

March 31, 2021

DOC/2021/01477

Reg. # 2119

Rex Quinlan, Mayor  
P.O. Box 126  
Baytona, NL A0G 2J0  
[thetownofbaytona@eastlink.ca](mailto:thetownofbaytona@eastlink.ca)

Dear Mr. Quinlan:

**Re: Baytona Snowmobile Trail**

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 this undertaking 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 Department of Fisheries, Forestry and Agriculture requires the following:
  - a minimum 30-metre undisturbed buffer must be maintained along all waterbodies and wetlands that appear on a 1:50,000 topographical map to protect sensitive riparian and aquatic species, and their habitat; and
  - 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; the 200-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); and, the location of any raptor nest site must be reported to the Wildlife Division. For further information, please contact the Wildlife Division at (709) 637-2025.
- 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](mailto:EAProjectComments@gov.nl.ca).

- You are required to update the Environmental Assessment Division on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

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

The Pollution Prevention Division of my Department advises 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. They also advise that a spill kit should be on-site during construction. For more information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my Department advises that a Section 48 permit is required for this project, as the trail will be constructed within 15 metres of a waterbody, including wetlands. They also advise that you must apply for and obtain permits for work in shore water zones, and for any infilling within 15 metres of a waterbody. For more information, please contact the Water Resources Management Division at (709) 729-1614.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development 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. The Occupational Health and Safety Division reminds you to consider procedures associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador (e.g. physical distancing, handwashing).

The Department of Fisheries, Forestry and Agriculture advises that a commercial cutting permit is required prior to harvest or timber removal, and that an operation permit is required prior to the start of any work during the forest fire season. For more information, please contact Fisheries, Forestry and Agriculture at (709) 729-1140.

Fisheries, Forestry and Agriculture notes that a small portion of the trail falls within 1.6 km of a former dump site. If title is issued for this trail as plotted, you will be required to complete a "Release and Indemnification" waiver. This can be avoided by re-routing a small portion of the trail slightly to avoid the 1.6 km buffer. For more information, please contact the Gander

Regional Lands at [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca) (Please note that any changes to the project will have to be submitted to the Environmental Assessment Division to determine whether registration for environmental assessment is required).

The Department of Transportation and Infrastructure notes that access permits are required for all highway crossings or work within a Right of Way. For further information, please contact Transportation and Infrastructure at (709) 729-6110.

Environment and Climate Change Canada recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15 and August 15 in this region. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and 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 your 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](mailto:EAProjectComments@gov.nl.ca).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Bennett".

**DEREK BENNETT**  
Minister

Enclosures