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January 05, 2022

Reg. # 2175

Notre Dame Snowmobile Association
c/o Jason Pond
P.O. Box 603
Lewisporte, NL A0G 3A0
E-mail:jasontpond@outlook.com

Dear Jason Pond:

Re: Munroe's Pond Bypass Snowmobile Trail

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 this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- The Department of Fisheries, Forestry and Agriculture require the following conditions:
 - You have submitted a Crown Lands application for a licence to occupy the proposed snowmobile trail in the Munroe's pond area. Approval of this application is required before the trail is constructed/used.
 - 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 sites must be reported to the Wildlife Division at 709-637-2025.
- 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 your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to EAProjectComments@gov.nl.ca.

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

The Water Resources Management Division of my Department requires you to obtain a water use licence for the use of water from any water source for any purpose. In addition, you must obtain permits for any work within any body of water (including wetlands), any permit to alter a body of water, work within shore water zones, any infilling work within 15 metres of a body of water, and for any development adjacent to or within a protected public water supply area. You are advised to comply with my Department's policies on shore water zones, infilling bodies of water, and on land and water related developments in protected water supply areas. These policies can be found on the Department's web page at <https://www.gov.nl.ca/ecc/waterres/regulations/policies/>. With respect to the wetlands on the southwest side of the trail, any clearing should be done by hand in the buffers and any mulching with the excavator will be limited to dry ground. For further information, please contact the Water Resources Management Division at (709)729-1671.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development 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. The Occupational Health and Safety Division reminds you to consider procedures associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador. For further information, please contact the Occupational Health and Safety Division at (709) 729-6690.

The Department of Fisheries, Forestry and Agriculture notes that the intent of the proposed trail is for winter use only; however, establishing trails on the landscape may promote use in other seasons that may have a more significant negative environmental impact. During trail



development, efforts should be made to develop on upland habitats as much as possible to avoid conflict with sensitive habitats such as wetlands. Placement of the proposed trail may require development within 30 metres of a waterbody, but every effort should be made to adhere to the following buffer requirements:

- For slopes less than 30 percent, a minimum 30-metre naturally vegetated riparian buffer zone is to be established along the high water mark of all waterbodies 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 are not to take place in this zone.
- For slopes greater than 30 percent, a minimum naturally vegetated riparian buffer zone is to be maintained using the following formula: 30 metres + 1.5 metres x slope (percentage). Land use activities involving grubbing, ground or soil disturbance, or timber harvesting are not to take place in this zone.

For more information, please contact Fisheries, Forestry and Agriculture at (709) 637-2353.

The Department of Fisheries, Forestry and Agriculture advises you to contact the local forestry office at (709) 535-2706 to obtain required cutting, operating and burning permits prior to starting any work on this project. You are to develop and implement appropriate preventative and mitigation measures to avoid incidental take of birds, nests and eggs. For more information on avoiding harm to avifauna, please visit: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>.

The Mines Branch of the Department of Industry Energy and Technology advises that the licence to occupy application for a snowmobile trail overlaps one or more mineral licences. Accordingly, you are advised that mineral exploration is a land use that should be expected in the general area in the future. In particular, it should be expected that parties carrying out mineral exploration activities may on occasion utilize the same access route as the one for which the licence to occupy is being sought. Should a mineral licence holder or a party acting on their behalf require use of the licenced route when snow-covered both parties (the party approved to carry out mineral exploration and the snowmobile association) should work together to ensure that potential impacts to trail users are minimized. For more information, please contact the Mines Branch at (709)729-5748.

The Industry & Economic Development Branch of Industry Energy and Technology acknowledges your indication this undertaking does not depend upon any grant or loan of capital funds from any government agency, and advises that labour requirements may be



obtained from support of the Provincial Job Creation Partnership (JCP) and the Community Enhancement Employment Program (CEEP) . For further information, please contact the Industry and Economic Development Branch at (709) 729-5435.

The Provincial Parks Division of the Department of Tourism, Culture, Arts and Recreation advises that you must obtain a Construction and Use Permit for intersecting the new trail with the NL T'Railway Provincial Park (T'Railway), and must follow conditions of a trail Licence for use of the T'Railway. Those conditions are in effect from December 1 – May 1 annually. For more information, please contact the Parks Division at (709) 637-2240.

Environment and Climate Change Canada (ECCC) recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 25 and August 15 in this region. ECCC provides advice on managing revegetation and invasive species, limiting noise, the protection of Bank Swallows and for effective wildlife response plans. ECCC recommends that you complete an analysis of project impacts on mature and interior forest habitat for migratory birds on a local scale. Further, you are requested to provide a GIS file of the project boundaries so that the project can be mapped for cumulative effects considerations. For further information, please contact ECCC at (709) 772-2126.

The Department of Fisheries and Oceans advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions, which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the **Fisheries Act** and as well as information on the project review process. The “Projects Near Water” website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Health Canada advises that if there is potential for impacts to human receptors from changes to air quality, noise, drinking or recreational water quality, and country foods caused by the use of heavy equipment, you should consider establishing mitigation measures as well as a process to ensure complaints are collected and addressed. If complaints are received, you should consider additional mitigation measures.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. You must comply with all relevant legislation



and obtain all necessary permits and approvals. You are required to inform this Department of any significant changes to the undertaking, including any uptake in trail use by all-terrain vehicles during the non-winter months. The trail is proposed specifically for use by snowmobiles during the winter months, when underlying terrain is frozen and potential effects of snowmobile use are mitigated.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. For further information, please email EAProjectComments@gov.nl.ca. If you have any questions, please contact Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hon. Bernard Davis, MHA".

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

Cc: Hon. Derek Bennett, MHA – Lewisporte -Twillingate

Enclosures