

**EA 2303 - Attachment A**  
**Conditions of Release from Environmental Assessment**

**EA #: 2303**

**King's Point Storage and Repair Garage (the Project)**

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**1 Definition**

- 1.1 "Act" means the **Environmental Protection Act** (the **Act**).
- 1.2 "Department" means the Department of Environment and Climate Change, and the contact for the Department for this environmental assessment (EA) Release is:

Director  
Environmental Assessment Division  
Department of Environment and Climate Change  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Tel. 709-729-0673

- 1.3 "Minister," unless the context indicates otherwise, means the Minister of Environment and Climate and Change.
- 1.4 "Proponent" means a person who carries out or proposes to carry out a Project, or is the owner or person having charge, control or management of a Project.
- 1.5 "Registered" and "registration" mean registered under Section 49 of the **Act**.
- 1.6 "Release" means the release of a Project under Sections 51, 54, 67 or 72 of the **Act** from the further application of the environmental assessment requirements of Part X of the **Act**.
- 1.7 "Undertaking" includes an enterprise, activity, project, structure, work or proposal and a modification, abandonment, demolition, decommissioning, rehabilitation and an extension of them that may, in the opinion of the minister, have a significant environmental effect.

**2 Acronyms / Abbreviations**

<b>EA</b>	Environmental Assessment
<b>REG</b>	Registration
<b>PPD</b>	Pollution Prevention Division
<b>FFA</b>	Department of Fisheries, Forestry and Agriculture

**3 Scope**

- 3.1 The EA Release letter relates to the Proponent, Victor Burt, and their REG document for King's Point Storage and Repair Garage, EA REG # 2303, hereafter referred to as the "Project".

3.2 The Proponent shall ensure the Project is carried out in accordance with this EA Release and their REG document.

#### 4 General

- 4.1 The Proponent shall uphold all commitments made in the EA submission to mitigate the effects of the Project on the environment.
- 4.2 The Proponent shall conduct the Project in accordance with the **Environmental Protection Act**, as amended from time to time.
- 4.3 The Proponent shall provide written notification of Project commencement to the Department.
- 4.4 The Proponent shall update the EA Division on the status of the Project, including a copy of all permits, licenses, certificates, approvals and other authorizations required for the Project, within one year from the date of this EA Release letter and provide additional updates if required. Project updates shall be emailed to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
- 4.5 This EA Release does not exempt a Proponent of a Project from the requirements imposed upon the Project by (a) another Act or regulation of the province or of Canada; or (b) a municipal regulation, by-law or requirement.
- 4.6 A license, permit, approval or other document of authorization pertaining to this Project shall not be issued under another Act until the Project has been exempted or released from EA.
- 4.7 Prior to a proposed change to any aspect of the Project from that proposed in the REG document, the Proponent must submit the proposal to the Department to review for regulatory requirements, including EA.
- 4.8 No authority is granted by this EA Release to enable the Proponent to commence or continue the Project on lands which are not in the control or ownership of the Proponent. It is the responsibility of the Proponent to ensure that such a contravention does not occur.
- 4.9 The Proponent shall notify the Minister before a transfer, sale or lease of the Project.
- 4.10 Where a timeline is associated with a condition(s) of the EA Release, the Proponent shall fulfil the requirements of the condition(s) within the prescribed timeline, unless otherwise authorized in writing by the Minister.
- 4.11 If there is a discrepancy between the REG document and the conditions of this EA Release, the conditions of this EA Release shall apply.
- 4.12 The Proponent shall bear all expenses incurred in carrying out the environmental management and monitoring required under the conditions of this EA Release, the **Act** or the Environmental Assessment Regulations.
- 4.13 The Proponent shall ensure that this EA Release, or a copy, is present at the Project site while personnel are on site and that personnel directly involved in the Project are made fully aware of the conditions which pertain to this EA Release.

- 4.14 Throughout the life of the Project, the Proponent shall conduct any additional studies or monitoring and/or implement additional mitigation measures as required by the Minister.
- 4.15 The Proponent shall advise the EA Division by emailing a written description, documents, and images (where applicable) to demonstrate when the requirements of the conditions of Release have been completed to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca). The Minister will then determine whether the conditions have been met.

## 5 Habitat, Flora and Fauna

- 5.1 No vegetation clearing is 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 also applies to all other active raptor nests (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl) during the nesting season. The location of any raptor nest site must be reported to the Wildlife Division. For further information contact the FFA at [ffareferrals@gov.nl.ca](mailto:ffareferrals@gov.nl.ca) or (709) 637-2950.
- 5.2 An Environmental Contingency Plan (the Plan) shall be submitted for review and approval prior to Project commencement. The Plan shall address potential mishaps and spills that could occur at the site. For further information contact the PPD at [ryanm@gov.nl.ca](mailto:ryanm@gov.nl.ca) or 709-729-1810.

## 6 Waste Management

- 6.1 A Waste Management Plan (WMP) shall be submitted for review and approval for the construction phase and for the operations phase of the undertaking prior to Project commencement. For further information contact the PPD at [ryanm@gov.nl.ca](mailto:ryanm@gov.nl.ca) or 709-729-1810.



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

JUN 12 2024

Date: \_\_\_\_\_