

MAR 14 2024

COR-2024-1028

REG.# 2288

Town of Portugal Cove South
62 Harbour Road, P.O. Box 8, Site 11
Portugal Cove South, NL
E-mail: townofpcs@live.ca

Dear Lucas Ward:

RE: Portugal Cove South to Cape Race Multiuse 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-13.2. Please be advised that the Project is **released** from further environmental assessment subject to the following conditions:

- You must uphold all commitments made in the environmental assessment submission to mitigate the effects of the Project on the environment.
- The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change requires a Waste Management Plan (WMP) for the construction and operation phases of the undertaking to be approved by the PPD prior to Project construction. For further information on the development of the WMP please contact Marie Ryan via e-mail at ryanm@gov.nl.ca or (709) 729-1810.
- The Department of Fisheries, Forestry and Agriculture requires the following;
 - The Wildlife Division requires that an Environmental Protection Plan (EPP) must be submitted and approved prior to Project construction. The EPP must include the following;
 - Measures that will be implemented to prevent adverse effects of the Project on water crossings and wetlands, in accordance with the **Off-Road Vehicles Act** and regulations, Guidelines for Water Course Crossings and in alignment with Fisheries and Oceans Canada's Information on Projects Near Water and Best

Management Practices for the Protection of Freshwater Fish Habitat in Newfoundland and Labrador.

- Measures that will be implemented to prohibit trail-braiding/fanning out from the main trail by ATVs, and enforcement to prevent ATV use on wetland and barren habitats.
 - Measures that will be undertaken to mitigate adverse effects on caribou during Project construction and operation.
 - Measures that will be undertaken to mitigate adverse effects of the Project on avifauna species at risk, including Short-eared Owls, Bobolink, Red Crossbill, and Common Nighthawk during Project construction and operation.
- You are required to submit a presence/absence survey for short-eared owls completed by a qualified independent third party, preferably between late June and late July of the construction year, prior to the start of construction. Appropriate protocol and permits can be obtained from the Wildlife Division by e-mailing WildLifeReferrals@gov.nl.ca.
 - 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) or within 200 metres during the remainder of the year. The 200-metre buffer applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). The location of any raptor nest sites shall be reported to the Wildlife Division.
 - Digital geospatial data (e.g., a GPS file) of the final trail must be submitted to the Department of Fisheries, Forestry and Agriculture once construction is complete. For further information contact FFA at (709) 637-2950.
- The Department of Tourism, Culture, Arts and Recreation requires that GPS coordinates for the trail and plans for trail design and construction are to be submitted and approved by Tourism Product Development prior to Project construction. For further information, please contact Tourism at (709) 729-4518.
 - You must advise the Environmental Assessment Division when the conditions of release have been met, by e-mailing a written description, documents and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.

- You must update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, within one year from the date of this release letter and to provide additional updates if required. Please e-mail the Project updates to EAProjectComments@gov.nl.ca.

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 must 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 e-mail 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 (708) 729-0673 or via e-mail at joannesweeney@gov.nl.ca.

Sincerely,



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

Cc: Loyola O'Driscoll, MHA District of Ferryland