

4.0 REGULATORY REQUIREMENTS

4.1 Potential Permits, Approvals and/or Authorizations

RILOT is aware that a number of permits and/or approvals may be required prior to being granted a license for the noted trails (Table 7).

Table 7: Potential Permits, Approvals and/or Authorizations

| Department | Permit/Approval | Activity |
|----------------------------|--|--|
| Forestry Branch, DFFA | Permit to burn | Related to upgrading and maintaining existing trails |
| Crown Lands Division, DFFA | License to Occupy (LTO) | Applications for trail footprints have been made |
| Wildlife Division, DFFA | Nuisance animals | In cases where nuisance animals are encountered |
| WRMD, DECC | S.48 Wetland development | For new construction in wetland areas |
| WRMD, DECC | Stream crossings | For new stream crossings |
| WRMD, DECC | Culvert installation | For required culvert installation |
| WRMD, DECC | S.39 Development within a Protected Public Water Supply Area (PPWSA) | Portion of Trail 145987, Hinds Lake Trail |

4.2 Environmental Compliance Monitoring

4.2.1 Inspections and Monitoring

RILOT recognizes that since these existing trails are crucial to the operation of their outfitting business, they accept the responsibility to manage these trails for the duration of their license term. Long-term and planned management of these ATV trails is crucial to minimizing their degradation. RILOT recognizes that with use, any trail will degrade over time if there isn't a proper maintenance and management plan. Effective management includes monitoring the trail conditions on a regular basis and after any major rain events, as well as completing maintenance and repairs based on outcomes of monitoring activities. Without proper management, ATV trails can become a safety hazard for users and can damage the environment.

Regular visits along the trail route will be necessary to assess trail conditions. The frequency of assessment visits per trail will depend on the level of traffic, with high traffic trails being monitored more frequently than low traffic trails. If for example newly incorporated drainage feature do not seem to be working effectively, changes may need to be made to the trail. A record of monitoring activities will be kept.

4.3 Relevant Legislation, Regulations and Policy

RILOT has identified a number of pieces of provincial and federal legislation that may apply to the construction of rerouted trail sections as well as the maintenance and operation of existing and rerouted trails.

- *Motorized Snow Vehicles and All-Terrain Vehicles Act and Regulations*
- *Lands Act*
- *Policy for Development in Wetlands*
- *Wildlife Act and Wildlife Regulations*
- *Policy for Land and Water Related Developments in Protected Public Water Supply Areas*
- *Water Resources Act, 2002. S.48*
- *Used Oil Control Regulations.*
- *Storage and Handling of Gasoline and Associated Products Regulations, 2003*
- *Occupational Health and Safety Act and its Regulations*
- *Environmental Protection Act, 2002*
- *Cutting of Timber Regulations*
- *Forest Fire Regulations*
- *Migratory Birds Convention Act and Regulations*
- *Federal Policy on Wetland Conservation*

RILOT is aware of specific requirements of the *Motorized Snow Vehicles and All-Terrain Vehicles Act* and *Regulations* that outline the conditions under which ATVs can be used in unapproved areas. RILOT is an experienced and professional outfitter and has always, and will continue to, abide by these regulations.

Motorized Snow vehicles and ATV Regulations

5.1 (1) Notwithstanding subsection 5(1), a person who holds a big game licence and, as permitted by the licence, has killed a moose, caribou or bear may use or operate an all-terrain vehicle outside an approved area for the purpose of transporting the animal from the place where it was killed, subject to the conditions set out in subsections (2) to (7).

(2) Notwithstanding subsection (1), a person other than the licence holder may use or operate an all-terrain vehicle for the purpose of transporting an animal from the place where it was killed, but the licence holder shall remain in the immediate area.

(3) A person shall not use or operate an all-terrain vehicle under subsection (1) where an approved area may reasonably be used for the purpose.

(4) A moose or caribou shall be tagged as required under subsection 35(8) of the *Wild Life Regulations* before an all-terrain vehicle is used or operated under subsection (1).

(5) A person shall not use or operate an all-terrain vehicle more than 5 times to and from the place where the animal was killed and, when travelling from the place where the animal was killed, a portion of the animal shall be on the all-terrain vehicle or on a trailer being towed by the all-terrain vehicle.

(6) Notwithstanding subsection (5), where more than one all-terrain vehicle is used or operated in relation to the transporting of a single animal under subsection (1) the total number of trips for all the all-terrain vehicles shall not exceed 5.

(7) A person shall not carry, transport or have in his or her possession a fire arm while using or operating an all-terrain vehicle under subsection (1).

5.0 ENVIRONMENTAL PROTECTION PROCEDURES

This Section provides a description of environmental protection procedures for anticipated project related activities. When required, this EPP will be revised to include new or amended environmental protection procedures so that project work activities are completed properly and that environmental aspects of the project site are well managed.

5.1 Erosion Control

Potential Environmental Concerns

The main threats to the long-term sustainability of any trail system are erosion and sedimentation. Erosion into waterbodies can cause negative effects, including but not limited to:

- Increased turbidity and temperature;
- Changes to aquatic ecosystems (siltation);
- Interruptions to stream flow; and
- Transportation of contaminants.

Environmental Protection Measures

- Work will not be undertaken on easily erodible materials during or immediately following heavy rainfalls without accepted protection measures in place.
- Standard sedimentation control measures will be followed and closely monitored.
- Natural vegetation will be left in place whenever possible.
- All work relating to project activities will be conducted according to the conditions set out in the permits, approvals and authorizations obtained from applicable regulatory agencies.
- The disturbance of new areas will be minimized.
- Drainage ditches (Figure 18) will be stabilized if required, e.g., lining with vegetation or rock, to reduce soil erosion. Any such measures will be properly inspected and maintained following installation.
- All work, laydown and storage areas will be monitored for erosion and appropriate repair action taken as necessary.
- Surfacing or hardening of trail surface will be considered when the native soil has a high erosion potential, i.e., high organic content. Surfacing involves the removal of native soil and replacing it with new material, e.g., crushed gravel or crushed stone. Hardening refers to adding to the existing soil to create a balanced soil mix of sand, silt and clay particles that results in an improved surface for riding over. Armoring is another option and is practical over short lengths of trail and involves using materials such as large rocks to slightly elevate and pave the surface.

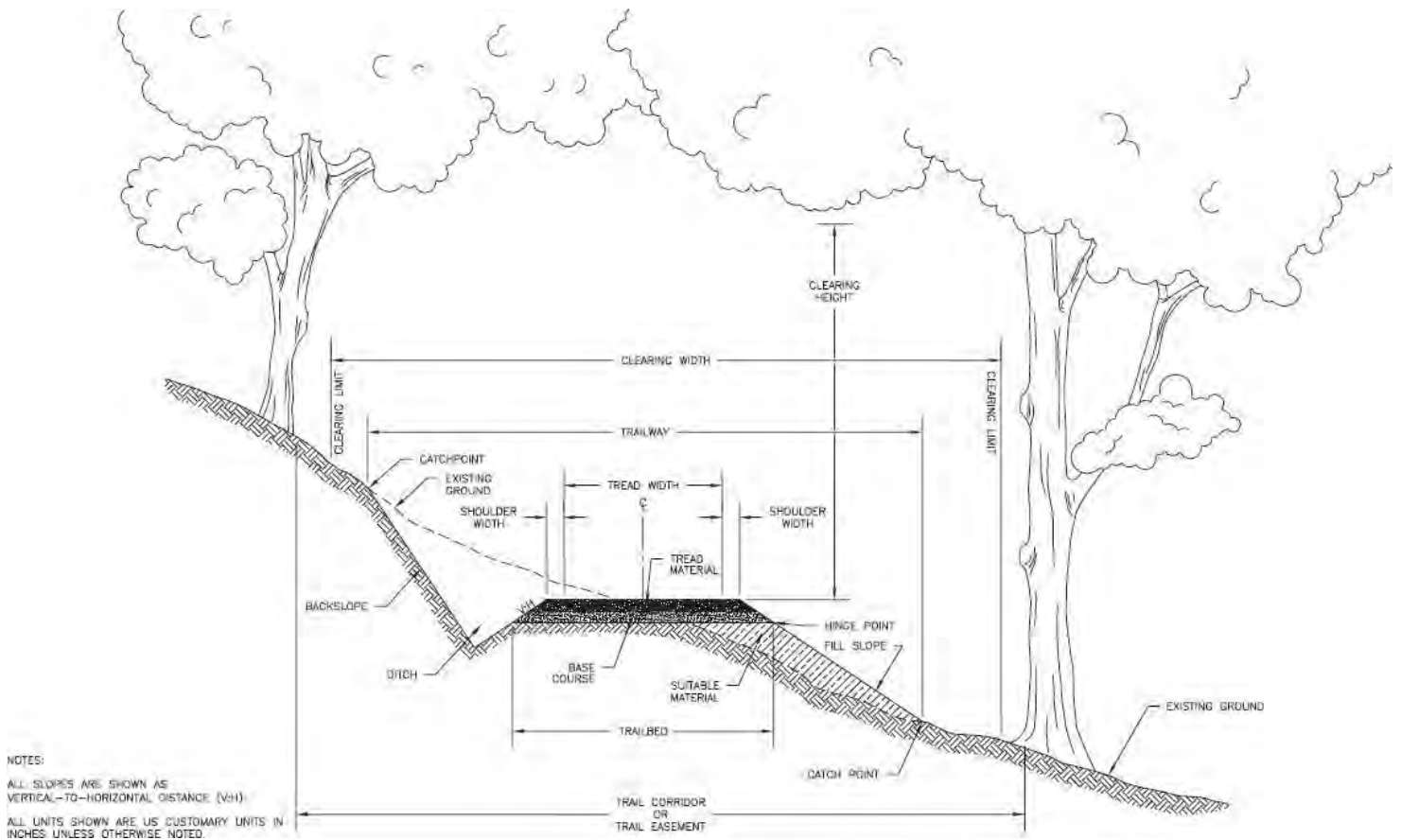


Figure 18: Standard Trail Terms and Path Maintenance with Ditches

5.2 Route Selection and Corridor Width

RILOT is unaware of specific ATV construction standards for NL but has noted that in standard issued trail licenses, the recommended trail width is four (4) metres (m). RILOT has also consulted the guidance document issued by the WRMD relative to the construction of ATV trails in Public Protected Watersheds (PPWSAs) where the recommended corridor width is 2.1 m (Figure 19). RILOT will endeavor to limit the width of upgraded trails to 2.1 m as per the guidance specific to development in PPWSAs.

