proponent is advised that the **Species at Risk Act** (SARA) "General Prohibitions" apply to this Project. No person shall kill, harm, harass, capture, or take an individual of a listed species; possess, collect, buy, sell, or trade any

individual or its parts; or damage or destroy the residence of one or more individuals.

11.4 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.

11.5 Proponent should develop mitigation measures appropriate for migratory birds with different nesting strategies and implement measures to diminish the risk of introducing invasive species. For further information, please contact ECCC at (709) 772-4313 or (709) 853-1304.

12 Fisheries and Oceans Canada (DFO)

12.1 Proponent is advised to refer to the Projects Near Water website <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> for information on complying with the **Fisheries Act** as well as details on the project review process when conducting work in or near water. For further information, contact DFO at (709) 772-4140.