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COPY

MAR 27 2007

ENV1283MC-2007-1980

The Honourable David Ramsay
Minister of Natural Resources
99 Wellesley Street West
6th Floor, Room 6630 Whitney Block
Toronto ON M7A 1W3

Dear Minister Ramsay:

On March 10 and April 2, 2006, I received requests that the Ministry of Natural Resources (MNR) be required to prepare an individual environmental assessment (EA) for the Superior-Martel Forest 2006-2026 Forest Management Plan (FMP), located in MNR's Chapleau District.

I am taking this opportunity to inform you that a decision has been made that an individual EA is not required. This decision was made after giving careful consideration to the issues raised in the request, the Project documentation and the provisions of the 1994 *Class Environmental Assessment by the Ministry of Natural Resources for Timber Management on Crown Lands in Ontario* (Class EA). The reasons for my decision may be found in the attached letter to the requesters.

With this decision having been made, MNR may now proceed to implement the FMP, subject to any other permits or approvals required. MNR must implement forestry activities as set out in the FMP, and inclusive of all mitigating measures and environmental and other provisions therein.

It is understood that, subsequent to the issuance of the FMP for public and agency review, MNR made a number of commitments with respect to protective measures to address environmental impacts, and specifically to address concerns raised in the individual EA requests. Specifically, MNR has committed to continuing to recruit non-represented members, particularly members of the remote-tourism industry, to the Local Citizen's Committee. In addition, it is the expectation of this ministry that MNR will ensure that any commitments made to the requester surrounding the protection of remote-tourism values are fulfilled. This ministry is also supportive of recommendations resulting from the Bird Conservation Region plans being implemented into the planning

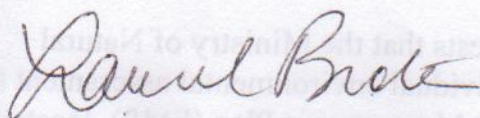


The Honourable David Ramsay
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of future forestry activities on the Superior-Martel Forest. It is my expectation that any such commitments made to affected agencies or members of the public will be fulfilled and implemented as part of the FMP.

Lastly, I would like to ensure that MNR understands that failure to comply with the *Environmental Assessment Act*, the provisions of the Class EA, and failure to implement the Project in the manner described in the FMP, are contraventions of the *Environmental Assessment Act* and may result in prosecution under section 38 of the Act. I am confident that MNR recognizes the importance and value of the *Environmental Assessment Act* and will ensure that its requirements and those of the Class EA are satisfied.

Yours truly,



Laurel C. Broten
Minister of the Environment

Attachments

- c: Requesters Theriault
- Mr. Bob Johnston, District Manager, Chapleau District, MNR
 - Mr. Steve Osawa, Senior FMP Specialist, Regional Planning Unit, MNR
 - Mr. Kirk Ellis, Area Forester, Chapleau District, MNR
 - Mr. David Repath, Plan Author, Tembec Industries Inc.
 - Mr. Trevor Hesselink, Director, Forests Program, Wildlands League
 - Mr. Brennain Lloyd, Northwatch
- EA File No. EA03-07-03 Superior-Martel 2006-2026 FMP

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MAR 27 2007

ENV1283MC-2007-1980

Mr. Joel Theriault
126 Hawthorne Avenue
Ottawa ON K1S 0B3

Dear Mr. Theriault:

Thank you for your interest in the Ministry of Natural Resources' proposed Superior-Martel Forest 2006-2026 Forest Management Plan (FMP), located in the Chapleau District. I welcome your comments on this Project.

On April 2, 2006, you requested that the Ministry of Natural Resources (MNR) be required to prepare an individual environmental assessment for the Project. I am taking this opportunity to inform you that a decision has been made that an individual environmental assessment is not required.

In making this decision, I have given careful consideration to the Project documentation, the provisions of the 1994 *Class Environmental Assessment by the Ministry of Natural Resources for Timber Management on Crown Lands in Ontario* (Class EA), and the issues raised in your request. The reasons for my decision are briefly discussed below.

The Class EA is a process by which MNR prepares FMPs, including evaluating alternatives, assessing environmental effects, developing mitigation measures, and consulting with the public, without having to obtain approval from me and the Lieutenant Governor in Council for each individual plan.

The Class EA has itself been subject to review and approval under the EAA, which determined, in part, that the application of the Class EA process would enable proponents to meet the intent and purpose of the EAA. The MNR has demonstrated that it has planned and developed this Project in accordance with the provisions of the Class EA. I am satisfied therefore that the purpose of the EAA, "*the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment*", has been met for this Project.



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The issues and concerns raised by yourself and other individual EA requesters were extensively reviewed. I am satisfied that the issues and concerns have been addressed by the work done to date by the MNR, or will be addressed in future work that is required to be carried out.

