

**Attachment A**  
**Conditions of Release from Environmental Assessment**

**EA #: 2363 – Avalon Isthmus North Atlantic Refining Corp. Green Energy Project**  
**(the Project)**

---

**1 Definition**

- 1.1 "Act" means the Environmental Protection Act (the Act).
- 1.2 "Commenced" and "Commencement" mean the point in time when significant work has been carried out on the site of an undertaking.
- 1.3 "Department" means the Department of Environment, Conservation and Climate Change, and the contact for the Department for this environmental assessment (EA) release is:

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

- 1.4 Environmental preview report means a report presenting the results of an investigation based on readily available information that supplements the information provided by a proponent upon registration of an undertaking and which is necessary to assist the minister in making a determination as to whether or not an environmental impact statement is required;
- 1.5 "Minister", unless the context indicates otherwise, means the Minister of Environment, Conservation and Climate Change.
- 1.6 "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.
- 1.7 "Registered" and "registration" mean registered under Section 49 of the **Act**.
- 1.8 "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**.
- 1.9 "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
EPR	Environmental Preview Report
REG	Registration document

### 3 Scope

- 3.1 The EA release letter relates to North Atlantic Refining Corporation, hereafter referred to as the “Proponent”, and their Registration document (REG) and environmental preview report (EPR) for the Avalon Isthmus North Atlantic Refining Corp. Green Energy Project, EA REG # 2363, 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 including the Registration and Environmental Preview Report submissions and in correspondence with the Department since the Project was registered on July 17, 2025, to mitigate the effects of the Project on the environment, unless otherwise advised by the Minister.
- 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 each phase of 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 the 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 and EPR submissions, 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 or using property 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 EA submissions 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 be responsible for the costs of follow up and compliance monitoring as required by the Minister.
- 4.14 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.
- 4.15 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.
- 4.16 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, water bodies and wetlands**

- 5.1 The Proponent shall submit a Real-time Water Monitoring Program to the Department for the approval of the Water Resources Management Division that includes a commitment to install monitoring stations prior to the commencement of Project construction.
- 5.2 The Proponent shall maintain a minimum 50-metre undisturbed buffer from the highwater mark of waterbodies and wetlands that appear on 1:50,000 National Topographic Scale maps or on the topographic layer of the provincial land use atlas, unless otherwise permitted in writing by the Minister.
- 5.3 The Proponent shall maintain a 15-metre undisturbed buffer around the Come By Chance River Near Goobies hydrometric station, including any station infrastructure such as a station shelter and buried cables. For more information, please contact the Water Resources Management Division at [pauladawe@gov.nl.ca](mailto:pauladawe@gov.nl.ca).

## **6 Wildlife and other sensitive receptors**

- 6.1 The Proponent shall not clear vegetation and shall maintain a no-disturbance buffer 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 Proponent shall report the location raptor nest sites to the Wildlife Division by email at WildlifeReferrals@gov.nl.ca.

- 6.2 The Proponent shall conduct a survey for Short-eared Owl within seven days of ground disturbance between May 15 to August 15 following protocol available from the Wildlife Division. The Proponent shall not clear vegetation and shall maintain a no-disturbance buffer within 800 metres of a short-eared owl (ground) nest between May 15 to August 15.
- 6.3 The Proponent shall provide digital geospatial data, including but not limited to survey sites, survey tracks, dates, and observational records for all species surveyed for the Project (e.g., raptors, lichen, marten, muskrat, insects, and plants), for the approval of the Department of Forestry, Agriculture and Lands (FAL) prior to the commencement of construction at each Project site (hydrogen production, hydrogenation, wind farm, and associated roads, transmission lines and infrastructure). Diagnostic photos of plant species of conservation concern must also be provided.

## **7 Environmental protection and effects monitoring plans**

- 7.1 The Proponent shall submit an Avifauna Management Plan that describes measures that will be implemented to minimize the effects of construction, operations and maintenance, and decommissioning and rehabilitation on migratory birds protected by the **Migratory Bird Convention Act, 1994**, non-migratory birds that are protected under the **Wildlife Act** (e.g., raptors, corvids and upland game birds) and species listed under **Species at Risk Act**, to be developed in consultation with FAL and Environment and Climate Change Canada (ECCC). The Avifauna Management Plan shall include field survey data for species at risk and non-species at risk and shall demonstrate how the surveys undertaken for the Project were sufficiently comprehensive to protect avifauna, including shorebirds, from blade strikes. Additional surveys, including radar surveys, may be undertaken if needed. The Avifauna Management Plan shall describe a turbine curtailment strategy that demonstrates how bird migration events and impacts on migratory birds were considered. The Avifauna Management Plan shall describe how avifauna will be monitored for the life of the Project and adaptive measures that will be implemented to mitigate adverse effects of wind turbines on avifauna, should they be identified. The Avifauna Management Plan must be developed in consultation with ECCC and FAL and found to be acceptable to the Minister of Forestry, Agriculture and Lands prior to the commencement of project Construction.
- 7.2 The Proponent submit a stand-alone Bat Mitigation and Management Plan, including a Bat Mortality and Monitoring Program that applies continual bat autonomous recording unit monitoring and carcass searches to inform an adaptive turbine curtailment management strategy described within. The Bat Management Plan shall demonstrate how the final location of wind turbines and

other Project infrastructure shall avoid negatively impacting or interfering with bats and suitable bat habitat.

