

File # 2.7139.0196
Reg. #2039

16 SEP 2019

Mr. Colin Clarkson
11 Valley Rd.
Grand Falls-Windsor, NL
A2A 1A1

Dear Mr. Clarkson:

RE: Grand Falls-Windsor Mountain Bike Trail – Registration 2039

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:

- No vegetation clearing is to occur within 800 metres (m) of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200m during the remainder of the year. The 200m 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 department of Fisheries and Land Resources, Wildlife Division.
- A minimum 30m buffer is required along wetlands and streams that appear on a 1:50,000 topo map or greater than 1m in width to protect sensitive riparian and aquatic species, and their habitat.

The Forestry Division of the Department of Fisheries and Land Resources advises that you are required to obtain a Commercial Harvesting Permit prior to any harvesting or timber removal in the area. An Operating Permit is required prior to the start of any work during the forest fire season and a permit to burn must be obtained to ignite a fire on or within 300 meters of forest land. For further information, please contact the Bishop's Falls District Forestry Office at (709) 258-5334.

The Water Resources Management Division of my department requires that you obtain a permit for any work in any body of water (including wetland) including but not limited to culverts, bridges, diversion channels, etc. You must also apply for and obtain a permit should any infilling within fifteen (15) metres of a body of water be required. For further information, please contact the Water Resources Management Division at 709-729-2295.

Environment and Climate Change Canada 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 15th and August 15th in this region. However, as some species protected under the *Migratory Birds Convention Act (MBCA)* do nest outside of this time period, it is the responsibility of the proponent to ensure that project activities are in compliance with the *MCBA* and associated regulations. For further information, please contact (709) 772-4221.

The Department of Fisheries and Oceans advises that you are required to self-assess using the DFO "Projects Near Water website located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Although the undertaking, as proposed, is released from further environmental assessment, it is still subject to other legislative requirements. 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. Please note that 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.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



DERRICK BRAGG, MHA
Minister of Municipal Affairs and Environment
District of Fogo Island-Cape Freels

cc: Hon. Chris Tibbs, MHA,
Grand Falls-Windsor - Buchans