You raised concerns about the use of herbicides as a forest management tool, particularly in the vicinity of specified remote tourism lakes, feeder streams and bear management areas. This ministry has confirmed that the use of herbicides as a forest management tool was extensively reviewed as part of the approval of the Class EA for Timber Management (Class EA). This process included an extensive public hearing and consultation process, and the resulting assessment determined that herbicide use is an essential and acceptable practice for forest management and that appropriate public safety and environmental controls are practiced. MNR has provided documentation to this ministry that it continues to evaluate alternative options to the aerial spraying of herbicides in Ontario's forests.

MNR has indicated that the aerial application of herbicides is an essential technique for the control of unwanted vegetation in Ontario's forests. MNR has advised this ministry that failure to conduct aerial spraying may cause a change from the approved and recommended silvicultural prescriptions, which may potentially impact the long-term sustainability of the Forest. Despite this, MNR has assured this ministry that forestry operations will follow the buffer zone requirements for aerial spraying as set out in the MOE/MNR Buffer Zone Guidelines for the Aerial Application of Pesticides in Crown Forests in Ontario and will follow procedures set out in the FMPM.

I am satisfied that MNR has followed the requirements of the FMPM with respect to aerial herbicide spraying and continue to evaluate alternative options. I am also satisfied with MNR's rationale for continuing with aerial spraying within the Forest Unit.

You also raised concerns with method and timing of forestry operations in vicinity of remote tourism lakes, specifically, Nemegosenda Lake and River, Bonar Lake and Kapuskasing Lake and River and Bear Management Areas.

As per the *Management Guidelines for Forestry and Resource-Based Tourism* (Tourism Guidelines), the FMP sets out clear objectives and associated strategies regarding the protection of the identified resource-based tourism values. These strategies are proposed to ensure that over the long-term there is continued access to timber resources while protecting the tourism value through the appropriate forest management prescription and access management provisions.

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The ministry's review concluded that in the FMP there are a number of Area of Concern (AOC) prescriptions that are intended to provide protection to tourism lakes. MNR indicated that Kapuskasing and Bonar Lakes are both classified as Designated Tourism Lakes, requiring a 120-metre reserve within which no harvest, renewal or tending is permitted. The east side of Kapuskasing Lake is located within an AOC that prescribes a 180-metre road removal zone and a 30-metre spray buffer from the park boundary.

This ministry is aware that the initial stages of a Resource Stewardship Agreement (RSA) occurred and some agreement was reached between the SFL holder and yourself with respect to timing and methods used for forestry operations around the lakes of concern. It is the expectation of this ministry that commitments made to you regarding the protection of remote-tourism values are fulfilled.

I am satisfied that MNR has made substantial efforts to ensure the protection of tourism values, particularly through the designation of AOCs.

You raised concerns about the lack of current socio-economic information in the FMP and a concern that harvesting methods to be employed did not consider the unemployment rate.

MNR has demonstrated that it followed the direction of the FMPM and assessed each management alternative to examine its relative socio-economic impacts. The socio-economic impact model (SEIM), a provincially approved analysis tool was used by MNR to identify the relative socio-economic impacts of each alternative.

With respect to selecting harvesting method based on socio-economic conditions, MNR has indicated that the purpose of the socio-economic analysis is not to determine the silvicultural system that is going to be used on the forest. As noted in the FMPM, this decision is based on the silvicultural ground rules, which are developed through the use of the Forest Operations and Silvicultural Manual.

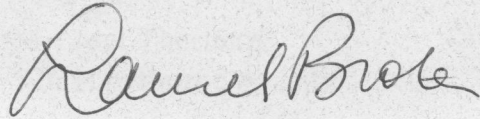
I am satisfied that MNR has followed the appropriate procedures, as set out in the FMPM, for evaluating the socio-economic impacts resulting from forestry operations.

A concern about the lack of remote tourism representation on the Local Citizen's Committee (LCC) was also raised in your request.

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Again, I would like to thank you for participating in the Class EA process and for bringing your concerns to my attention.

Yours truly,

A handwritten signature in cursive script, reading "Laurel Broten".

Laurel C. Broten
Minister of the Environment

Attachment

c: The Honourable David Ramsay, Minister of Natural Resources
Mr. Rob Galloway, Regional Director, Northeast Region, MNR
Mr. Bob Johnston, District Manager, Chapleau District, MNR
Mr. Steve Osawa, Senior FMP Specialist, Regional Planning Unit, MNR
Mr. Kirk Ellis, Area Forester, Chapleau District, MNR
Mr. David Repath, Plan Author, Tembec Industries Inc.
EA File No. EA03-07-03 Superior-Martel 2006-2026 FMP