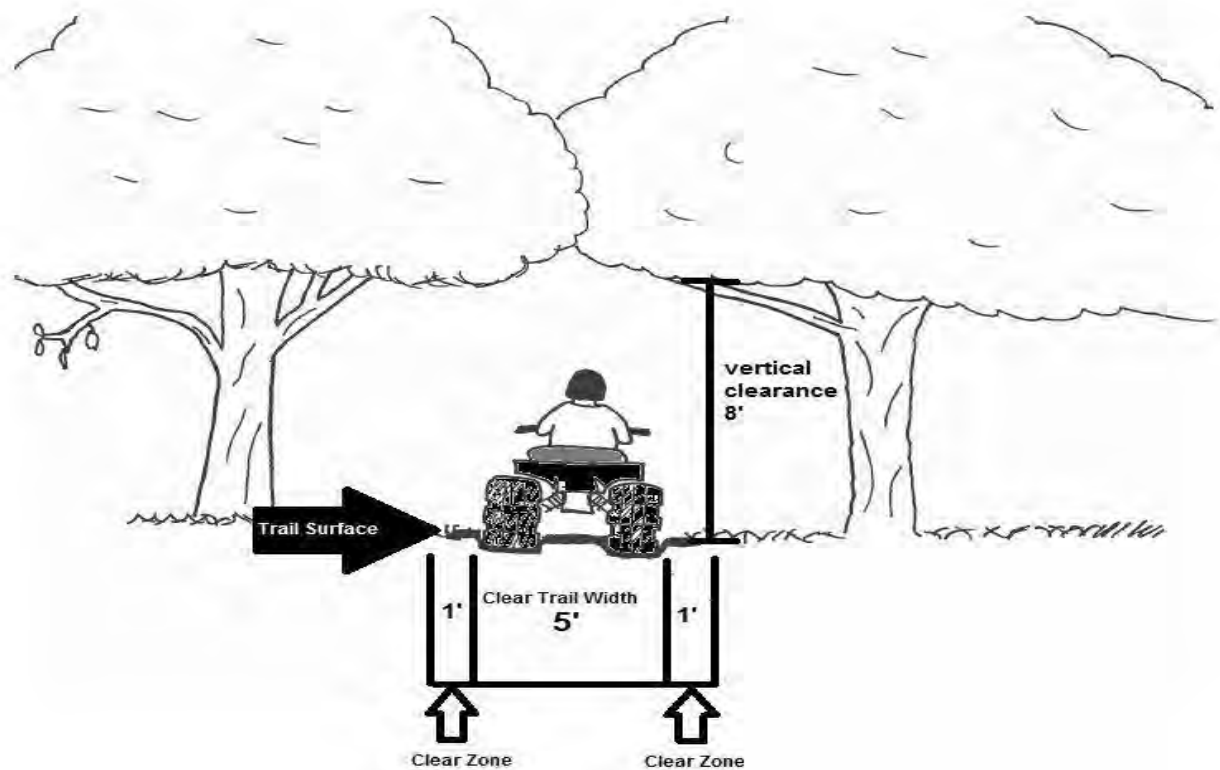


Figure 19: Recommended ATV Trail Clearances in PPWSAs

Where feasible to do, RILOT will leave the trail(s) as natural as possible. For example, roots that are perpendicular to the tread and not protruding upward, will be left in place as this can help reduce erosion. Brush cutting may need to be done more frequently as fast growing plants will quickly invade.

RILOT used criteria outlined in the *ATV Bridge Guidance* document from the WRMD in selecting sections of trails to be rerouted. Rerouted trail sections were chosen in order to:

- Minimize the number of watercourse crossings
- Avoid steep slopes and other sensitive areas
- Avoid wetlands and floodplain areas
- Reduce travel and access through Protected Water Supply Areas; and
- Maintain substantial buffer strips of 15 m on all bodies of water

The rerouted and existing trail sections are described in s.3.0 above.

5.3 Buffer Zones

Potential Environmental Concerns

Buffer zones are boundaries of undisturbed vegetation maintained along water bodies. Buffers act as safeguards to negate negative effects to water quality and without adequate buffer zone vegetation, streams, ponds and lakes can potentially become laden with silt from run-off. Vegetative buffers slow down the movement of water on the surface during runoff events, allowing adequate time for water to penetrate the ground. Vegetation also provides cover for fish in various aquatic environments.

Environmental Protection Measures

Buffer zones will be flagged prior to any disturbance activities, as required. A minimum buffer zone of 15 m or as dictated by permits of undisturbed natural vegetation is to be maintained between work areas and water bodies (Table 8). Where possible and required by permits or authorizations, additional buffer widths will be maintained.

All right-of-ways will be as narrow as practicable, keeping loss of ground vegetation to a minimum.

Table 8: Recommended Minimum Buffers for Activities near Watercourses

| Activity | Recommended Buffer Width |
|---|--|
| Development around watercourses in urban or other developed area | 15 m depending upon site specific considerations |
| Resource roads or highways running adjacent to water bodies | 20 m + 1.5 X slope (%) |
| Piling of wood and slash - Grubbing | 30 m |
| Placement of Temporary Site Trailers - Fuel storage | 100 m |
| Source: Gosse, M.M., A.S. Power, D.E. Hyslop, and S.L. Pierce. 1998. Guidelines for Protection of Freshwater Fish Habitat in Newfoundland and Labrador. Fisheries and Oceans. | |

5.4 Vegetation Clearing

Potential Environmental Concerns

Some vegetation clearing, e.g., trees, shrubs, etc., may be required in situations where trails are upgraded or rerouted. Potential concerns include uncontrolled burning of slash, stockpiling vegetation in or near watercourses and wildlife disturbance.

Environmental Protection Measures

- Clearing activities will comply with requirements of all applicable permits, including the Permit to Burn.
- Clearing or removal of trees will be kept to a minimum.
- Clearing will consist of cutting to within 15 cm of the ground or as dictated by permits. The *Environmental Protection Guidelines for Ecologically Based Forest Resource Management* (1998) will be followed.

- Disposing of cleared un-merchantable timber, slash and cuttings by burning will comply with the *Forest Fire Regulations* under the *Forestry Act*, Environmental Code of Practice for Open Burning and the Permit to Burn (NLDFFA). At no time will fires be left unattended.
- Slash and any other material or debris related to project activities will not be permitted to enter any watercourse, and will be piled above spring flood levels.
- Chain saws or other hand-held equipment will be used in clearing vegetation. No mechanical clearing methods, e.g., excavators, will be permitted.
- Where practical and possible, a minimum 15 m buffer zone of undisturbed vegetation will be maintained between the corridor and all waterbodies.
- Workers will not destroy or disturb any features indicative of a cultural or archaeological site. Such features should be avoided until a report has been made to the Provincial Archaeology Office and clearance to proceed has been received.
- Vegetation clearing will be scheduled to avoid disturbance during the critical bird nesting period.
- The disturbance of wetlands will be avoided outside the project area.

5.5 Laydown and Storage Areas

Potential Environmental Concerns

Laydown areas may be necessary for storing and maintaining equipment and supplies during project activities.

Environmental Protection Measures

- Existing laydown and storage areas will be used where feasible.
- Establishing any new laydown or storage areas will follow the procedures for vegetation clearing and erosion prevention.
- External storage areas will be placed on level terrain and kept free of ponding or run-off.
- Drainage from areas of exposed soil will be controlled by grade or ditching and directing run-off away from water bodies.
- Fuel will be stored, handled and transported according to s.5.10.

5.6 Wetland Crossings

Potential Environmental Concerns

Wet areas, wetland or bogs typically require specialized design components as they are sensitive to development. RILOT recognizes that this EPP relates to existing trails that currently occur over a number of wetland areas.

Environmental Protection Measures

- In very wet areas, raised decks or puncheons can provide protection to the trail from ATV traffic (Figures 20 and 21). A raised deck can be used when the underlying soil can support an upright wooden stake driven into the ground as support for the decking. If the soil is too wet to allow for stable posts, a puncheon can be used. With this method, rough cut logs or lumber are placed directly along the ground perpendicular to the trail route every metre or so. Distance between logs or lumber will depend on how wet the area is; the softer the soil, the closer they should be placed. They work as the base for stringers that support the wooden plank deck.

