

OCT 28 2022

COR-2022-2684

Reg. # 2213

Carolyn Compagnon
Newfoundland and Labrador Snowmobile Association
7 Wellon Drive
Deer Lake, NL A8A 2G6
E-mail: groomers@nlsf.orgs

Dear Carolyn Compagnon:

RE: Sexton's Road Snowmobile Trail Re-Route (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 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:
 - Where possible, for slopes less than 30 percent, you must maintain a minimum 30-metre undisturbed riparian buffer zone around all waterbodies, from the high water mark, that are identified on either the 1:50,000 scale National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use Atlas. Land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities must not take place in this zone.
 - For slopes greater than 30 percent, you must maintain an undisturbed riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slope (%). Land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities must not take place in this zone.
 - 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, Northern Saw-whet Owl). The location of any raptor nest sites must be reported to the Wildlife Division.

- The proposed undertaking occurs in a silviculturally treated, commercial forest area and forestry activities must not be restricted in any way. Forestry activities include but are not limited to forest access road construction, maintenance and decommissioning of forest access roads, timber harvesting, silviculture treatment, forest protection, forest management research and monitoring, conservation and other activities carried out in accordance with sustainable forest management practices. Silviculturally treated land must not be disturbed in any way during the construction or use of this trail.

For more information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 637-2052.

- 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, licences, 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 Climate Change Branch of this department advises that any heavy-duty equipment 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 Climate Change Branch at (709) 729-1485.

The Pollution Prevention Division of this department advises that a contingency plan specific to the proposed undertaking should be developed. 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. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of this department advises that permits are required under the **Water Resources Act** for any work in or within fifteen metres of a body of water (including wetlands) prior to the start of Project construction, and for any infilling work within fifteen metres of a body of water (including wetlands) prior to the start of infilling. Any effluent or runoff leaving the site will be required to conform to the

requirements of the Environmental Control Water and Sewage Regulations, 2003. For more information, please contact the Water Resources Management Division at (709) 729-1646.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL 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. OHS recommends that you prepare an emergency response plan to address any foreseeable mishap specific to the undertaking. For more information, please contact OHS at (800) 563-5471.

The Department of Fisheries, Forestry and Agriculture informs that a cutting permit is required prior to any harvesting or timber removal in the Project area. An operating permit is required prior to the start of any Project work during the forest fire season and can be obtained from the 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 the Department of Fisheries, Forestry and Agriculture at (709) 729-2353.

The Department of Industry, Energy and Technology advises that quarry materials required for the Project must be from an approved source. The Project is located within/near Newfoundland Power assets and it is recommended that you advise Newfoundland Power of the Project. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5811.

Environment and Climate Change Canada (ECCC) – Canadian Wildlife Service (CWS) 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 the region. ECCC-CWS informs that the modernized Migratory Bird Regulations includes a list of species on Schedule 1 whose nests remain protected year-round. It is your responsibility to ensure that Project activities comply with the Migratory Bird Regulations and the **Migratory Birds Convention Act**. ECCC-CWS advises you to obtain information on species at risk and species of conservation concern potentially occurring in the area and surrounding habitats, prior to the start of construction. Such information is available from the Atlantic Canada Conservation Data Centre (ACCDC) and sightings of species at risk may be reported to ECCC-CWS at ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca and to the ACCDC at <http://accdc.com/en/contribute.html>. For more information, please contact the Canadian Wildlife Service at (709) 772-4221.

ECCC recommends that you prepare the following plans:

- Oil Spill Prevention and Response Plan;

- Contingency Plan that considers potential accidents and malfunctions for site specific activities; and
- Management Plan that includes measures to minimize Project impacts on migratory birds and processes to follow should an active nest be found at any time.

For further information or assistance with the preparation of plans, please contact ECCC at (709) 689-8915.

Fisheries and Oceans Canada 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-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

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, the Minister's 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 three-year period for a maximum of three one-year periods, if needed. 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,



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

Enclosure

Cc: Lloyd Parrott, MHA – District of Terra Nova