

MAR 17 2023

COR-2023-889

Reg. #2234

Natalia Crocker

[REDACTED]

[REDACTED]

Email: [REDACTED]

Dear Natalia Crocker:

RE: Shoal Cove to Chimney Cove Multi-Use Trail (the Project)

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

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.
- The Water Resources Management Division (WRMD) of my Department requires the following:
 - A section of the proposed trail crosses two small wetlands that are visible on the 1:50,000 topographic map. The WRMD requires an alternative route for the section of the trail that crosses the wetlands and advises that you must follow the attached alternative route to avoid the effects of the trail on the wetlands. The Crown Lands Administration Division of the Department of Fisheries, Forestry and Agriculture has been advised of this change. For further information, please contact the WRMD at (709) 729-1646.
- The Department of Fisheries, Forestry and Agriculture (FFA) advises the following:
 - For slopes less than 30 percent, you must establish a minimum 30-metre undisturbed riparian buffer zone around all waterbodies and wetlands, 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 the buffer zone.
- For slopes greater than 30 percent, you must calculate and maintain an undisturbed riparian buffer zone calculated using the following formula: 30 metres + 1.5 metres x slopes (percent). Land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities must not take place in this zone.
 - Vegetation clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and within 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 site must be reported to the Wildlife Division. For further information, please contact FFA at (709) 637-2353.
- 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, one year from the date of this release letter and to provide additional updates if required. Please email the Project updates to EAProjectComments@gov.nl.ca.

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

The Climate Change Branch (CCB) of my Department advises that clearing trees and brush can contribute to climate change. Hence, all clearing activities must be undertaken with appropriate permits through the Forestry Division. In addition, any heavy-duty equipment used in the construction phase of this Project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of my Department advises that all waste material generated is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis. For further information, please contact the PPD at (709) 729-2556.

The Department of Fisheries, Forestry and Agriculture (FFA) advises you to operate under established legislation and regulations, such as to prevent harassment of wildlife



and guidance with respect to wildlife and their habitats to avoid or minimize adverse impacts. FFA further advises you to comply with the Motorized Snow Vehicle and All-Terrain Regulations under the **Motorized Snow Vehicle and All-Terrain Act** for stream crossings. A digital GPS file of the final trail should be submitted to FFAreferrals@gov.nl.ca for enforcement and mapping purposes. For further information, please contact FFA at (709)637-2353.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL (DGSNL) advises that brush should be chopped/shredded and may be burnt on-site with the approval of the Department of Fisheries, Forestry and Agriculture, or may be removed to an approved waste disposal site for proper disposal with the permission of the owner/operator of the waste disposal site. For further information, please contact the GSC at (709)637-2369.

The Department of Industry, Energy and Technology (IET) advises you that any quarry materials required for the Project must be obtained from approved sources. For further information, please contact IET at (709)729-6437.

The Department of Transportation and Infrastructure (TI) advises that its approval is required prior to activities on any TI properties. For further information, please contact TI at (709)729-5399.

Environment and Climate Change Canada (ECCC) recommends that you prepare a Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds. ECCC further recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region. The Canadian Wildlife Service of the ECCC requests that species-at-risk sightings be reported to ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca. For further information, please contact the Canadian Wildlife Service at (709) 777-4221.

The Department of Fisheries and Oceans Canada advises you to follow the modernized **Fisheries Act** that 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** 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.

Health Canada (HC) advises that if there is potential for impacts to human receptors from noise and/or air quality changes, mitigation measures should be established. HC recommends that you establish a process to ensure that any complaints are collected



and addressed. If complaints are received, additional mitigation measures may be needed. For more information. Please contact HC at (902) 237-7478.

Transport Canada's Navigation Protection Program (NPP) indicates that, as the proposed Project will include the construction of culverts/bridges for water crossings, you will need to comply with the **Canadian Navigable Waters Act**. For further information, please visit the Navigation Protection Program website at <https://tc.canada.ca/en/programs/navigation-protection-program/apply-npp> or contact the NPP at (506) 851-3113.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, my decision is valid for a period of three years from the date of this letter. If you have not commenced the Project within this three-year period, you may apply to extend the term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project will have to be registered again for environmental assessment if you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca.

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

Sincerely,

A handwritten signature in blue ink, appearing to be "HON. BERNARD DAVIS", enclosed in a blue oval. A long horizontal line extends from the right side of the oval.

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






Enclosures. Alternative Trail Map, Water Resources Management Division

Cc: The Honourable Dr. Andrew Furey, MHA – District of Humber – Gros Morne
Tara Morgan, Director of Crown Lands Division, FFA

Shoal Cove to Chimney Cove Multiuse Trail, Trout River

Water Resources Management Division

Legend

-  Streams
-  Proposed trail route
-  Alternate route to avoid wetlands
-  15 m buffer to wetland
-  Disturbed wetlands

Beginning of trail
(-58.220232, 49.369229)

End of trail
(-58.24313, 49.323531)

