Mitigation Plan

Demonstration Trail
Parson's Pond to Daniel's Harbour

Trailhead Development Company Inc.

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0	Initial Mitigation Plan	8 Oct 2025	
1	Minor updates after TDCI review	22 Oct 2025	Colin Jones
2	Document Finalization for Submission	22 Dec 2025	Colin Jones
3			
4			

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Environmental Preview Report – Appendix B

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Acronyms and Abbreviations

ARU	Acoustic Recording Unit
ATV	all-terrain vehicles
DECCC	Department of Environment, Conservation and Climate Change (Provincial)
ECCC	Environment and Climate Change Canada
EPP	Environmental Protection Plan
EPR	Environmental Preview Report
GNL	Government of Newfoundland and Labrador
GSK	Government of Saskatchewan
IMBA	International Mountain Biking Association
km	kilometres
m	metres
MBCA	*Migratory Birds Convention Act*
NBBA	Newfoundland Breeding Bird Atlas
NLESA	Newfoundland and Labrador *Endangered Species Act*
SAR	Species at Risk
SARA	*Species at Risk Act*
SxS	Side-by-Side
TDCI	Trailhead Development Company Incorporated

1 Introduction

Following review of the Great Coastal Trail – Parson's Pond to Daniel's Harbour Demonstration Trail Project (herein referred to as the "Project") Registration Document (available here), the Government of Newfoundland and Labrador (GNL) Department of Environment, Conservation and Climate Change (DECCC) required the preparation of an Environmental Preview Report (EPR). The Guidelines issued for the EPR require submission of a Mitigation Plan by the proponent (i.e., the Trailhead Development Company Inc., TDCI).

This Mitigation Plan describes the preventative measures that will be taken to minimize potential adverse effects on migratory birds, nests, eggs, and their habitats during the construction and use of the proposed trail. The trail will be built in western Newfoundland, which contains important migratory bird habitat. Potential impacts to migratory birds during construction of the proposed project include habitat use disruption/displacement, destruction of nesting sites, and potential habitat fragmentation/alteration. The Mitigation Plan adheres to the ECCC guidance *Avoiding Harm to Migratory Birds* (ECCC 2025a). The following sections outline the preventative measures to reduce and eliminate these risks.

2 Site Location

The proposed trail will be constructed along the coastline between Parson's Pond and Daniel's Harbour on the Great North Peninsula in western Newfoundland (Figure 2.1).