- 7.3 The Proponent shall submit a Geodetic Monument Mitigations Plan for the approval of FAL prior to the commencement of construction of the wind farm component of the Project, including all associated infrastructure (e.g., roads, transmission lines, electrical infrastructure). The Geodetic Monument Mitigations Plan shall include updated mapping of the locations of all geodetic monuments that may be affected by the Project and describe measures that will be undertaken to avoid interaction of the Project with Geodetic Monuments.
- 7.4 The Proponent shall submit a Species of Conservation Concern Environmental Effects Monitoring Plan (SOCC EEMP) for species of conservation concern (e.g., muskrat and plants), developed in consultation with FAL, for each phase of the Project (construction, operations and maintenance, and decommissioning and rehabilitation). The SOCC EEMP shall be approved by FAL prior to the commencement of each phase of the Project.
- 7.5 The Proponent shall submit an updated Waste Management Plan for the approval of the Pollution Prevention Division of the Department that commits to exploring options for repurposing or recycling wind turbine components and modifying disposal options to reflect future options that may become available. The Proponent shall notify the Pollution Prevention Division at least six weeks in advance of any blade disposal, for approval of appropriate recycling or disposal options; and of scheduled preventative maintenance which may involve mass replacement of the blades, which typically become fatigued after 15-20 years.
- 7.6 As committed in the EPR, the Proponent shall submit an Environmental Protection Plan (EPP) for each phase of the Project (i.e. construction, operation and maintenance, and decommissioning and rehabilitation) to the Department for approval prior to the commencement of construction at each Project site (hydrogen production, hydrogenation, wind farm and associated roads, transmission lines and infrastructure). The EPP shall include, amongst other commitments referenced in the EA submission, an assessment of the risks of water quality impacts from metals, PCBs, and hydrocarbons that could occur during in-water construction activities and shall identify mitigation measures that will be implemented to limit sediment re-suspension during in-water construction activities, including isolation methods. The EPP shall also identify all mitigation measures with respect to any final disposal of wind turbine blade or blade components to reduce overall environmental impact.
- 7.7 Before the final design and construction of the temporary concrete batch plant, the Proponent shall submit to the Minister for approval a Concrete Batch Plant Management Plan, which shall, at a minimum, describe:
  - (i) location of the batch plant, water supply and water intake,
  - (ii) a groundwater assessment,
  - (iii) water use,
  - (iv) operations,
  - (v) wastewater management,

- (vi) stormwater and drainage management,
  - (vii) noise mitigations,
  - (viii) dust control,
  - (ix) decommissioning and rehabilitation of the plant,
  - (x) public consultation, and
  - (xi) how public concerns will be mitigated.
- 7.8 The Proponent shall submit a benefits agreement that meets the approval of the Minister of Energy and Mines prior to the commencement of Project construction. The benefits agreement must include a Gender Equity, Diversity and Inclusion Plan (GEDIP) that meets the approval of the Minister of Energy and Mines and the Minister responsible for Women and Gender Equality.
- 7.9 The Proponent shall submit a Decommissioning Plan for the entire Project that is satisfactory to the Minister of Energy and Mines, prior to the commencement of Project construction.

## **8 Siting and Atmospheric Environment**

- 8.1 Before construction at each site, the Proponent shall submit final site designs for each site which shall include the location of all major components.
- 8.2 The Proponent shall ensure that shadow flicker does not exceed 30 minutes per day, or 30 hours per year, at a permanent, institutional or seasonal dwelling.
- 8.3 At the request of the Minister, the Proponent shall develop and implement a plan to monitor shadow flicker under varying seasonal conditions which plan shall include sampling locations, parameters, monitoring methods, protocols and frequency.
- 8.4 The Proponent shall ensure that noise levels as a result of Project construction and operations comply with Health Canada's Guidance on "Environmental Noise, Measurement and Assessment."
- 8.5 At the request of the Minister, the Proponent shall develop a Noise Monitoring and Mitigations Plan for the Minister's approval and shall monitor noise in accordance with Health Canada's Guidance on "Environmental Noise, Measurement and Assessment", as amended from time to time, and resolve noise complaints associated with the Project to the satisfaction of the Minister.
- 8.6 The Proponent shall uphold its commitment in the EPR submission that Project infrastructure will be setback from sensitive areas such that vibration [and light] effects will not be experienced by sensitive receptors (i.e., more than 1000m from dwellings). "Dwelling" shall mean a "permanent dwelling", which is a home, apartment building, or condominium complex; "institutional dwelling", which is a hospital, convalescent home, seniors' home, personal care home, or detention facility; or a "seasonal dwelling", which is a seasonal cottage, tourist lodge, hotel / motel, or hostel.
- 8.7 A minimum separation distance of 3 times the height of a turbine from base to tip of blade shall be maintained from a turbine tower to

- (i) an overnight camping park,
  - (ii) a school, college, university, training centre or childcare facility, and
  - (iii) a provincially or municipally maintained paved or unpaved road.
- 8.8 Wind turbines shall be coloured in a solid light colour and include a non-reflective matte finish, unless otherwise required to conform with Transport Canada regulations for aviation safety.
- 8.9 Signage is only permitted on the nacelle unit of a wind turbine and only signage relating to the owner, operator or manufacturer of the wind turbine is permitted.
- 8.10 Lighting shall not be placed on the exterior of a wind turbine unit above a height greater than 5 metres, except as required by Transport Canada for aviation safety purposes, and any other lighting used shall be directional lighting towards the ground.
- 8.11 The Proponent shall submit a Blasting and Explosives Management Plan that outlines federal, provincial and other regulatory oversight of explosives storage and blasting activities at the proposed scale for the Project for the approval of the Minister.



---

**HON. CHRIS TIBBS, MHA**  
District of Grand Falls-Windsor - Buchans  
Minister

Date:                     MAY 15 2026