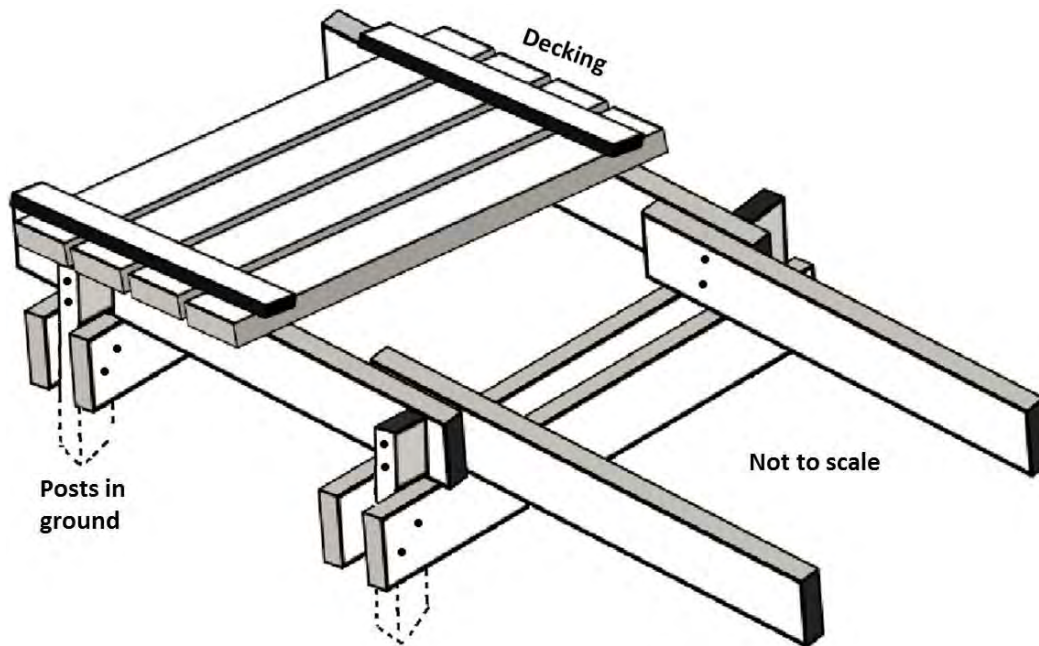


Figure 20: Raised Plank Decking

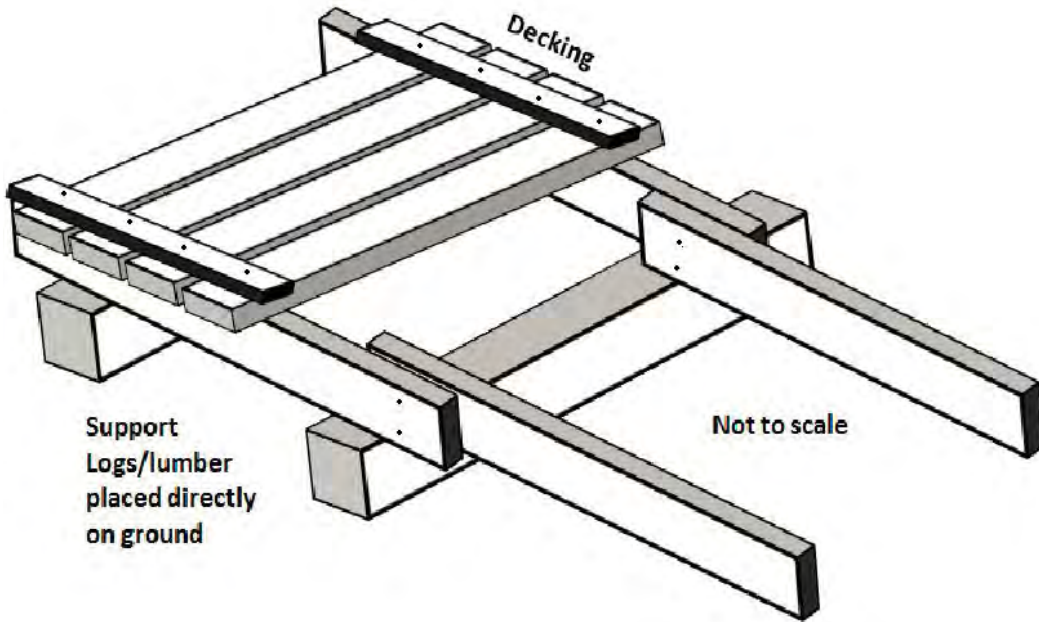


Figure 21: Puncheon Construction

- Corduroys or raised fill (Figure 22) may also be used in wet and muddy areas. Corduroys are made by placing rough cut logs with the bark stripped perpendicular to the trail along the muddy area with no separation between logs. This is a simplistic technique that can utilize local timber.

Corduoy Structure

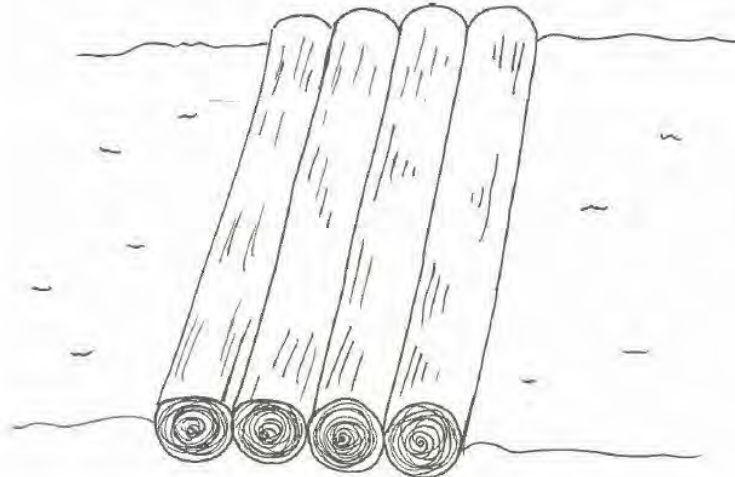


Figure 22: Corduoy Structure

- Raised bed/fill, or turnpike (Figure 23), is a technique used in wet and/or muddy areas whereby fill material, e.g., gravel, sand, is used to build up the trail tread above the water table. Log stringers are often used to help keep fill in place. Drainage pipes and/or ditches are also needed to divert water away from the trail. This method isn't ideal as it may change the natural surface drainage and is only recommended for level areas with well-drained soils.

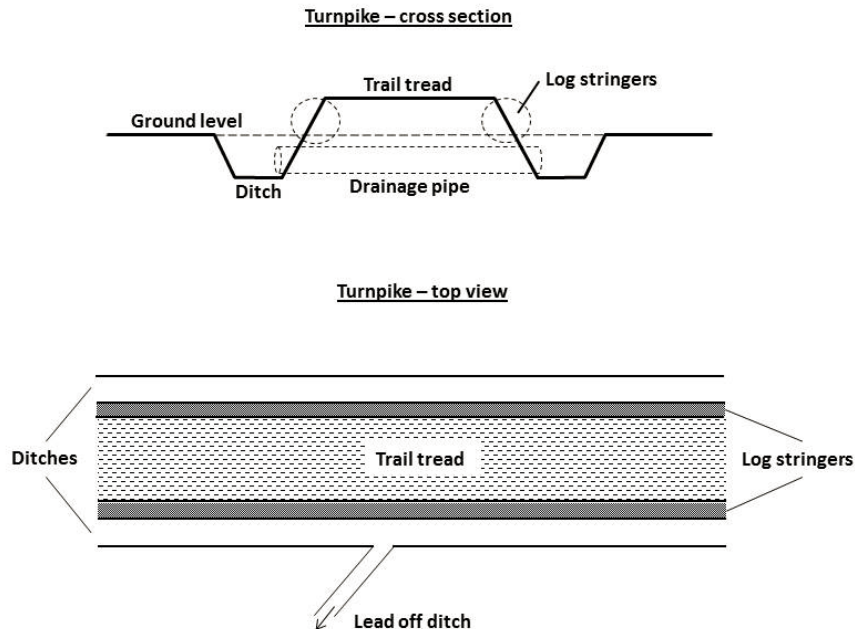


Figure 23: Raised Bed or Turnpike Structure

5.7 Trail Markers

Trail markers along the trail system are necessary to regulate the flow of traffic and provide essential information to users. It can direct users in the appropriate direction, warn of hazardous conditions, or restrict users to certain areas.

Entrance markers indicating the beginning of a trail system, the length of the trail or a trail map can be included on entrance signs. Directional trail markers, caution markers and stop and yield signs are typical signage used on licensed ATV trails.

For any trail sections that provide access to a PPWSA, specific signs (Figure 24) will be erected that advise trail users of the potential for criminal charges under the *Water Resources Act* should inappropriate activity be noted.



Figure 24: PPWSA signage available from WRMD Regional Offices

5.8 Watercourse Crossings

RILOT understands that environmental permits may be required for stream crossings that appear on a 1:50,000 scale topographic map. Alterations to bodies of water fall under Section 48 of the *Water Resources Act* and typical alterations that may be necessary in trail construction include:

- Installation of culverts;
- Installation of bridges;
- Forging;
- Stream modification;
- Dredging; or
- Debris removal.

Guideline documents for alterations to bodies of water provide detailed information on specifications for construction and installation. Although the trails associated with this EPP are existing, some of this

guidance is still relevant as sections of various trails may require rerouting, repair and/or maintenance at various times.

Potential Environmental Concerns

The potential environmental concerns associated with stream crossings and culvert installations include potential direct disturbances to and/or mortality of fish, and potential loss of fish habitat resulting from sedimentation and removal of habitat and stream bank vegetation.

Environmental Protection Measures

An evaluation of soil erosion potential will be conducted at each required stream crossing. This will assist in the development of specific erosion stabilization methods and effective sedimentation control practices.

If stream crossings are required relative to upgrading or maintenance of existing trails, their number will be minimized. Where existing portions of these trails cross a stream, environmental protection procedures detailed in s.5.1. "Erosion Control" will be followed.

The following measures will be implemented to minimize potential impacts of stream crossings:

- No work below the high water mark of any surface water feature will be conducted without the prior notification of the Foreman.
- Between September 15 and June 15 (sensitive fish life stages) or other times specific to the region, stream crossing will be undertaken under the direct supervision of the Foreman.
- Efforts will be made to avoid the entry of deleterious substances including, but not limited to, materials such as sediment and fuel to watercourses and waterbodies during watercourse crossing work.

Culverts

- If any stream crossings requiring culverts, they will be constructed in compliance with the required Permit for Culvert Installation from WRMD.
- If any culverts are required, they will be constructed according to permit specifications and in accordance with the Environmental Guidelines for Culverts from the NLDECC.

Bridges

- If a stream containing fish has to be crossed, a bridge will be preferred as this does not disturb the streambed.
- A bridge is the preferred type of stream crossing as only a bridge can avoid the alteration of flow regimes and protect the integrity of the stream channel.
- If a bridge structure is needed, RILOT will avail of appropriate expertise to design and construct a bridge that will be strong enough to safely carry a fully loaded ATV.
- Creosote treated wood will not be used within 15 m of a body of fresh water.

- The alignment of a bridge relative to a waterway should be at right angles.
- If required, and if possible, a bridge will be located at a narrow section of the watercourse where stream banks are stable and are not likely to erode under the bridge supports.
- The bridge will provide adequate capacity to safely discharge flood flows.

Fording

- If fording is required, a Fording Permit will be obtained from NLDECC and the conditions of the permit will be strictly followed.
- When fording a watercourse, the WRMD guidance will be followed and any applicable permits will be adhered along with the following:
 - areas of spawning habitat will be avoided;
 - crossings shall be restricted to a single location and crossings made at right angles to the watercourse;
 - equipment activity within the watercourse shall be minimized by limiting the number of crossing;
 - all equipment will be mechanically sound to avoid leaks of oil, gasoline and hydraulic fluid;
 - no servicing or washing of heavy equipment will occur adjacent to watercourses; temporary fueling, servicing or washing of equipment in areas other than the main fuel storage site will not be allowed within 30 m of a watercourse;
 - stabilize the entire fording area using vegetation mats, corduroy roads or coarse material (125 mm diameter or greater), when the ford area is not natural bedrock, or is easily disturbed by fording. When the substrate of the ford area is not subject to easy disturbance by fording, or coarse material is not easily available within the lease boundaries, fording under existing substrate conditions may occur under the direction of the Foreman;
 - fording activities will not decrease the depth of the watercourses to less than 20 cm. Where the existing depth is less than 20 cm, that depth shall be maintained;
 - fording activities will be halted during seasonal or precipitation related high flow periods; and
 - stabilize all bank sections that contain loose or erodible materials. If banks must be sloped for stabilization, no material shall be deposited within the watercourse .

5.9 Equipment Use and Maintenance

Potential Environmental Concerns

Several types of vehicles may be used during site work activities, e.g., ATV, ARGO. Potential environmental concerns associated with operating and using such equipment include potential air emissions, accidental spills and hydrocarbon leaks that may contaminate on-site water bodies

Environmental Protection Measures

- Equipment maintenance and fuelling activities will be performed at sites designated by the Foreman and in compliance with applicable regulations.
- Drip pans will be placed underneath pumps, fuel storage, and generators.

- Hoses and connections on equipment will be inspected routinely for leaks and drips.
- Only minor repairs and maintenance will be performed on-site. All major repairs are to be performed at a location away from the trails, where possible.
- All fuel or oil leaks will be repaired and reported immediately to RILOT's Foreman.
- All fuel and other hazardous materials will be handled according to the procedures in s.5.10.
- Spill kits will be located at fuel storage areas. Personnel who deal with fuelling, fuel transfer and pumps and generators will be trained in the use of the kits.