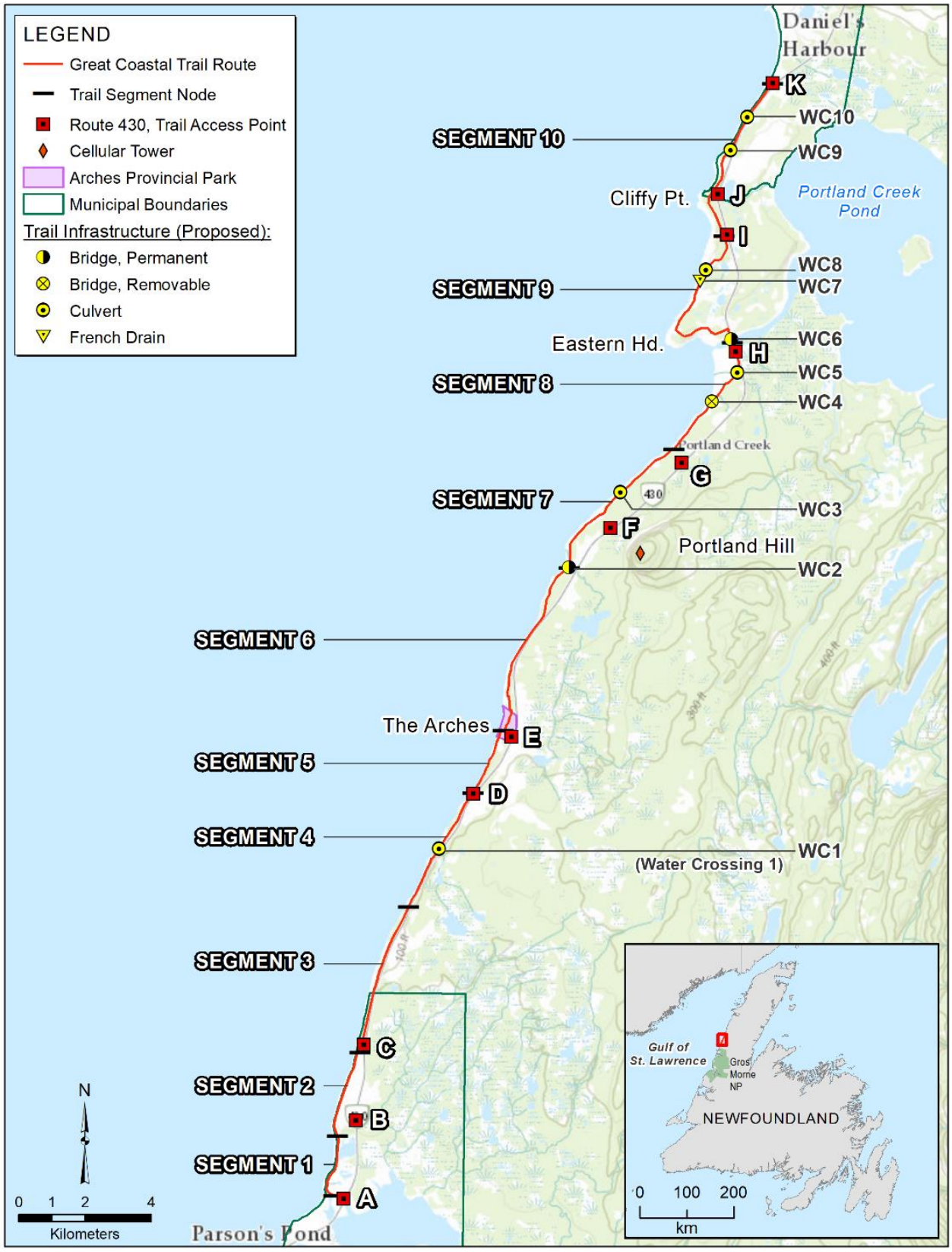

Figure 2.1. Overview map depicting Great Coastal Trail segments between the communities of Parson's Pond and Daniel's Harbour, trail access points off Route 430, and proposed trail infrastructure at ten identified water crossings.

3 Project Description

The purpose of this project is to build a new walking/cycling trail from Parson's Pond to Daniel's Harbour. The Demonstration Trail will traverse 26.6 km in the margin between the coastline and Route 430. The trail will be divided into 10 segments, with several access points from Route 430 (Figure 2.1). It will be designed to accommodate both bicycles and pedestrians, but unauthorized motorized vehicles (e.g., all-terrain vehicle [ATVs] or side-by-side [SxS]) will not be permitted on the trail.

The trail will consist of a trail tread and trail corridor. The trail corridor is a zone around the trail tread cleared of obstacles (e.g., vegetation or overhanging branches). The trail tread width will vary from 2.4-3.0 m depending on the terrain. In sections where the tread is constrained to approximately 2.0 m wide, passing zones/ pull-outs may be constructed approximately every 50-100 m. The trail corridor will be cleared to 3.0-4.0 m in width to allow for safe two-way travel for trail users. An overhead clearance of 3.0 m will be maintained throughout the trail. For further details, see Appendix D: Trail Management Plan.

3.1 Construction Schedule

Construction will commence following regulatory approval, with an anticipated start date in spring 2026 and a projected trail operation date of summer 2027. Construction of the entire 26.6-km trail is estimated to take ~1.5 years to complete, which includes a 2026 primary construction period (e.g., April to December) and subsequent finishing period in spring 2027 (e.g., April to June). Two or more crews will work simultaneously at different segments of the trail during the construction period, weather permitting.

3.2 Construction Activities

Construction activities will include the removal of vegetation and soil to achieve the desired trail tread and corridor width, full-bench cuts on side slopes, raised tread and causeways in wet areas, rock armouring in erosion-prone locations, trail sign installation, and water crossing infrastructure (e.g., culvert installation or boardwalks). It is estimated that ground cover vegetation will be removed along 23.5 km of the trail corridor, with tree cutting/clearing activities occurring along ~15.0 km. Mineral soils and/or granular material will be used in areas where existing terrain requires an increase in grade or is deemed inadequate for trail construction (e.g., too wet or organic). Mineral soils or stone needed for the trail will be acquired from approved sources. Staging areas will be located at designated entry points (see Figure 2.1). Materials will be transported to the staging points and either carried in on existing paths or along sections of completed trail; no new roads will be constructed for this Project. Construction methods will follow the International Mountain Bike Association (IMBA) trail development guidelines (Carsten 2023).

