

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2281 - Crown Zone 8 (Districts 17 & 18) Forestry Operating Plan Amendment
(2023-2027) (the Project)
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 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 according to the Provincial Sustainable Forest Management Strategy (2014-2024), Five-year Forest Management Plans should clearly explain how it considers climate change adaptation and mitigation.
- 1.3 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 the Climate Change Branch at (709) 729-1485.

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

- 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 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.
- 2.3 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 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. For further information, contact the Pollution Prevention Division at (709) 729-5782.

3 Department of Environment, Conservation and Climate Change - Water Resources Management Division

- 3.1 Proponent is advised to maintain a minimum 15-metre environment buffer along all watercourses and waterbodies when harvesting operations are undertaken. For any proposed activities within a body of water or within the 15-metre buffer, a Section 48 Permit under the **Water Resources Act** is required.
- 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. For further information, contact the Water Resources Management Division at (709) 729-2563.

4 Department of Energy and Mines

- 4.1 Access to cutting areas CC17056 and CC17057 may depend on passing through quarry permits and/or bypassing access restrictions to these areas. Unauthorized access is not permitted within quarry areas. Further to General Condition of Release 4.2, Proponent (or commercial harvesters authorized by the Proponent) are advised to coordinate access with quarry permit holders where access restrictions associated with a quarry permit are in place.
- 4.2 Further to General Condition of Release 4.2, Proponent is advised that areas covered by a quarry permit should not be utilized as laydown or wood storage areas.
- 4.3 Proponent is advised that the Project falls within a hydrocarbon basin with oil and gas potential. For further information, contact the Mines Branch at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands

- 5.1 Proponent is advised to operate under the **Wild Life Act** and their associated regulations.
- 5.2 The Project overlaps Crown title 131239 issued to the Newfoundland and Labrador Snowmobile Federation for the purpose of a snowmobile trail. Proponent is advised to notify title holder of their proposed activities and timelines. Permission is required from the land owners for work planned on private lands.
- 5.3 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**. For further information, contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

6 Department of Government Services - Government Service Centre

- 6.1 Proponent is advised that waste material should be considered, for reuse, resale or recycling, prior to disposal.

- 6.2 Proponent is advised that derelict vehicles, scrapped equipment and other debris must be disposed of at an approved waste disposal site or scrap yard, with the prior approval of the site owner/operator.
- 6.3 Proponent is advised that construction of an access road in a Protected Area or Protected Road Zone requires a Development Permit. Access to Provincially Maintained Roads or Protected Roads requires an Access to Provincial Roads Permit from the Department of Government Services - Government Service Centre.
- 6.4 Proponent is advised that construction within 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. For further information, contact the Government Service Centre at (709) 729-2008.

7 Department of Government Services - Occupational Health and Safety

- 7.1 Proponent is advised to ensure compliance with the **Occupational Health and Safety Act** and its associated regulations. This includes the responsibility for ensuring that, should contractors be hired to perform work, they also comply with the legislation. For further information, contact the Occupational Health and Safety Division at (709) 729-7454.

8 Department of Municipal and Community Affairs

- 8.1 Proponent is advised that any development within the Port Saunders Municipal Planning Area requires Development Approval from the Town of Port Saunders. For further information, contact the Department of Municipal and Community Affairs at (709) 729-3090.

9 Department of Tourism, Culture, Arts and Recreation

- 9.1 Proponent is advised to notify outfitters within Forestry Management Zones 17 and 18 regarding the proposed changes to the originally approved Forest Management Plan.
- 9.2 Proponent is advised to incorporate landscape design techniques on any development impacting scenic settings along Route 430. For further information, contact the Tourism Product Development Division at (709) 729-6588.

10 Department of Transportation and Infrastructure

- 10.1 Proponent is advised that any access to a roadway owned by the Department of Transportation and Infrastructure requires a permit and must comply with the Department's Access Policy. For further information, contact the Department of Transportation and Infrastructure 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, 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, contact Environment and Climate Change Canada at (709) 772-4313 or (709) 853-1304.

12 Fisheries and Oceans Canada

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 Fisheries and Oceans Canada at (709) 772-4140.