5.10 Storage and Handling of Fuel and Other Hazardous Material

Potential Environmental Concerns

The primary concern with using hazardous substances is a potential uncontrolled release to the environment through spillage, and subsequent adverse effects on terrestrial and aquatic habitat and species, soil, groundwater quality, and human health and safety.

Typical hazardous substances that may be used during the project include, but are not limited to:

- petroleum, oil and lubricants;
- chlorinated and non-chlorinated solvents, e.g., cleaner-degreasers;
- waste petroleum products, e.g., used engine oil;
- corrosives, e.g., battery acid; and
- glycol, e.g., antifreeze.

Environmental Protection Measures

- The *Workplace Hazardous Materials Information System (WHMIS) Regulations* under the *Occupational Health and Safety Act* will apply to all handling and storage of hazardous materials. All relevant current Material Safety Data Sheets (MSDS) will be readily available for the site.
- All necessary precautions will be taken to prevent and reduce the spillage, misplacement or loss of fuels and other hazardous materials. In the event of a reportable spill on-land or a spill, regardless of size, in the freshwater environment, the **Environmental Emergencies 24-Hour Report Line** will be contacted as noted in the contact list in s.8.0.
- A spill is defined as reportable, depending on the class and quantity of dangerous goods involved, which varies between applicable Regulations:
 - Reportable spill quantities for hazardous materials are listed in the *Transportation of Dangerous Goods Act*.
 - A reportable hydrocarbon spill is defined as loss of gasoline or associated products in excess of 70 litres in the *Storage and Handling of Gasoline and Associated Products Regulations*.
 - A spill, regardless of size, that may enter the freshwater environment, must be reported

according to the *Fisheries Act*.

- A copy of the Contingency Plan (s.6.1) for fuel and hazardous material spills will be readily available.
- Only workers who are qualified and trained in handling these materials as stated in the manufacturer's instructions and government laws and regulations will handle fuel and other hazardous materials.
- Workers will be present during the entire refuelling operation. At no time will refuelling be unattended.
- Fuel and other hazardous materials will be stored at least 100 m from any surface water.
- Handling and fuelling procedures will comply with the *Storage and Handling of Gasoline and Associated Products* and any additional requirements put forth by applicable regulators in order to limit potential contamination.
- Although no fuel storage is anticipated, if required, fuel storage areas will be clearly marked so that they are not damaged by moving vehicles. The markers will be visible under all weather conditions.
- Waste oils, lubricants, and other used oil will be retained in a tank or closed container, and disposed of in accordance with the *Used Oil Control Regulations*. Spill trays will be used and substances will be stored in a secured area.
- Fire and spill response materials will be kept nearby.
- Transportation of hazardous and dangerous materials shall be conducted in accordance with applicable regulations.
- Smoking will be prohibited within 10 m of a fuel storage area.
- Fuelling or servicing of mobile equipment will be conducted in designated areas and should not occur within 100 m of any body of water.
- Small quantities of hazardous material, e.g., cans and other containers under 20 L volume, will be stored in a secure location protected from weather and freezing, as well as vehicle traffic.
- Hazardous waste will be moved to an appropriate hazardous waste storage area. These areas are constructed in compliance with all applicable legislation.

5.11 Waste Disposal

Potential Environmental Concerns

Waste, e.g., domestic and industrial wastes, grey water, paper, cardboard and wood, if not properly controlled and disposed of, is unsightly and could potentially cause human safety and health concerns. It could also attract wildlife leading to the potential for human-wildlife conflicts.

Environmental Protection Measures

- All solid waste will be handled according to provisions under the provincial *EPA*.
- All solid waste materials shall be considered, prior to disposal, for reuse, resale, or recycling.
- Solid waste produced by workers will be collected and disposed of at an approved facility.
- Work areas will be kept clear of waste and litter to reduce the potential for attracting wildlife and reducing potential interactions with wildlife (see procedures in s. 6.2 for handling wildlife encounters).
- Any waste that may attract animals, i.e., food, will be stored in covered, wildlife-proof containers.
- Burning of waste is not permitted without appropriate permits.
- All hazardous wastes generated will be handled according to the procedures for handling fuel and hazardous materials (s.5.10).

5.12 Sewage Disposal

Potential Environmental Concerns

The release of untreated sewage is a potential concern to human health, drinking water quality, and freshwater ecosystems.

Environmental Protection Measures

- Sewage from portable toilets will be delivered to a licensed contractor and disposed of in compliance with the Newfoundland and Labrador Department of Health guidelines, the *Lands Act*, *Waste Management Regulations, 2003* under the *Environmental Protection Act* and the *Environmental Control Water and Sewage Regulations, 2003* under the *Environmental Protection Act*.
- Portable toilets or pit privies will be located a distance of at least 25 m from any work site in a direction away from bodies of water. Pit privies will be backfilled upon abandonment.

5.13 Dust Control

Potential Environmental Concerns

The environmental concerns associated with dust include potential adverse effects on human health and potential effects on aquatic ecosystems and vegetation.

Environmental Protection Measures

- Dust from project activities will be controlled using water. In the event of excessive dust, water will be

applied to travel and work surfaces.

- Waste oil **will not** be used for dust control.

5.14 Noise Control

Potential Environmental Concerns

A variety of noises associated with project activities can have adverse effects on wildlife resources, e.g., their distribution and abundance.

Environmental Protection Measures

Measures will be implemented wherever possible to minimize potential impacts arising from a variety of noise sources.

- Adherence to all permits, approvals and/or authorizations.
- All vehicles and generators will have exhaust systems regularly inspected and mufflers will be operating properly.

6.0 CONTINGENCY PLANS

Contingency plans are developed to address accidents and unplanned situations and are modified as required throughout ongoing project activities.

The following contingency plans are described below:

- Fuel and Hazardous Material Spills
- Wildlife Encounters
- Forest Fires, and
- Discovery of Historic Resources

6.1 Fuel and Hazardous Material Spills

Spills of fuel and hazardous materials can potentially be damaging to vegetation, soil, surface water, ground water, wildlife, aquatic organisms, historic resources and human health and safety.

In case of a fuel or hazardous material spill, the following procedures will apply.

- The individual who discovers the leak or spill will make a reasonable attempt to immediately stop the leakage and contain the flow, if safe to do so.
- RILOT will at all times maintain in good condition one spill kit dedicated to fuel-powered equipment.
- The spill kit will be located at current work locations and will be stored in a weather-proof container.
- Spill location, type of fuel or hazardous material, volume and terrain condition at the spill site will be determined and reported immediately to the Foreman, who will report it immediately to the applicable regulatory agency.
- When reporting a fuel or hazardous material spill or leak, the following information may be required:
 - name and phone number of person reporting the spill
 - time of spill or leak
 - time of detection of spill or leak
 - type of product spilled or leaked
 - amount of product spilled or leaked
 - location of spill or leak
 - source of spill or leak
 - type of accident - collision, rupture, overflow, other
 - if the spill or leak is still occurring
 - is the spill or leaked product contained? If not, where it is flowing?
 - ambient temperature

- proximity to waterbodies; and
 - snow cover and depth, terrain, and soil conditions
- The Foreman will act as the "On-Scene-Commander" for the purposes of cleaning up a fuel or hazardous materials spill. The Foreman will be familiar with spill clean-up procedures and the clean-up equipment and will have full authority to take necessary and appropriate action without unnecessary delay.
- The overall responsibility of coordinating a clean-up and maintaining this contingency plan current and up-to-date will be the Foreman.
- In reaching decisions on containment and clean-up procedures, the following criteria will be applied:
 - minimize danger to workers and public;
 - protect water supplies;
 - minimize pollution to watercourses;
 - minimize area affected by spill, and
 - minimize the degree of disturbance to the area and watercourses during clean-up.
- The Foreman will:
 - assess site conditions;
 - apply absorbent as necessary;
 - dispose of all contaminated debris, cleaning materials and absorbent by burning, if appropriate, or by placing it in an approved land-fill site, and
 - take all necessary precautions to avoid the incident in the future.
- The Foreman will be responsible for the preparation of a written report which will be sent as soon as possible to the applicable regulatory agencies.

6.2 Wildlife Encounters

Wildlife encounters pose a risk for stress or injury to both wildlife and project workers. Control measures and environmental protection procedures will be put in place to reduce risks to wildlife and humans.

The following procedures and rules will be implemented and adhered to:

- Where possible, maintenance activities will avoid areas of wildlife concentrations to prevent undue disturbance of wildlife during critical periods.
- Working areas will be kept clean of food scraps and garbage.
- No personal pets, domestic or wild, will be allowed on the trails.
- Waste will be collected for disposal in appropriate containers and routinely transferred to an approved location or facility.
- No attempt will be made by any worker at the project site to chase, catch, divert, follow or otherwise harass wildlife by vehicle or on foot.
- All workers will be aware of the potential for encounters with bears, coyotes, caribou, moose, etc.

- Vehicles will yield the right-of-way to wildlife.
- If the nest of any raptor, or other birds are encountered, work in the area will be halted until the Foreman has had the opportunity to contact the Wildlife Division and appropriate mitigation is applied.

6.3 Forest Fires

Maintenance activities related to project work could potentially result in a fire, which could spread to the surrounding area. Such events could potentially be damaging to vegetation and wildlife, air and water quality, human health and safety and public assets.

RILOT will take all precautions necessary to prevent fire hazards during trail construction, trail operation and trail maintenance activities. These include, but are not limited to:

- RILOT will obtain an Operating Permit during forest fire season;
- All flammable materials will be stored and handled properly, and
- RILOT will provide sufficient firefighting equipment to suit the situation and fire hazards for workers. Equipment will be provided as specified in the forest fire regulations and Operating Permit and will include shovels, back tanks and axes. Such equipment will comply with and be maintained to manufacturer standards.
- RILOT personnel will be trained in the use of firefighting equipment
- During the fire season, ATVs will be equipped with a fire extinguisher or suitable equivalent containing a minimum of 227 grams of ABC dry chemical. If any other machinery and/or equipment is required, they will be equipped with a fire extinguisher containing a minimum of 4.5 kilograms of ABC dry chemical.
- The forest fire suppression equipment referred to in the Operating Permit will be provided at the trail work front as necessary. All work areas will have only a few workers so this equipment will be limited to 1 Back Tank Pump, 1 Axe and One Shovel.
- RILOT will ensure that all fire pumps are approved by Forest Services, and all approvals will be documented.
- The forestry official issuing the Operating Permit may specify deviations from the equipment requirements, should local operating conditions warrant deviations.
- The actual location of the forest fire suppression equipment in relation to the trail work may be designated by the forestry official issuing the permit.
- A copy of the Operating Permit will be with the persons at the work areas at all times and will be shown when requested by a forestry official or during any Environmental Audit.
- The Operating Permit may be temporarily suspended by a forestry official if the fire weather index for that locality rises to high or extreme.