4 Regulatory Framework

Migratory birds are protected under federal and provincial Acts; regulations and legislation applicable to the Project include:

- *Migratory Birds Convention Act*, 1994 (MBCA 1994)
- Migratory Birds Regulations, 2022 (SOR/2022-105)
- *Species at Risk Act*, 2002 (S.C. 2002, 29)
- *Endangered Species Act*, 2001 (Newfoundland and Labrador, SNL2001 Chapter E-10.1)
- *Wild Life Act* (Newfoundland and Labrador)

5 Environmental Baseline

The proposed trail will be built in the Coastal Plain of the Northern Peninsula Forest. The trail will pass coastal bluffs and cliffs, shorelines, boreal forest, inland barrens, and wetlands. The trail will also pass in the vicinity of several waterbodies including ponds, continuous and ephemeral streams, riparian areas, and the Atlantic coastline.

The entirety of insular Newfoundland occurs in nesting zone D3-4 where nesting typically occurs between late April and mid-August (ECCC 2025b). Typically, unoccupied migratory bird nests (e.g., containing no eggs or birds) are not protected and can be removed or destroyed; however, there are exceptions for species that reuse nests between years. Nests of these 18 migratory bird species are protected year-round, until the time at which they can be demonstrated to the Minister to be abandoned (i.e., after a designated species-specific waiting period). Of the 18 species whose nests are protected year-round, ten have been observed in Newfoundland (Table 5.1) but none are known to nest in the vicinity of the proposed trail route.

Table 5.1. Migratory bird species with year-round nest protections (under the Migratory Birds Regulations, 2022) that have been observed on insular Newfoundland, along with the required waiting period to demonstrate nest abandonment.

Migratory Bird Species	Waiting Period (months)
Great Blue Heron	24
Atlantic Puffin	12
Manx Shearwater	12
Northern Gannet	12
Leach's Storm Petrel	12
Black-crowned Night Heron	24
Great Egret	24
Cattle Egret	24
Green Heron	24
Snowy Egret	24

Avian species at risk that may occur in the area include Bank Swallow (*Threatened*: NLESA and SARA), Short-eared Owl (*Threatened*: NLESA and COSEWIC), Common Nighthawk (*Vulnerable*: NLESA; *Special Concern*: SARA), Barrow's Goldeneye (*Vulnerable*: NLESA; *Special Concern*: SARA), Bobolink (*Vulnerable*: NLESA; *Threatened*: SARA), Harlequin Duck (*Vulnerable*: NLESA; *Special Concern*: SARA), Newfoundland Gray-cheeked Thrush (*Threatened*: NLESA and COSEWIC), Olive-sided Flycatcher (*Vulnerable*: NLESA; *Special Concern*: SARA), Piping Plover (*Endangered*: NLESA and SARA), and Rusty Blackbird (*Vulnerable*: NLESA; *Special Concern*: SARA).

6 Mitigation Procedures

Mitigation measures to reduce the risk of potential impacts to migratory birds and their nests will be implemented before-construction and during the Construction and Operation phases of the Project. Mitigation measures will be provided for the Decommissioning Phase prior to decommissioning activities.

6.1 Pre-construction Mitigation Measures

Prior to construction, a baseline survey was conducted to document and assess potential environmental concerns relative to the trail route, including the presence of migratory birds and their habitats. Information from this baseline survey was used to determine the proposed trail routing. Field investigations for resident and migratory birds were conducted from 10-13 June 2025. Autonomous recording units (ARUs; n = 6) were also deployed at this time to document the presence and diversity of avifauna in the vicinity of the trail route. ARUs detected several avian Species at Risk (SAR): Bank Swallow, Common Nighthawk, Evening Grosbeak, Red Crossbill, and Olive-sided Flycatcher (results are presented in Appendix F [field report]). A dedicated species-specific survey confirmed the

presence of Bank Swallows and their critical habitat (e.g. nesting areas) along Section 2 of the proposed trail north of Parson's Pond, where adult birds were observed entering nest burrows (Figure 6.1). Species-specific Short-eared Owl surveys were also conducted during the pre-construction baseline survey, but none were detected.

