

COR-2022-1089

JUL 21 2022

Reg. # 2201

Triffie Parsons
Town Manager/Clerk
Town of Indian Bay
General Delivery
10-18 Municipal Crescent
Indian Bay, NL A0G 2V0
E-mail: toib1971@gmail.com

Dear Triffie Parsons:

RE: Indian Bay Heritage Walking 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 the Project 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 Water Resources Management Division of my Department requires;
 - A Trail Development Management Plan must be submitted to my Department prior to commencement of construction. The Plan must include: detailed mapping of trail route and identification of any special drainage features, detailed description of trail construction methods and materials used, and detailed short-term and long-term maintenance plans including closure plan during adverse weather events.
 - Deterrents (physical barricades) shall be placed at trail entrances to prevent the use of the trail by ATVs, snowmobiles and other motorized vehicles. Trail maintenance and upgrades are limited to sections of the trail that predate protection of the PPWSA (1981).



- You are to provide proof (aerial photograph) that the trail existed prior to protection. There shall be no new trail construction within the 150-metre buffer.

For more information, please contact the Water Resources Management Division at (709) 729-4048.

- 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.
- You are required to update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for the Project, within one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to EAProjectComments@gov.nl.ca.

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

The Pollution Prevention Division of my Department advises that a contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response should a spill occur. Response equipment, such as absorbents and open-ended barrels for collection of clean-up debris, should be stored in an accessible location on site and personnel working on the Project should be knowledgeable about response procedures. Any spill or leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. Also, please refer to the Treated Wood Waste Guidance Document, GD-PPD-PPD-075.1:

<https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal.pdf> For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of my Department advises that you must apply for and obtain a permit under the **Water Resources Act**, specifically, Section 48 for any work and/or infilling within fifteen (15) metres of a body of water (including wetlands) prior to the start of the work. Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations. You must apply for and obtain a permit under the **Water Resources Act** specifically Section 39 for development that is adjacent to or within the Indian Bay Brook Protected Public Water Supply Area servicing the Community of Indian Bay. Work adjacent to or within this designated Protected Public Water Supply Area must comply



with the Department's Policy for Land and Water Related Developments in Protected Public Water Supply Areas. There is to be no use of heavy equipment within the 150-metre buffer for at least one kilometre upstream of the intake. There is to be no fuel storage or refueling within the 150-metres of Indian Bay Brook. For further information, please contact the Water Resources Management Division at (709) 729-1646.

The Government Service Centre of the Department of Digital Government and Service NL advises a development permit will be required under the Protected Road Zoning Regulations for any construction within 400 metres of the centre line of Route 320. For further information, please contact the Government Services Centre at (709) 729-2008.

The Occupational Health and Safety Division of DGSNL advises that you must generally ensure that activities associated with the Project 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. For further information, please contact the Occupational Health and Safety Division at (800) 563-5471.

The Department of Fisheries, Forestry and Agriculture indicates the hiking trail is located within the Indian Bay Conservation Area signed under the Municipal Stewardship Agreement with the international Eastern Habitat Joint Venture program, and is in close proximity to a scheduled salmon river. Trail developers and ground personnel must ensure that these trails are not accessible to motorized vehicles. Pursuant to section 6 of the **Lands Act**, a licence to occupy must be obtained prior to the start of construction. A commercial cutting permit is required prior to any harvesting or timber removal in the area. An operating permit is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office. During the Forest Fire Season a permit to burn must be obtained to ignite a fire on or within 300 metres of forest land. For further information, please contact Fisheries, Forestry and Agriculture at (709) 637-2353.

The Department of Municipal and Provincial Affairs advises that the site is located within the Town of Indian Bay municipal planning area. Council is the development approving authority responsible for the issuance of permits that may be required in accordance with the Town's Development Regulations, 2019-2029.

Environment and Climate Change Canada (ECCC) recommends that you avoid scheduling high disturbance activities, such as vegetation clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the Project area occurs between April 15 and August 15. ECCC requests that you provide a GIS file of the Project boundaries and study area so that the Project can be mapped for consideration of cumulative effects. The Canadian Wildlife Service of ECCC requests that any species-at-risk sightings be reported via the following email: ec.scfatldonneesi-



cwsatliadata.ec@ec.gc.ca . For further information, please contact the Canadian Wildlife Service at (709) 772-4221.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other 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, my decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period you may apply to extend the term of my decision for a maximum of three, one-year periods, if needed. Should the term of my decision expire, the Project will have to be registered again for environmental assessment, if you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca

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

Sincerely,

A handwritten signature in blue ink, appearing to be "Bernard Davis", written over a blue oval-shaped stamp.

HON. BERNARD DAVIS, MHA
District of Virginia Waters - Pleasantville
Minister

Enclosure

Cc: The Honourable Derrick Bragg, MHA – District of Fogo Island-Cape Freels