In the case of a fire being encountered the following will be implemented:

- The Owner / General Manager will appoint a supervisory staff member as “On Scene Commander”

for fighting any forest fires at each work front;

- Immediate steps will be taken by everyone present to contain or extinguish the fire. Trained personnel will be provided with appropriate equipment in proper operating condition that complies with manufacturer's standards;
- Fires will be immediately reported to:
 - the Owner / General Manager; and
 - Forestry Division, 24 hr Forest Fire Emergency Line at (866) 709-3473
- The following information will be provided:
 - name of the reporter and phone number;
 - time of detection of the fire;
 - size of the fire;
 - location of the fire; and
 - weather conditions, i.e., rain, sun, wind direction and speed, temperature.

6.4 Discovery of Historic Resources

Historic resource material that is disturbed, destroyed or improperly removed from a site represents a potential cultural loss of information and history that could otherwise be handled and interpreted in an efficient and appropriate manner.

- If suspected historic resource material is encountered, all work will be stopped in the immediate area of the discovery until RILOT has consulted with the Provincial Archaeology Office.
- The visible boundaries of the site will be marked.
- Workers will not move or remove any artifacts or associated material unless the integrity of the material is threatened.
- The Foreman will report the find with the following information to the Provincial Archaeology Office and comply with the instruction provided:
 - nature of the find;
 - precise descriptive and map location and the time of the find;
 - nature of the activity resulting in the find;
 - identity of the worker(s) making the find;
 - present location of the material, if moved, and any protective measures initiated for the material and the site; and
 - any extenuating circumstances.

7.0 EPP CONTROL REVISIONS

This EPP will be revised as necessary to reflect site-specific environmental protection requirements, and allow updates as work progresses or changes. Details of the revision will be distributed to all EPP holders and will be documented. Each revision will be accompanied by:

- list of sections being superseded; and
- an updated Table of Contents indicating the status of each section in the EPP.

8.0 CONTACT LIST

Red Indian Lake Outfitters Main Office, Tel: 709-672-7026/7120

Canadian Coast Guard, Environmental Response, 24-Hour Report Line

St. John's 709-772-2083

Other Areas 1-800-563-9089

Environment and Climate Change Canada, Canadian Wildlife Service

Manager, Regulatory Affairs

Tel: 709-772-7456 or 709-690-3382

Department of Fisheries and Oceans

Area Habitat Biologist, Central, Tel: 709-292-5197

Department of Fisheries, Forestry and Agriculture

24 hr Forest Fire Emergency Line

Tel: 1-866-709-3473 or 709-637-2408

Department of Fisheries, Forestry and Agriculture, Wildlife Division

Wildlife Biologist, Tel: 709-637-2353

Department of Digital Government and Service NL, Occupational Health and Safety Division

Grand Falls-Windsor Office, Tel: 709-292-4400

Serious Workplace Accidents (24 hrs): 709-729-4444

Department of Environment and Climate Change, Pollution Prevention Division

Director, Tel: 709-729-2556

Department of Environment and Climate Change, Water Resources Management

Director, Tel: 709-729-2563

Department of Industry, Energy and Technology, Mineral Lands Division

Director, Tel: 709-729-6425

Department of Fisheries, Forestry and Agriculture, Crown Lands Administration Division

Western and Labrador Regional Lands Office, Tel: 709-637-2390

Department of Tourism, Arts, Culture and Recreation

Provincial Archaeology Office, Tel: 709-729-2462

9.0 REFERENCE LIST

- Department of Municipal Affairs and Environment. November 2017. Guidelines for Construction and Maintenance of ATV Trails inside Protected Public Water Supply Areas.
- Government of Canada. March 1998. Guidelines for Protection of Fish Habitat in Newfoundland and Labrador.
- Government of Canada. *Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22) and Regulations*. <https://laws-lois.justice.gc.ca/eng/acts/m-7.01/>
- Government of Canada. 1991. Federal Policy on Wetland Conservation. <https://aeic-iaac.gc.ca/050/documents/p80054/129982E.pdf>
- Government of Newfoundland and Labrador. *Cutting of Timber Regulations* under the *Forestry Act*. <https://www.assembly.nl.ca/Legislation/sr/Regulations/rc961108.htm>
- Government of Newfoundland and Labrador. *Environmental Protection Act, 2002*. <https://www.assembly.nl.ca/legislation/sr/statutes/e14-2.htm>
- Government of Newfoundland and Labrador. *Forest Fire Regulations* under the *Forestry Act*. <https://www.assembly.nl.ca/legislation/sr/regulations/rc960011.htm#:~:text=A%20person%20shall%20not%20light,designate%20under%20the%20Forestry%20Act.>
- Government of Newfoundland and Labrador. *Lands Act*. <https://www.assembly.nl.ca/Legislation/sr/statutes/l3691.htm>
- Government of Newfoundland and Labrador. *Motorized Snow Vehicles and All-Terrain Vehicles Act and Regulations*. <https://www.assembly.nl.ca/legislation/sr/regulations/rc961163.htm>
- Government of Newfoundland and Labrador. *Occupational Health and Safety Act* and its *Regulations*. <https://www.assembly.nl.ca/Legislation/sr/Regulations/rc120005.htm>
- Government of Newfoundland and Labrador. *Storage and Handling of Gasoline and Associated Products Regulations, 2003*. <https://www.assembly.nl.ca/legislation/sr/regulations/rc030058.htm>
- Government of Newfoundland and Labrador. *Used Oil Control Regulations* under the *Environmental Protection Act, 2002*. <https://www.assembly.nl.ca/legislation/sr/regulations/rc020082.htm>
- Government of Newfoundland and Labrador. *Water Resources Act, SNL 2002 cW-4.01*. <https://www.assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>
- Government of Newfoundland and Labrador. *Wild Life Act* and *Wild Life Regulations*. <https://www.assembly.nl.ca/Legislation/sr/Regulations/rc961156.htm>

Water Resources Management Division. March 1994. Environmental Guidelines for Stream Crossing by All-Terrain Vehicles.

Water Resources Management Division. April 1995. Policy for Land and Water Related Developments in Protected Public Water Supply Areas

Water Resources Management Division. January 2001. Policy for Development in Wetlands

10.0 SIGNATURE PAGE

Red Indian Lake Outfitting and Tourism

The undersigned certify that they have reviewed, and understand their role and responsibility regarding:

ATV/ARGO Trails for Red Indian Lake Outfitting and Tours

ENVIRONMENTAL PROTECTION PLAN

As part of their Orientation.

representing

Name (Printed)

Company

Signature

Date

Name of Owner/General Manager

Signature

Date



APPENDIX A

Correspondence with Ms. Joanne Sweeney, Director (A)
EA Division, September 2019

Joanne Sweeney
Director (A), Environmental Assessment Division Department of Municipal Affairs and Environment
Government of Newfoundland and Labrador Tel. (709) 729-0673 joannesweeney@gov.nl.ca

-----Original Message-----

From: Sweeney, Joanne

Sent: September 16, 2019 10:06 AM

To: 'Fred Thorne' <info@redindianlake.com>

Cc: Adams, Blair <BlairAdams@gov.nl.ca>; Barney, Wayne <waynebarney@gov.nl.ca>; Khan, Ali <akhan@gov.nl.ca>; Power, Leah <LeahPower@gov.nl.ca>; Rowe, Brenda C. <browe@gov.nl.ca>; Squires, Susan <SusanSquires@gov.nl.ca>

Subject: EPP Information - ATV/ARGO Trails for Red Indian Lake Outfitting

Mr. and Ms. Thorne:

Thank you for participating in a conference call on Wednesday, September 11, 2019 with officials from the Department of Municipal Affairs and Environment (MAE) and the Department of Fisheries and Land Resources (FLR). The purpose of the call was for government officials to listen to your concerns regarding the decision that the environmental protection plan (EPP) you submitted for the ATV/ARGO Trails for Red Indian Lake Outfitting project was deficient, and to provide clarification on the information that needs to be included in the EPP for the project. As you are aware, the Minister's letter of October 9, 2015 released the project from environmental assessment subject to the following conditions:

- * The proponent shall prepare and submit an environmental protection plan (EPP) for all applicable construction, operation and maintenance activities to the [former] Minister of Environment and Conservation [now the Department of Municipal Affairs and Environment] for approval before the start of any site specific construction. The EPP shall describe the environmental protection and mitigation measures that will be applied throughout the life of the project to avoid or minimize potential negative effects on the environment associated with the project.
- * Where possible, a minimum 50 m naturally vegetated buffer shall be maintained along all waterbodies (ponds, rivers etc.) and wetlands (bogs, string bogs, fen etc.) to protect sensitive wetland complexes as well as riparian and aquatic species, and their habitats.
- * Any necessary vegetation clearing or excessive noise shall be undertaken outside of the nesting, breeding and brood rearing period (May to mid-July), when disturbance would be most critical.

Sufficient detail must be provided in a revised EPP to enable the Minister to determine whether the potential environmental effects of the project will be mitigated. To assist you in developing a revised EPP, the Water Resources Management Division and the Wildlife Division (FLR) requires the following information:

Water Resources Management Division

1. The ATV/ARGO trail be re-routed so that wetland areas that can be seen on a 1:50,000 scale topographic map are avoided. Wherever possible, the trail should cross over streams/rivers with the installation of a culvert or bridge, to avoid wetland areas. If wetland area cannot be avoided, trail must skirt around the edges of the wetland area.
2. Provide a detailed map clearly showing the following items for new re-routed trail:
 - a. All lodges, spike camps, and any outfitting related site, including names
 - b. Existing licenced trails (with licence number)
 - c. Existing trails
 - d. Purposed new trails
 - e. If trails have names, please indicate them;
3. A table outlining the following information for new re-routed trail:
 - a. Each lodge, camp's name and its GPS coordinate (decimal degrees)
 - b. Each water/ stream crossing (as seen on a 1:50,000 scale topographic map), with GPS coordinate, and trail name associated with it. If feasible indicate if a culvert or bridge will be required for crossing.
 - c. Each wetland crossing (as seen on a 1:50,000 scale topographic map), with GPS coordinate, and trail name associated with it

I strongly encourage you to work with officials from the Water Resources Management Division in the development of your revised EPP, by emailing Ali Khan at akhan@gov.nl.ca, and Leah Power at LeahPower@gov.nl.ca.

Wildlife Division

The Wildlife Division has provided five appendices in the attached document to help articulate the EPP requirements and to provide further background to "legal" ATV use vs "illegal" and unauthorized use. This includes the Conditions for Approved Trails in unapproved areas.

Appendix 1: These are the original Wildlife comments provided to EA - 1805. In my opinion they remain valid and are the general conditions/comments applied to all ATV Trail Applicants. They remain the basis to formulate an EPP.

Appendix 2: Wildlife values relative to existing illegal routing of ATV trails (and these are segments of the trail for which approval is being sought) are screen captured and provide to context this issue relative to our review. They may be useful to provide context to landscape and routing.