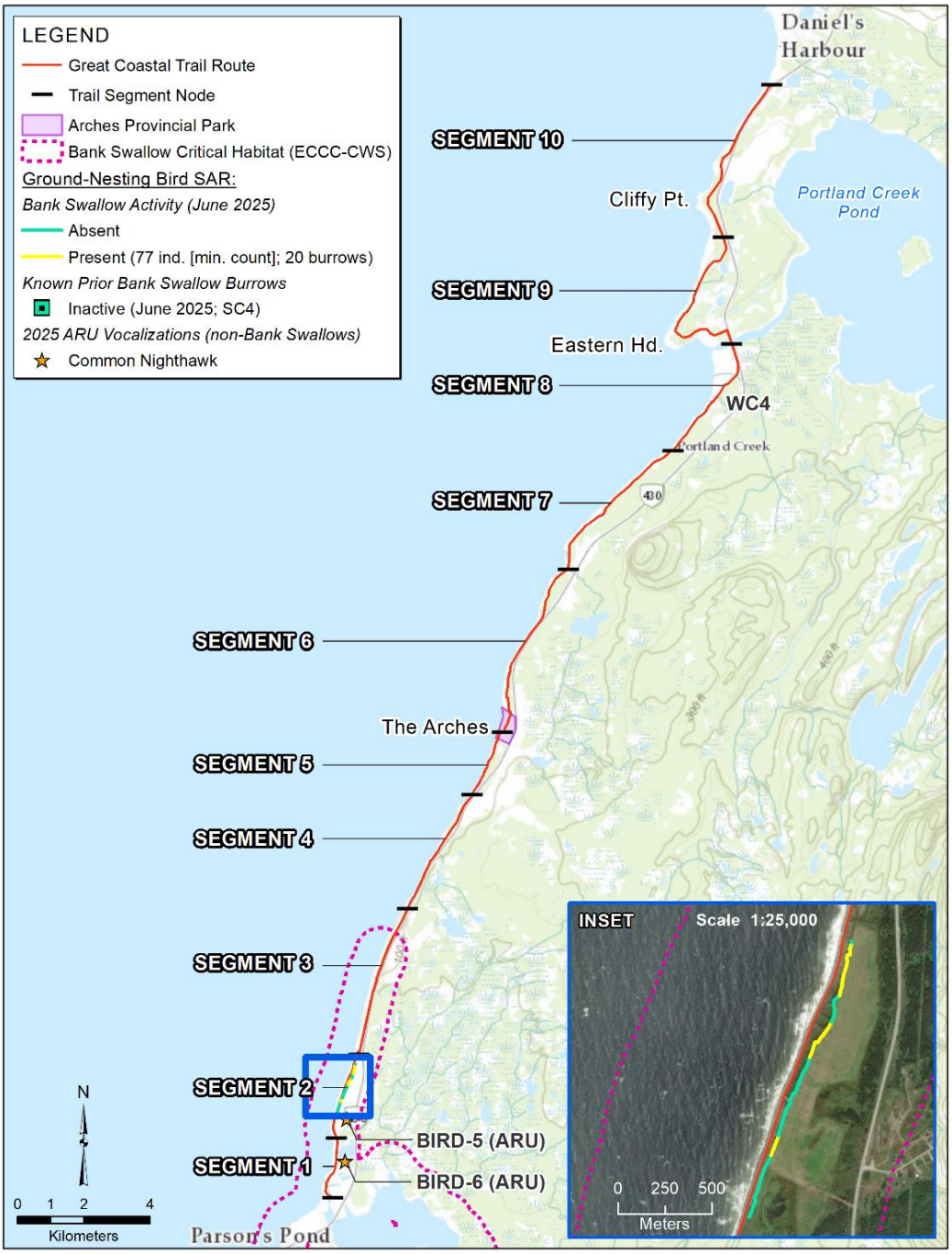

Figure 6.1. Ground-nesting Bird Species at Risk relative to the Project footprint.

6.2 Construction Phase

Several mitigation measures will be implemented during construction to minimize potential impacts to migratory birds and their habitats. These measures include wildlife-sensitive scheduling, pre-construction nest surveys, implementing buffers around any nests found, and selective vegetation removal.

The migratory bird nesting window in western Newfoundland is between mid-April and mid-August (Nesting Zone D3-4; ECCC 2025b). Every effort will be made to schedule trail construction outside of this breeding window. If trail construction-related activities (i.e., tree clearing, mechanical vegetation removal, or grubbing) must occur within this period, bird surveys will be conducted in the planned area within seven (7) days of the work start date by a qualified ornithologist. In open habitats specifically, extra effort will be made to survey for ground-nesting Short-eared Owl and Common Nighthawk (refer to the Environmental Protection Plan (EPP) for specific protocols for Short-eared Owl). A buffer will be established around any active nests observed during the surveys, by an experienced ornithologist considering variables related to species-specific life history, the surrounding habitat, SAR status, and the construction activities proposed to occur in the vicinity of the nest (refer to Section 6.4. for nest buffer specifics). Construction crews will continually scan the work area for any active migratory bird nests and implement a protective buffer if found.

Bank Swallows have been observed in the vicinity of the proposed trail Segment 2 route (Figure 6.1). Bank Swallows excavate burrows in vertical banks typically between April and May, with breeding occurring from mid-May to early August (NBBA 2022). During construction of the trail, construction crews will be informed of known Bank Swallow burrow locations and protection buffers will be included in operational plans to avoid any potential risks to the burrows. As the trail will pass approximately 5.0-10.0 m below the Bank Swallow colony, this route will not require the removal of any vegetation on the banks.

