
Reg. #2059

Mr. Eldon Spurrell
26 Lilybrook Road
Box 2, Site 2, Comp. 2
Terra Nova NL A0C 1L0

JAN 15 2020

Dear Mr. Spurrell:

RE: Lake St. John ATV Trail

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by the Newfoundland and Labrador *Environmental Protection Act, SNL 2002, cE-14.2*. Please be advised that this undertaking is released from further assessment subject to the following conditions:

- A minimum 30-metre undisturbed vegetated buffer is required along all waterbodies and wetlands that appear on a 1:50,000 topo map to protect sensitive riparian and aquatic species, and their habitat.
- 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 also applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, and Northern Saw-whet Owl). The location of any raptor nest site must be reported to the Wildlife Division of the Department of Fisheries and Land Resources. For further information, please contact the Wildlife Division at (709) 637-2025.
- The trail must not exceed four metres in width. Although the proponent has specified that an excavator will be used in the construction of the trail, it is not to be constructed in a manner that allows for vehicular traffic (cars and trucks) and is intended for All-Terrain Vehicles use only. For further information, please contact the Department of Fisheries and Land Resources at (709) 729-1364.
- The proposed trail is located in a Cottage Development Area and must not be constructed within 20 metres from cabins other than the proponent's cabin. For further information, please contact the Department of Fisheries and Land Resources at (709) 729-1364.

The Water Resources Management Division of this department requires that you obtain a permit for any work in any body of water (including wetland) including, but not limited to, culverts, bridges, diversion channels, etc. For further information, please contact the Water Resources Management Division at (709) 729-2295.

The Forestry and Wildlife Branch of the Department of Fisheries and Land Resources has identified an extensive overlap between the proposed trail that is parallel to an existing resource road, and a future forest harvest area essential for the sustainable wood supply in this forest management district. They advise to contact the local Forest Management District Office to

discuss the proposed work with the goal of determining an acceptable mitigation, rehabilitation, or compensation plan that would minimize the impact on future forest resources. For further information, please contact the Department of Fisheries and Land Resources at (709) 637-2025.

The Energy Branch of the Department of Natural Resources recommends that you contact Newfoundland and Labrador Hydro regarding electricity assets. For further information, please contact the Energy Branch at (709) 729-5901.

Environment and Climate Change Canada recommends that you avoid certain activities, such as clearing, during the regional nesting period for migratory birds. The breeding season for most birds within the project area occurs between April 15th and August 15th in this region. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Fisheries and Oceans Canada advises that if you are conducting work in or near water you should refer to the Projects Near Water website at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. They advise that you are responsible for: understanding the impacts your project will likely have on fish and fish habitat; taking measures to avoid and mitigate impacts to fish and fish habitat; requesting an authorization from the federal Minister and abiding by the conditions of your authorization when it is not possible to avoid and mitigate project impacts on fish and fish habitat; and ensuring compliance with all statutory instruments, including federal, provincial, or municipal legislations/requirements. For further information, please contact Fisheries and Oceans Canada at (709) 772-4140.

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. Please note that 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.

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

Sincerely,



DERRICK BRAGG, MHA
Minister of Municipal Affairs and Environment
District of Fogo Island-Cape Freels

Attachment

Cc. Lloyd Parrott, MHA
District of Terra Nova