Appendix 3: Section 5 of the [Motorized Snow Vehicles and All-Terrain Vehicles Regulations] ATV regulations permitting the conditions for which unapproved areas are approved for the purpose of Big game Retrieval. The section is exclusively provided for retrieval only. No firearms are permitted on the vehicle during the retrieval process as per Section 5(7).

Appendix 4: Outlines areas of the province that are considered "approved". It is not illegal to operate an ATV/Argo in these areas and under these conditions. Section C(ii) [of the ATV Regulations] provides opportunity for users to "construct a trail under license"

Appendix 5: Appendix 5 contains the Conditions that must be met for the construction and operation of a licensed trail. Combined with various Departmental comments, these conditions will formulate the EPP.

The Wildlife Division highly recommend that this trail or any future trails be accompanied by an accurate GPS routing so that an accurate review can be undertaken. The Wildlife Division advises that there are approved trails in the area. License Number 127210 originates at Owls Nest (Hinds Lake) with destination at Eclipse Lake. The trail being currently used is not the trail under registration except for small section as it approaches the destination at Eclipse. The same is true of License Number 127208 that originates from the pole line with a destination to Bruce Lake and south. Neither trail meets the conditions of the License or stays in the route of the Approval area. There is likely no legal protection to offer the proponent or other users by utilizing these trails under these circumstances.

I strongly encourage you to work with officials from the Wildlife Division in the development of your revised EPP, by emailing Blair Adams at BlairAdams@gov.nl.ca and Wayne Barney at waynebarney@gov.nl.ca.

If you have any questions about the environmental assessment process, please feel free to call Brenda Rowe at 709-729-2553 or email browe@gov.nl.ca , or me at 709-729-0673 or email joannesweeney@gov.nl.ca .

Regards,

Joanne

Joanne Sweeney

Director (A)

Environmental Assessment Division

Department of Municipal Affairs and Environment

PO Box 8700, St. John's NL A1B 4J6

Tel. (709) 729-0673



APPENDIX B

EA Committee Technical Comments
1805 Registration Document Release - September 2015

REGISTRATION 1805
Government Screening Committee Comments
ATV/ARGO Trails for Red Indian Lake Outfitting

ENVIRONMENT AND CONSERVATION

Pollution Prevention Division

General

- All activities associated with this project are subject to the *Environmental Protection Act (EPA)*, the *Water Resources Act (WRA)*, and their regulations. Official copies of these may be obtained from the Queen's Printer. Unofficial versions are available through the Government of Newfoundland and Labrador website (www.gov.nl.ca).
- These comments highlight the pertinent issues of these acts and regulations and the PPD's policies and guidelines.

Environmental Protection Act, Part IV - Waste Disposal and Litter

- Waste receptacles shall be installed at all active areas for use by workers.
- Upon completion of construction, the site should be left clean and clear of all litter and debris.
- All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
- Waste materials not reused, resold or recycled, shall be disposed at an approved waste disposal site, provided the owner/operator is willing to accept such waste and the local Service NL (SNL) has agreed with the disposal of the waste materials at the site.

Environmental Protection Act, Part VI - Air Quality Management

- All activities associated with this proposal are subject to *Air Pollution Control Regulations, 2004*. <http://www.assembly.nl.ca/Legislation/sr/Regulations/rc040039.htm> .
- Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.

Environmental Protection Act, Part XI - Approvals

- A Certificate-of-Approval from the PPD for construction and/or operation is not required.

Environmental Protection Act

Storage and Handling of Gasoline and Associated Products Regulations

- Petroleum storage and handling, associated with construction and operation of this project/facility, shall be in compliance with the *Storage and Handling of Gasoline and Associated Products Regulations, 2003*, as amended.
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc030058.htm>.
- All petroleum storage tanks shall be registered with the SNL and all leaks/spills must be

reported to the Department.

- Oils, greases, diesel, gasoline, hydraulic and transmission fluids should be stored at least 100 m from any body of water. Re-fueling and maintenance activities should also occur at least 100 m from any body of water and on level terrain.
- An environmental emergency contingency plan should be developed which includes information regarding the location of spill response equipment and a trained contractor, in the event of a spill.

Environmental Protection Act - Used Oil Control Regulations

- The proponent shall maintain constant compliance with the *Used Oil Control Regulations*.
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc020082.htm>.
- Waste oils and used lubricating oil shall be retained in a tank or closed container, and disposed of by a company licensed for handling and disposing of used oil products.

Environmental Protection Act - Halocarbon Regulations

- Any use of regulated substances, for example in fire suppression systems, associated with the proposed activity is subject to the *Halocarbon Regulations*,
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc050041.htm>.

Water Resources Act - Environmental Control Water and Sewage Regulations

- All waters discharged from the proposed site, during construction and operation, are subject to compliance with the *Environmental Control Water and Sewage Regulations, 2003*.
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc030065.htm>.
- Should compliance monitoring be necessary, it will be subject to the departmental *Accredited Laboratory Policy PD: PP 2001-01.2*.

Additional Comments:

- The proponent may wish to consider signage to discourage illegal dumping.

Water Resources Management Division

- Under the authority of the *Water Resources Act*, SNL2002 cW-4.01 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>, the Water Resources Management Division (WRMD) <http://www.env.gov.nl.ca/env/waterres/index.html> is responsible for the management of water resources of the province of Newfoundland and Labrador. The WRMD has programs to protect, enhance, conserve, develop, control, and effectively utilize the water resources of the province.
- The proponent must apply for and obtain a permit under the *Water Resources Act, 2002*, specifically Section 48 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any work **in** any body of water (**including wetland (emphasis added)**) **prior to the start of construction**.

Contact: Dr. Abdel-Zaher Kamal Abdel-Razek, Manager, Water Rights & Investigations Section - (709) 729-4795

- **Prior to the start of construction**, the proponent must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 39 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any proposed development within the Buchan's Lake Protected Public Water Supply Area (PPWSA) servicing the Community of Buchans. Also, any work within this designated Protected Public Water Supply Area must comply with this Department's Policy for Land and Water Related Developments in Protected Public Water Supply Areas http://www.env.gov.nl.ca/env/waterres/regulations/policies/water_related.html. In this regard, it should be pointed out that trail numbers: 145987 and 145972 are within the Buchan's Lake PPWSA.

Contact: Ms. Paula Dawe, Manager, Drinking Water & Wastewater Section - (709) 729-4048

- Any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations*, 2003 <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>.
- Application forms for permits and licences, fee schedules, and guidelines are available at: <http://www.env.gov.nl.ca/env/waterres/regulations/appforms/index.html>.

Wildlife Division & Parks and Natural Areas Division

- The Wildlife Division advises applicant to operate under established regulations and guidelines with respect to wildlife and their habitats (e.g. nesting birds, caribou, waterfowl, wetlands, inland fish, rare plants, riparian species) to minimize adverse impacts (Section 106 of the *Wild Life Regulations* under the *Wild Life Act* (O.C. 96-809)).
- The Wildlife Division requires additional information such as how these trails will be constructed and maintained, the location and design of stream crossings, and the location and design of wetland crossings. Although the trails already exist (presumably illegally as per *Motorized Snow Vehicles and All-Terrain Vehicles Act* and Regulations and the *Lands Act*), they traverse many wetland areas and cross a number of streams/ivers. They occur in sensitive habitats are within areas identified as core marten and caribou habitat.
- The Wildlife Division cautions that even though proponent proposes to use the trails only during the months of September to early November via ARGOs, the public will not be prohibited to use these trails during the remainder of the year via ATVs.
- There is provincial ATV legislation and regulations in place because wetlands are recognized as “important components of the forest ecosystem” and to protect these sensitive areas from the long term damage of ATV traffic.

- The Wildlife Division recommends a minimum 50m naturally vegetated buffer be maintained along all waterbodies (ponds, rivers etc) and wetlands (bogs, string bogs, fen etc) to protect sensitive wetland complexes as well as riparian and aquatic species, and their habitat. In many places this will not be feasible as these are existing trails, but the proponent should demonstrate that the trails can be maintained in such a manner that will not adversely impact riparian and aquatic species and habitat.
- In the event that vegetation clearing has to occur:
 - Habitat disturbance impacts wildlife (birds, small mammals etc) negatively and should be kept to a minimum. To help reduce any negative impacts on any species, the Wildlife Division recommends that any necessary vegetation clearing or excessive noise be undertaken outside of the nesting, breeding and brood rearing period (May to mid-July), when disturbance would be most critical.
- Where vegetation clearing is not avoidable and a nest is found:
 - The nest and neighbouring vegetation should be left undisturbed until nesting is completed; and
 - Construction activities be minimized in the immediate area until nesting is complete.

EXECUTIVE COUNCIL

Women's Policy Office

- Made a recommendation but no comments provided.

Office of Climate Change, Energy Efficiency

- There is not expected to be any significant climate change impacts with respect to this project.

FISHERIES AND AQUACULTURE

- Made a recommendation but no comments provided.

SERVICE NL

Occupational Health and Safety Division

- The proponent must, generally, ensure that activities associated with an ATV Trail 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, as per OHS Act s.10.
- In particular, the proponent must:

- Provide and maintain a workplace and the necessary equipment, systems and tools that are safe and without risk to the health and safety of his or her workers. NL OHS Act 5(a)
- Provide the information, instruction, training and supervision and facilities, as necessary, for the health and safety of his or her workers. NL OHS Act 5(b)
- Ensure that his or her workers, and particularly his or her supervisors, are made familiar with any health or safety hazards that may be encountered by them in the workplace. NL OHS Act 5(c)
- Conduct his or her undertaking so that persons not in his or her employ are not exposed to health or safety hazards as a result of the undertaking. NL OHS Act 5(d)
- Ensure that personal protective equipment and devices are worn according to the work being performed and that his or her workers are given operating instruction in the use of such equipment and devices provided for their protection. NL OHS Reg s72.
- Consult and co-operate with the occupational health and safety committee at the workplace, where one has been established, or the worker occupational health and safety representative where one has been elected or appointed. NL OHS Reg 25
- Ensure that machinery and/or equipment is operated by competent persons. NL OHS Reg s252 (1)a
- Ensure that the regulatory requirements as described in the attached Hazard Alert are addressed
- Ensure that powered mobile equipment is well maintained and equipped with:
 - ✓ a fire extinguisher,
 - ✓ protective screens, windows and doors,
 - ✓ a reverse alarm, and
 - ✓ a roll-over/fall-on protective structure.
 - ✓ NL OHS Regulations Part 12 and 13
- Ensure that an emergency response plan is in place that details measures to be taken to effectively respond to any foreseeable mishap that may occur as a result of the undertaking. The following minimum items should be considered when developing such a plan:
 - ✓ a proper first-aid kit, and other requirements of the First Aid regulations;
 - ✓ communication devices;
 - ✓ a list of emergency names and numbers, appropriately placed; and
 - ✓ an action plan (with the crew aware of their roles and responsibilities).
 - ✓ NL OHS Reg s38 and First Aid Regulations
- Ensure that a risk assessment is conducted where workers are assigned to work alone or in isolation; and where the assessment identifies a hazard, appropriate controls shall be implemented to eliminate, or where elimination is not practicable, minimize

the risk associated with the hazard. A procedure must be written for checking the well-being of a worker assigned to work alone or in isolation. (Refer to all subsections of s.15 OHS Regs.)