Many migratory bird species migrate during the evening and overnight. To reduce impacts on migrating birds and for the safety of the crews, trail construction activities will be limited to daylight hours. Additionally, low-impact construction techniques will be used to create the trail and remove vegetation. Low-impact techniques (e.g., using hand tools or mini-excavators) will reduce the intensity of the operations by limiting the disturbance footprint and potential noise emissions. Trail construction will follow existing pathways where possible to reduce further impact along the trail and potential risks to migratory birds.

Vegetation removal will be required along much of the length of the proposed trail. Vegetation removal will follow best practices and be limited to the trail corridor width (approximately 3.0-4.0 m) inclusive of the trail tread. Ground vegetation will primarily be cleared using mini excavators. Use of chainsaws and brush saws will be limited to trimming larger stems/branches to ensure required sightlines are achieved. Trimmed vegetation will be scattered down slope from the trail according to best practices. Cut trimmings will not be placed on active nests. Additional substrate will only be added to the trail tread (2.4-3.0 m wide) where necessary.

Trees flagged for removal with active nests of migratory birds will not be removed until after the nesting season.

6.2.1 Contingency Plan

Should an active nest be found during trail construction or should Bank Swallow burrows be identified in areas not previously identified in the EPR, crews will be advised to cease operations, document the location of the nest(s)/burrow(s), inform the TDCI of the site location, and implement protocols outlined in this document including the creation of a buffer zone.

6.3 Operation Phase

Following the completion of the trail, educational and directional signs will be posted along the trail informing users of the presence of SAR and wildlife more generally. These signs will inform trail users of the trail path and species in the area, and caution trail users to stay on the trail and avoid sensitive areas (exact design to be determined upon consultation with the Newfoundland and Labrador Wildlife Division). Trail maintenance will need to occur regularly throughout the lifespan of the trail. Maintenance crews will follow procedures outlined in this Mitigation Plan, the Environmental Protection Plan (see Appendix C), and the Trail Management Plan (see Appendix D), as referenced in the EPR (LGL 2025).

6.4 Summary of Mitigation Procedures

- Project personnel and contractors will be informed of the applicable legislation and the protections afforded to migratory birds and their nests under the law and the necessary mitigation measures, should an active nest be found.
    - An active nest is defined as a nest under construction, containing eggs or young, or where an adult is incubating.
    - Follow recommendations outlined in the ECCC guidance *Avoiding Harm to Migratory Birds* (ECCC 2025a).
- A baseline survey was conducted in June 2025 to assist with optimal configuration of the proposed trail route.
- Vegetation removal will follow wildlife-sensitive scheduling, and construction will occur outside of the migratory bird nesting window (15 April – 15 August) to the extent feasible.
- If vegetation removal must occur within the migratory bird nesting window,
    - A migratory bird nest sweep survey will occur no later than seven days prior to commencement of activities in the area by a qualified ornithologist following approved survey methods.
    - Extra focus will be placed upon surveying for ground nests of Short-eared Owl and Common Nighthawk in open habitats prior to mechanical ground disturbance (e.g., coastal barrens, adjacent bogs, grassland meadows).
- During construction, crews will be on alert for migratory bird nests in the work area.
- Should an active nest be identified, construction crews are required to do the following:
    - Cease clearing operations,
    - Establish a protective buffer around the nest of 30 m for songbirds, 75 m for SAR, 100 m for waterfowl/waterbirds, and 200 m for raptors (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl, and Short-eared Owl; with the exception of 800 m for active nests of Bald Eagle, Osprey, or Short-eared Owl), or as per expert opinion from a qualified ornithologist,
    - Mark the edge of the buffer zone with flagging material,
    - Alert the TDCI and appropriate trail supervisor, and
    - Postpone operations in the buffer until the nest is vacated for the season.
- Nest buffers will remain in place until the nest is no longer occupied.
- When the nest is no longer is in use, another nest sweep should occur to confirm no other bird nests were established.
- Once the nest buffer is no longer needed the flagging material will be removed.
- Removal of any raptor nests will be avoided where possible.
- Construction activities will occur during daylight hours.
- Construction will use low-impact techniques.
- Existing trails will be used where possible to transport equipment and materials to the trail site.
- No fueling of vehicles or equipment will occur within 100 m of any waterbodies or watercourse (including streams, creeks, marshes, bogs, or wetlands).
    - A spill kit will be available on-site during construction or maintenance work.

7 Literature Cited

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