

DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE
POLICY DIRECTIVE - FEES FOR ENVIRONMENTAL ASSESSMENT

OBJECTIVE

To establish a procedure and set of fees to be charged to proponents of major undertakings/projects to offset Government's cost of service for the conduct of environmental assessments.

BACKGROUND

The 2016/17 Budget stipulates that the Department of Environment and Conservation must revise its recovery costs incurred for the administration of the environmental assessment process for major projects. This policy statement gives effect to the Budget decision.

LEGISLATION

The Environmental Protection Act SNL2002 cE-14.2 enables the Minister of Environment and Conservation to set fees to offset the costs incurred by the Crown for the environmental assessment of undertakings.

POLICY

This policy institutes the procedure and set of fees given below. **The effective date for all fees is May 1, 2016.** Fees apply to private and public sector proponents. Non-profit organizations are exempt.

1. All proponents are subject to a registration fee of **\$400 (plus HST)** due upon submission of the registration document.
2. The remainder of this policy applies to undertakings with an estimated **capital cost greater than \$5 million** as determined by the Director of Environmental Assessment. This determination will be based on an estimate of the capital cost of the undertaking provided by the proponent prior to the start of an environmental assessment. The proponent will use current standard estimating practices and construction costs. If, after consultation with the proponent, the Director is not satisfied that the proponent's estimate is reasonable, the Director may obtain an estimate from an independent estimator. The cost of such estimate will be charged to the proponent if the final assessment supports the position of the Director. In case of dispute on whether this policy applies the Minister is the final authority.
3. Fixed fees shall be charged as follows:
 - **Environmental Previews Report (EPR)** - **\$10,000** in two installments: **\$5,000** prior to the issuance of EPR guidelines by the Minister and **\$5,000** on submission of the EPR;
 - **Environmental Impact Statement (EIS)** - **\$30,000** in two installments: **\$15,000** prior to the issuance of EIS guidelines by the Minister and **\$15,000** on submission of the EIS;
 - **Substantial revision to EIS** - **\$6,000** on submission;
 - **Component Study** - **\$6,000** on submission;
 - **Environmental Protection Plan** - **\$6,000** on submission;
 - **Environmental Effects Monitoring Program** - **\$6,000** on submission.

Notes: HST applies for private sector proponents and must be added to the amounts shown. Incremental fees shall be charged as follows:

- above normal costs for an environmental assessment including:
 - site visits and other travel by members of an Environmental Assessment Committee,
 - consultant advice where required expertise is not available within Government,
 - hiring of staff dedicated to the environmental assessment of a specific project, and
 - environmental surveillance over and above monthly inspection;
- costs of an Environmental Assessment Board established under the Newfoundland the NL *Environmental Protection Act SNL2002 Chapter E-14.2*;
- Province's share of costs associated with a joint federal-provincial panel review.

Notes: Fees for a given undertaking will be in line with a budget to be prepared by the Director in consultation with the proponent and normally issued to the proponent in advance of applicable expenditures being made. Applicable fees predating this policy directive may be included in the budget. In case of dispute, the Minister is the final authority.

4. Payment of fees shall be by cheque or money order made payable to the Newfoundland Exchequer. Fees or proof of payment (e.g. cashier's receipt from Department of Finance) shall be submitted to the Environmental Assessment Division.
5. In case of non-payment of fees, the environmental assessment of an undertaking will not proceed nor will environmental assessment documents be considered to be accepted.