

JUL 07 2023

COR-2023-2200

Reg. #2220

Carla Sullivan
Bay Bulls Bauline Athletic Association
2 Southside Road
P.O. Box 66
Bay Bulls, NL A0A 1C0
E-mail: recreation@bbbaa.ca

Dear Carla Sullivan:

RE: Bay Bulls-Bauline Multi-Use Trail (the Project)

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 must 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 (FFA) requires you to submit an Environmental Protection Plan (EPP) that includes details on caribou occupancy in the area, historic range use, potential impacts of the Project on caribou and measures that will be undertaken to mitigate adverse impacts. The EPP is to be emailed to FFAreferrals@gov.nl.ca and must be approved by FFA prior to Project construction. For further information, please contact FFA at (709) 637-2353.
- You must 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 must update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, one year from the date of this release letter

and to provide additional updates if required. Please email the Project updates to EAProjectComments@gov.nl.ca.

The reviewing federal and provincial government departments and agencies have provided advice, which is attached for your reference.

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 periods of one year. 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 about the environmental assessment process, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or email joannesweeney@gov.nl.ca.

Sincerely,



Hon. Bernard Davis, MHA
District of Virginia Waters – Pleasantville
Minister

Attachment

Cc: Loyola O'Driscoll, MHA - District of Ferryland

Attachment A

Federal and provincial government departments and agencies provide the following advice:

The Climate Change Branch (CCB) of the Department of Environment and Climate Change advises that any heavy-duty equipment used in the construction phase of this Project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change recommends that you prepare a contingency plan and have equipment readily available onsite to enable a quick and effective response to a spill event. PPD advises that all pesticide use, meaning the purchase, transport, storing, possessing and handling is subject to compliance with the Pesticides Control Regulations, and a Pesticide Applicator Licence is required. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises that permits are required under the **Water Resources Act** for any work, including infilling, in or within 15 metres of a body of water (including wetlands) prior to the start of the work. The WRMD also advises that any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003 <https://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>. For further information, please contact the WRMD at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that any spill or leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089. For further information, please contact the GSC at (709) 466-4060.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises you to 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 the legislation. For further information, please contact OHS at 1 (800) 563-5471.

The Department of Fisheries, Forestry and Agriculture (FFA) advises you to operate under established legislation and regulations, such as to prevent harassment of wildlife (see Wild Life Regulations under the **Wild Life Act**), and under guidance with respect to wildlife and their habitats to avoid or minimize adverse impacts. FFA also advises of permits that are required including a Licence to Occupy, a Cutting Permit prior to any harvesting or timber removal, an Operating Permit prior to the start of any work during the forest fire season, and a Permit to Burn for igniting a fire on or within 300 meters of forest land during the forest fire season. For further information, please contact FFA at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials required for the Project must be obtained from an approved source and recommends that you consult with any electrical utilities in the area. IET informs that mineral exploration is a land use that should be expected in the general area in the future. For further information, please contact IET at (709) 729-5811.

The Department of Immigration, Population Growth and Skills (IPGS) encourages you to promote new trail systems to other community organizations, including ones assisting newcomer integration, in order to inform newcomers of the benefits of outdoor activities. Such efforts may help retain generations of newcomers to the province, and help ensure greater numbers of volunteers for trail upkeep in future years. IPGS would be happy to discuss potential newcomer engagement through community partners. For further information, please contact IPGS at (709) 729-7131.

Environment and Climate Change Canada (ECCC) recommends that you consult the COSEWIC Assessment and Status Report for the Newfoundland Caribou population for information on threats to caribou and minimizing impacts to caribou populations, and that you prepare the following plans:

- An Oil Spill Prevention and Response Plan;
- A Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds; and
- A Contingency Plan that considers potential accidents and malfunctions for site-specific activities.

ECCC advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. For further information, please contact ECCC at (709) 772-2126.



The Department of Fisheries and Oceans (DFO) advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the Fisheries Act and as well as information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.gc.ca/pnw-ppw/index-eng.html>. For further information, please contact DFO at (709) 772-4140.

Transport Canada advises that one or more water crossings may require approval under the **Canadian Navigable Waters Act (CNWA)**. For further information, please contact Transport Canada at (506) 851-3113.