Government Service Centre

Waste

(Environmental Protection Act, 2002)

<http://assembly.nl.ca/Legislation/sr/statutes/e14-2.htm>

- All waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of the site owner/operator.
- Derelict vehicles, scrapped equipment and other debris is not to be stored on site. This material must be disposed of at an approved waste disposal site or scrap yard on a regular basis, with the prior approval of the site owner/operator.
- The site is to be kept neat and tidy at all times.
- Brush should be chipped/shredded, burnt on-site with the approval of the Department of Natural Resources, or removed to an approved waste disposal site for proper disposal with the permission of the owner/operator of the waste disposal site. Tires and used or waste oil are not to be used to aid in the burning of brush.

Gasoline and Associated Products

(The Storage and Handling of Gasoline and Associated Products Regulations, 2003)

<http://assembly.nl.ca/Legislation/sr/regulations/rc030058.htm>

(Heating Oil Storage Tank System Regulations, 2003)

<http://www.assembly.nl.ca/legislation/sr/regulations/rc030060.htm>

(Used Oil Control Regulations, 2002)

<http://www.assembly.nl.ca/legislation/sr/regulations/rc020082.htm>

- All fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject to the *Storage and Handling of Gasoline and Associated Products Regulations* and will require registration prior to installation.
- All fuel storage tank systems connected to a heating appliance of a capacity of 2,500 litres or less must comply with the *Heating Oil Storage Tank System Regulations*.
- All used or waste oil is to be collected in a tank or closed container and is to be disposed of by sale or transfer to an approved waste oil collection facility.
- The storage, handling and disposal of used and or waste oil must be in compliance with the *Used Oil Control Regulations*.
- In order to ensure that a quick and effective response to a spill event is possible, spill response equipment should be readily available on-site. Response equipment, such as absorbents and open-ended barrels for collection of cleanup debris, should be stored in an accessible location on-site. Personnel working on the project should be knowledgeable about response procedures. The proponent should consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.
- Any spill or leak of gasoline or associated product is to be reported immediately to Service NL by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.

Water and Sewer

(Sanitation Regulations)

<http://www.assembly.nl.ca/legislation/sr/regulations/rc960803.htm>

(Environmental Control Water and Sewage Regulations, 2003)

<http://www.assembly.nl.ca/legislation/sr/regulations/rc030065.htm>

- Should future development require the installation of a subsurface sewage disposal system, the applicant must submit and receive approval from Service NL for plans and specifications for an approved sewage disposal system. These plans must be in conformance with the *Sanitation Regulations* and Private Sewage Disposal and Water Supply Standards and prepared by an approved designer.

ADVANCED EDUCATION AND SKILLS

Skills and Labour Market Research Division

- Made a recommendation but no comments provided.

BUSINESS, TOURISM, CULTURE AND RURAL DEVELOPMENT

Provincial Archaeology Office

- Made a recommendation but no comments provided.

Tourism Product Development Division

- Made a recommendation but no comments provided.

MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS (MIGA)

- The proponent has applied for Crown lands under applications 145945, 145970, 145971, 145972, 145986 and 145987. A decision on the applications will be made pending the outcome of this environmental assessment and a review of all referrals from the processing of the Crown lands applications.
- No activity or land clearing is to take place until the Lands Branch has issued the Crown lands title pursuant to the *Lands Act*. Any Crown titles issued will be subject to those terms and conditions as prescribed by the Minister of Municipal and Intergovernmental Affairs.
- If approved, the ATV Trails will be accessible by the public and no exclusive use will be permitted.

NATURAL RESOURCES

Forestry and Agrifoods Agency

- A commercial cutting permit must be obtained from the local forestry services office prior to any harvesting and or timber removal activities. During the declared Fire Season (May 1-Sept 30), the proponent must also obtain and adhere to the conditions of an operating permit.
- For more information please call or visit your local Forestry Office.
- *Cutting of Timber Regulations:*
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc961108.htm>
- *Forest Fire Regulations:*
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc960011.htm>

Mines and Energy Branch

- The registration documents indicate the proponent wishes to intersect or follow NL Hydro transmission lines. It is recommended that the proponent consult with NL Hydro regarding these potential land use conflict as the proposal does not indicate whether any such consultation has occurred to date.
- As well, none of these ATV trails fall within the sedimentary basins in western Newfoundland; therefore Petroleum Development Division has no objection to these proposals.

TRANSPORTATION AND WORKS

- The proponent must obtain a Highway Access Permit from the Department of Transportation and Works for any access that intersects the Department's road network.

This permit can be obtained from the nearest Transportation and Works Depot. Items such as site distance requirements for the proposed access will be investigated by TW staff to ensure Canadian standards are met. Proper roadside drainage requirements will also be investigated.

FEDERAL GOVERNMENT DEPARTMENTS

TRANSPORT CANADA

- Made a recommendation but no comments provided.

FISHERIES AND OCEANS CANADA

- On November 25, 2013 the Fisheries Protection Provisions of the Fisheries Act came into force. The Fisheries Act requires that projects avoid causing serious harm to fish unless authorized by the Minister of Fisheries and Oceans. This applies to work being conducted in or near waterbodies that support fish that are part of or that support a commercial, recreational or Aboriginal fishery.
- As a result of the recent changes to the Fisheries Act, proponents proposing work in or near water are now required to self-assess and determine if their project requires a review by the Department of Fisheries and Oceans. The Fisheries Protection Program website to obtain guidance on how to carry out a self-assessment of your project is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>.
- This site also provides advice on various mitigation measures that will help you avoid causing harm and comply with the Act (<http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/index-eng.html>)
- If after you have completed the self-assessment of your proposed works/undertaking/activities and you have determined that a review by DFO is in fact required, please fully complete the application for review which is located at: <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html>
- Once completed, the application for review form should be sent to FPP-NL@dfo-mpo.gc.ca.

ENVIRONMENT CANADA

1. Regulatory Requirements

Fisheries Act

The proponent should be aware of the general applicability of Section 36(3) of the *Fisheries Act* which states: “no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substances or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water”. Environmental protection and mitigation measures should reflect the need to comply with Section 36(3) of the Fisheries Act. For example, measures should be taken to prevent substances such as lubricating fluids, fuels, etc. from being deposited into water frequented by fish, and drainage from construction and operational drainage must not be harmful to fish.

Migratory Birds Convention Act

Migratory birds, their eggs, nests, and young are protected under the *Migratory Birds Convention Act* (MBCA). Migratory birds protected by the MBCA generally include all seabirds (except cormorants and pelicans), all waterfowl, all shorebirds, and most landbirds (birds with principally terrestrial life cycles). Migratory birds, their eggs, nests, and young are protected under the *Migratory Birds Convention Act* (MBCA). The list of species protected by the MBCA can be found at: <https://www.ec.gc.ca/nature/default.asp?lang=En&n=496E2702-1>. Bird species not listed may be protected under other legislation.

Under Section 6 of the *Migratory Birds Regulations* (MBR), it is forbidden to disturb, destroy, or take a nest or egg of a migratory bird; or to be in possession of a live migratory bird, or its carcass, skin, nest or egg, except under authority of a permit. It is important to note that under the current MBR, no permits can be issued for the incidental take of migratory birds caused by development projects or other economic activities.

Furthermore, Section 5.1 of the MBCA describes prohibitions related to deposit of substances harmful to migratory birds:

“5.1 (1) No person or vessel shall deposit a substance that is harmful to migratory birds, or permit such a substance to be deposited, in waters or an area frequented by migratory birds or in a place from which the substance may enter such waters or such an area.

(2) No person or vessel shall deposit a substance or permit a substance to be deposited in any place if the substance, in combination with one or more substances, results in a substance — in waters or an area frequented by migratory birds or in a place from which it may enter such waters or such an area — that is harmful to migratory birds.”

It is the responsibility of the proponent to ensure that activities are managed so as to ensure compliance with the MBCA and associated regulations.

Canadian Environmental Protection Act

The proponent should also be aware of the potential applicability of the *Canadian Environmental Protection Act* (CEPA). The *Canadian Environmental Protection Act* enables protection of the environment, and human life and health, through the establishment of environmental quality objectives, guidelines and codes of practice, and the regulation of toxic substances, emissions and discharges from federal facilities, international air pollution, and disposal at sea.

2. Information Required on the Project and/or Environmental Planning of the Project

In order to ensure compliance with the aforementioned acts and regulations, and to ensure minimal adverse impacts on the environment in general, Environment Canada (EC) provides the following guidance.

2.1 Migratory Birds & Species at Risk

The Canadian Wildlife Service of Environment Canada (EC-CWS) has reviewed the above project and offers the following comments:

Vegetation Clearing

Clearing vegetation may cause disturbance to migratory birds, and may inadvertently cause the destruction of their nests and eggs (<https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1>). Many species use trees, as well as brush, deadfalls and other low-lying vegetation for nesting, feeding, shelter and cover. This would apply to songbirds throughout the region, as well as waterfowl in wetland areas. Disturbance of this nature would be most critical during the breeding period. The breeding season for most birds within the project area occurs between April 15th and August 15st in this region, however some species protected under the MBCA do nest outside of this time period. Please see the webpage “General Nesting Periods of Migratory Birds in Canada” (Website: <http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=4F39A78F-1>) for more specific information concerning the breeding times of migratory birds. This project area falls within zone “D3-4”.

Environment Canada provides the following recommendations:

1. to avoid the risk of nest destruction, the proponent should avoid vegetation clearing during the most critical period of the migratory bird breeding season (see above).
2. to develop and implement a management plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds (See “Planning ahead to reduce risks to migratory bird nests”, PDF: <http://www.ec.gc.ca/Publications/default.asp?lang=En&xml=50C4FE11-801E-4FE3-8019-B2D8537D76CF>). It is the responsibility of the individual or company undertaking the activities to determine these measures. For guidance on how to avoid the incidental take of migratory birds nests and eggs, please refer to the Avoidance Guidelines (Website: <http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=AB36A082-1>). The management plan should include processes to follow should an active nest be found at any time of the year.

