

Attachment A Conditions of Release from Environmental Assessment

EA #: 2328 Corner Brook and Massey Drive Multi-use Trail

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 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 Section 51, 54, 67 or 72 of the **Act** from the further application of the EA 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

EA	Environmental Assessment
REG	Registration document

3 Scope

- 3.1 The EA Release letter relates to the Proponent and their Registration document (REG) for the Corner Brook and Massey Drive Multi-use Trail, EA REG # 2328, 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.

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 **Act**, as amended from time to time.
- 4.3 The Proponent shall provide written notification of Project commencement of each phase of the Project to the Department, prior to the commencement of Project construction, by sending an email to EAProjectComments@gov.nl.ca.
- 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.
- 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, the Proponent shall 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 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 EA 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 email of when the requirements of conditions of Release have been completed, by providing a written description, documents, and images (where applicable) to demonstrate that the requirements

have been completed. Information shall be emailed to EAPProjectComments@gov.nl.ca. The Minister will advise the Proponent of whether the condition(s) of Release have been met.

5 Habitat, Flora and Fauna

- 5.1 A minimum 30-metre undisturbed riparian buffer shall be maintained from the high-water mark of all wetlands and waterbodies within and adjacent to the Project, that are identified on either the 1:50,000 scale National Topographic System Maps or the topographic mapping layer shown in the Provincial Land Use Atlas, to protect sensitive riparian and aquatic species and their habitats.
- 5.2 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.
- 5.3 A survey shall be conducted for Black Ash and the results presented to the Wildlife Division prior to the commencement of Project construction. For more information, please contact the Wildlife Division at (709) 637-2950 or wildlifereferrals@gov.nl.ca. A Section 18 permit under the Endangered Species Act is required prior to conducting survey work.

6 Waste Management

- 6.1 The Pollution Prevention Division (PPD) of the Department of Environment and Climate Change requires you to develop a Waste Management Plan for both the construction and operation phases of the undertaking to be submitted for review and approval by the PPD prior to Project commencement. Approved Plans will be posted publicly on the Environmental Assessment Project webpage. For further information contact PPD at (709) 729-1810.



HON. LISA DEMPSTER, MHA

District of Cartwright - L'Anse au Clair
Minister

Date: NOV 20 2024