

## **Attachment A**

### **Conditions of Release from Environmental Assessment**

**EA #: 2335 Upper Humber River Residential Subdivision (the Project)**

---

#### **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
FFA	Department of Fisheries, Forestry and Agriculture
MAPA	Department of Municipal and Provincial Affairs
REG	Registration document
TI	Department of Transportation and Infrastructure
TLSDA	<b>Towns and Local Service Districts Act</b>
the Act	<b>the Environmental Protection Act</b>
WRMD	Water Resources Management Division

#### **3 Scope**

- 3.1 The EA Release letter relates to the Town of Deer Lake, hereafter referred to as the "Proponent", and their Registration document (REG) for Upper Humber River Residential Subdivision, EA REG # 2335, hereafter referred to as the "Project".
- 3.2 The Proponent shall ensure the Project is carried out in accordance with this release from environmental assessment (EA) 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 to the Department, prior to the commencement of Project construction, by sending an email to [EAProjectComments@gov.nl.ca](mailto: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](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, 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 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 the completion of requirements. Information shall be emailed to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca). The Minister will advise the Proponent in writing of whether the condition(s) of Release have been met.

## **5 Water Resources and Flood Risk Management**

- 5.1 The Water Resources Management Division (WRMD) of the Department of Environment and Climate Change advises the Proponent that residential development is not permitted in a 1:20 year flood plain, and lot #11, identified in Exhibit 3.2 of the Proponent's REG, shall not be developed for a residential purpose.
- 5.2 The Proponent shall submit a Water Resources Management Plan, including information on stormwater drainage for the subdivision, to the WRMD for approval prior to the commencement of Project construction. For further information, please contact the WRMD at (709) 729-2563.

## **6 Habitat, Flora and Fauna**

- 6.1 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 those raptor nest sites shall be reported to the Wildlife Division at [Wildlifereferral@gov.nl.ca](mailto:Wildlifereferral@gov.nl.ca). For further information, please contact the Wildlife Division of the Department of Fisheries, Forestry and Agriculture at (709) 637-2950.

## **7 Traffic Study**

- 7.1 The Department of Transportation and Infrastructure (TI) requires the Proponent to submit a Comprehensive Traffic Study to assess the Project's influence on the corridor of the Trans-Canada Highway, for approval, prior to commencing Project construction. For further information, please contact TI at (709) 729-7713.

## **8 Land Acquisition**

- 8.1 The Project shall not proceed until any necessary lands have been acquired in accordance with applicable legislation, including the **Lands Act**, the **Urban and Rural Planning Act, 2000** and the **Towns and Local Service Districts Act**. For further information on the **Lands Act** and Crown Lands tenure, please contact the Department of Fisheries, Forestry and Agriculture at (709) 637-2950. For further information on compliance with the **Urban and Rural Planning Act, 2000** and the **Towns and Local Service Districts Act**, please contact the Department of Municipal and Provincial Affairs at (709) 729-3090.



---

**HON. LISA DEMPSTER, MHA**  
District of Cartwright - L'Anse au Clair  
Minister

Date: JAN 06 2025