Stockpiles

Certain species of migratory birds (e.g. Bank Swallows) may nest in large piles of soil left unattended/unvegetated during the breeding season. To discourage this, the proponent should consider measures to cover or to deter birds from these large piles of unattended soil during the breeding season. If migratory birds take up occupancy of these piles, any industrial activities (including hydroseeding) will cause disturbance to these migratory birds and inadvertently cause the destruction of nests and eggs. Alternate measures will then need to be taken to reduce potential for erosion, and to ensure that nests are protected until chicks have fledged and left the area. For a species such as the Bank Swallow, the period when the nests would be considered active would include not only the time when birds are incubating eggs or taking care of flightless chicks, but also a period of time after chicks have learned to fly, because Bank Swallows return to their colony to roost.

It should be ensured that stockpiled soils are not placed in wetlands or watercourses or their buffers, or in the other sensitive habitats (e.g. habitats of Species at Risk or species of conservation concern).

Light Attraction and Migratory Birds

Attraction to lights at night or in poor visibility conditions during the day may result in collision with lit structures or their support structures, or with other migratory birds. Disoriented migratory birds are prone to circling light sources and may deplete their energy reserves and either die of exhaustion or be forced to land where they are at risk of depredation.

To minimize risk of incidental take of migratory birds due to human-induced light, Environment Canada recommends at minimum the following beneficial management practices:

- The minimum amount of pilot warning and obstruction avoidance lighting should be used on tall structures.
- The use of only strobe lights at night, at the minimum intensity and minimum number of flashes per minute (longest duration between flashes) allowable by Transport Canada, is recommended.
- Using the minimum number of lights possible is recommended.
- The use of solid-burning or slow pulsing warning lights at night should be avoided.
- Lights should completely turn off between flashes.
- Lighting for the safety of the employees should be shielded to shine down and only to where it is needed, without compromising safety.

Species at Risk

The following species at risk (as listed on Schedule 1 of the *Species at Risk Act*) may occur within the study area: Olive-sided flycatcher (Threatened) and Red Crossbill (*Percna* subspecies, Endangered). Though unlikely to be found within the project footprint, these species may occur within the study area and we request that sightings be reported to EC-CWS.

Wetlands

The proponent should be aware that as part of its commitment to wetlands conservation, the Federal Government has adopted *The Federal Policy on Wetland Conservation* (FPWC) with its objective to “promote the conservation of Canada’s wetlands to sustain their ecological and socio-economic functions, now and in the future.” In support of this objective, the Federal Government strives for the goal of No Net Loss of wetland function on federal lands or when federal funding is provided.

Though this project does not take place on federal lands, EC-CWS recommends that the goals of the policy be considered in wetland areas as a beneficial management practice.

A copy of the FPWC can be found at: <http://publications.gc.ca/pub?id=9.686114&sl=0>.

EC-CWS recommends using a 30m buffer from the high water mark of any water body (1:100 year Flood Zone) in order to maintain movement corridors for migratory birds. Please see https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1#_03_1_1 for further information concerning buffer zones.

In order to promote wetland conservation EC-CWS recommends the following:

- Developments on wetlands should be avoided.
- Where development does occur in the vicinity of wetlands, a minimum vegetation buffer

zone of 30 m should be maintained around existing wetland areas.

- Hydrologic function of the wetland should be maintained.
- Runoff from development should be directed away from wetlands.

Fuel Leaks

The proponent should adhere to best practices with regard to fuelling and servicing equipment, using biodegradable fluids, fuel spills and environmental emergency plans, to protect migratory birds and their habitats (described in more detail under *Management of Hazardous Materials and Waste*). Furthermore, the proponent should ensure that contractors are aware that under the *Migratory Birds Regulations*, “no person shall deposit or permit to be deposited oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds.”

2.2 Site Preparation and Construction Activities

Erosion and Sedimentation

Given the close proximity to waterbodies and wetlands, the proponent should ensure that sediments are contained and not permitted to runoff into either water body. The following measures should be implemented as applicable to minimize and control erosion and sedimentation on-land:

- coordinate construction activities with seasonal constraints (e.g. time clearing, grubbing [if any], and excavation activities to avoid heavy precipitation; avoid sensitive periods for fish and wildlife; shut down and stabilize the work site in accordance with pre-established criteria in advance of the winter season);
- implement measures in advance of any grubbing and excavation activities, that will allow surface drainage to be diverted around the work area;
- install all perimeter control structures (e.g. silt fencing, sediment traps, settling ponds) prior to any land disturbance;
- maintain vegetated buffer zones as appropriate to protect environmental values;
- minimize the exposed soil area (by limiting the area that is exposed at any one time and by limiting the amount of time that any area is exposed);
- stabilize exposed soil as soon as possible (e.g. stabilize interim exposed soil with mulch, erosion control blankets or final exposed soil with fast-growing, non-invasive, native vegetation);
- maintain sediment control structures (by inspecting and repairing structural problems during and after storm events, removing accumulated sediment at regular intervals or at designated capacities, and by disposing of it at an approved site, given its unsuitability as structural fill material);
- monitor any nearby receiving waters for total suspended solids or contaminants of concern to ensure maintenance of the Canadian Council of Ministers of the Environment (CCME) Environmental Quality Guidelines for the Protection of Aquatic Life (http://www.ccme.ca/publications/ceqg_rcqe.html) when considered in conjunction with existing ambient water quality and site-specific factors; and
- take further mitigative actions as necessary based on monitoring results.

2.3 Management of Hazardous Materials and Waste

Provisions for the management of hazardous materials (e.g. fuels, lubricants) and wastes (e.g. contaminated soil, sediments, waste oil) should be identified and implemented in order to ensure compliance with Section 36 (3) of the *Fisheries Act* and with the *Migratory Birds Convention Act* and their Regulations, and minimize the risk of chronic and accidental releases. In addition, the following mitigation recommendations are made with respect to the transport, storage, use and disposal of petroleum products and toxic substances which, when employed, may minimize impacts to nearby receiving waters:

- Even small spills of oil can have very serious effects on migratory birds and fish. Therefore, every effort should be taken to ensure that no oil spills occur in the area.
- Biodegradable alternatives to petroleum-based chainsaw bar oil and hydraulic fluid for heavy machinery are commonly available from major manufacturers. Such biodegradable fluids should be considered for use in place of petroleum products whenever possible, as a standard for best practices.
- Refuelling and maintenance activities should be undertaken on level terrain, at least 30m from environmentally sensitive areas, including shorelines and wetlands, on a prepared impermeable surface with a collection system to ensure oil, gasoline and hydraulic fluids do not enter surface waters. Waste oil should be disposed of in an approved manner.
- In order to ensure that a quick and effective response to a spill event is possible, spill response equipment should be readily available on-site. Response equipment, such as adsorbents and open-ended barrels for collection of cleanup debris, should be stored in an accessible location on-site. Personnel working on the project should be knowledgeable about response procedures. The proponent should consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event. The proponent should indicate how the contingency plans will be prepared, and response measures implemented, to reflect site-specific conditions and sensitivities. In developing a contingency plan, it is recommended that the Canadian Standards Association publication *Emergency Preparedness and Response* CAN/CSA-Z731-03, be consulted as a useful reference.
- The proponent should report any spills of petroleum or other hazardous materials to the Environmental Emergencies 24 Hour Report Line (1-800-563-9089).

3.0 Environment Canada Contacts

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APPENDIX C

Wildlife Division Appendices
Provided September 2019

Appendix 4:

- (c) "approved area", for the purpose of sections 4.1, 5 and 5.1, means
 - (i) forested lands underlain by mineral soil as shown on the Land Use Atlas on file in Lands Branch, Department of Government Services and Lands,
 - (ii) a trail constructed under licence issued under the Lands Act,
 - (iii) beaches unless otherwise prohibited by the minister,
 - (iv) abandoned railway corridors, highways abandoned under the Works, Services and Transportation Act, forest access roads as defined under the Forestry Act, roads constructed under licence issued under the Lands Act, and any other road constructed for the purpose of providing vehicular access to resources including but not limited to forestry, agriculture, hydroelectric, recreation, mining, industrial and similar developments,
 - (v) privately owned lands less than 10 hectares,
 - (vi) working farms,
 - (vii) lands in Labrador north of 54° latitude, and
 - (viii) lands when snow-covered and frozen below the ground surface;

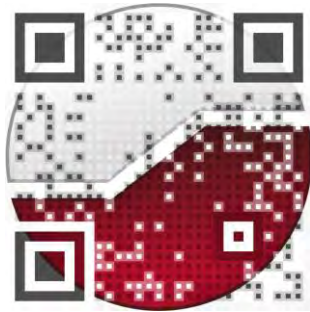
Appendix 5:

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SCHEDULE C

1. The Licence is valid for the location of the trail as shown in Schedule A. Relocation of the trail or any portion thereof is prohibited unless prior approval in writing is received from the Regional Lands Manager, Lands Branch, Department of Environment and Conservation.
2. The trail shall be constructed within one year from the date of issuance of the Licence.
3. The trail shall be constructed and maintained at a width of a maximum of four (4) metres. The Department of Environment and Conservation will not be responsible for any construction or maintenance costs.
4. The trail shall be marked by erecting wooden posts a maximum of three hundred (300) metres apart in open terrain so that consecutive posts are visible from each other.
5. The posts shall be located on the right side of the trail identified from the point of beginning.
6. The posts shall be anchored firmly in the ground with 1.25 metres to 1.50 metres being visible above the ground surface. The top half of the visible portion of the posts shall be painted with a red or blaze orange (preferably fluorescent) coloured paint.
7. The beginning and end of the trail shall be identified by erecting wooden posts, ten (10) cm X ten (10) cm square in accordance with 2(d) above. A sign, thirty (30) cm wide by forty (40) cm high, containing the words Approved ATV Trail must be affixed to the posts. The Licence number must be painted on the post in a vertical fashion beneath the sign. A temporary sign shall be used during construction of the trail.
8. The Licence Holder shall ensure that the trail and all marker posts and signs are maintained in good condition.
9. Travel through sensitive areas such as peat bogs, marshes or barrens is restricted to the trail and must be undertaken with caution by avoiding excessive speeds, acceleration and unnecessary braking to minimize damage to the trail surface.
10. Sensitive areas which deteriorate through continued use must be upgraded to the satisfaction of the Minister. The upgrading may consist of constructing a corduroy surface, brush matting or by using gravel. Under no circumstances are creosoted or chemically treated wood products to be used.
11. All water crossings must be authorized by a Permit under Section 48 of the Water Resources Act, issued by the Minister of Environment and Conservation.
12. Pursuant to Subsection 7(1) of the Lands Act, a reservation, fifteen (15) metres wide, is to be maintained around all water bodies and the Licence Holder covenants and agrees that:
 - a. the Licence does not authorize the Licence Holder to occupy the said reservation.
 - b. except for stream crossings approved in accordance with condition 5 above, cutting of trees or development of any type on the reservation is prohibited unless previously approved by the Minister.
13. The Licence does not convey exclusive use of the trail and the Licence Holder must not restrict or prevent public use of the trail.

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civil
geotechnical
environmental
field services
materials testing

civil
géotechnique
environnementale
surveillance de chantier
service de laboratoire des matériaux

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