

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

**EA #: 2369 150 MW (Nominal) Bay d'Espoir Hydroelectric Generating Unit (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 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
MFN	Miawpukek First Nation
GEDIP	Gender, Equity, Diversity and Inclusion Plan

**3 Scope**

- 3.1 The EA release letter relates to Newfoundland and Labrador Hydro, hereafter referred to as the "Proponent", and their Registration document (REG) for 150

MW (Nominal) Bay d'Espoir Hydroelectric Generating Unit, EA REG # 2369, 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, unless otherwise advised by the Minister, including commitments made to continue engagement with Miawpukek First Nation (MFN) as the Project progresses and work with MFN staff to share project employment and procurement information.
- 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 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, 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 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 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

- 5.1 The Proponent shall submit a Water Resources Management Plan for the approval of the Water Resources Management Division of this Department prior to the commencement of Project construction. Please contact the Water Rights, Investigations and Modelling Section at [waterinvestigations@gov.nl.ca](mailto:waterinvestigations@gov.nl.ca) for any information needed to prepare the plan. Approved plans will be posted publicly on the EA Project webpage.

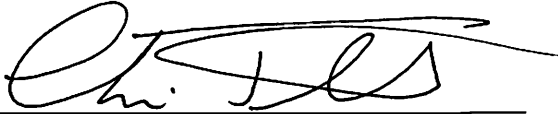
## 6 Habitat, Flora and Fauna

- 6.1 The Proponent shall carry out a pre-clearing survey for roosting bats on all large trees and snags with a diameter at breast height of 25 centimeters or greater if tree removal is necessary during the bat roosting period from May 1 to September 1. A no-cut buffer of 250-metres shall be applied until September 1 should an active bat colony be detected, after which a subsequent survey is required to confirm that bats are no longer present prior to clearing activities. The Proponent shall contact the Wildlife Division of the Department of Forestry, Agriculture and Lands at [wildlifereferrals@gov.nl.ca](mailto:wildlifereferrals@gov.nl.ca) for approval of the survey protocol. A Section 18 permit under the **Endangered Species Act** is required prior to conducting survey work.

## 7 Employment, Benefits Strategy

- 7.1 The Department of Energy and Mines requires the development of a benefits strategy that meets the approval of the Minister of Energy and Mines. The benefits strategy must also include a Gender Equity, Diversity and Inclusion Plan

(GEDIP) that meets the approval of the Minister of Energy and Mines and Minister responsible for Women and Gender Equality. Both the benefits strategy and GEDIP must be approved before the commencement of project construction.



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**HON. CHRIS TIBBS, MHA**

District of Grand Falls-Windsor - Buchans

Minister

Date: Nov 17/25