

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

**EA #: 2405 Pipestone Access Road Extension (the Project)**

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**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 "Minister", unless the context indicates otherwise, means the Minister of Environment, Conservation and Climate Change.
- 1.5 "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.
- 1.6 "Registered" and "registration" mean registered under Section 49 of the **Act**.
- 1.7 "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**.
- 1.8 "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
TCAR	Department of Tourism, Culture, Arts and Recreation
FAL	Department of Fisheries, Agriculture and Lands

**3 Scope**

- 3.1 The EA release letter relates to First Atlantic Nickel Corp., hereafter referred to as the "Proponent", and their Registration document (REG) for Pipestone Access Road Extension, EA REG #2405, 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.
- 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 Habitat Flora and Fauna**

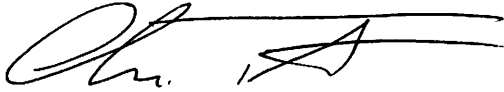
- 5.1 The Proponent shall ensure that road construction, road maintenance, and subsequent exploration-related activities do not occur during the sensitive calving and post-calving period for caribou, from April 15 to July 15.
- 5.2 The Proponent shall submit a Road Decommissioning Plan to the Department to the Department of Forestry, Agriculture and Lands (FAL) and to the Department of Tourism, Culture, Arts and Recreation (TCAR) for the approval of each department prior to the expiration of the Mineral Exploration Permit issued by the Department of Energy and Mines. The Road Decommissioning Plan shall describe actions that would be undertaken to decommission and replant the disturbed area for the road if drilling does not confirm further exploration. Approved plans will be posted publicly on the EA Project webpage. For more information, please contact the Wildlife Division of FAL at (709) 637-2025 and the Tourism Product Development Division of TCAR at (709) 729-0559.
- 5.3 A minimum 30-metre undisturbed buffer shall be maintained from the high-water mark of all wetlands and waterbodies that are identified on 1:50,000 National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use Atlas.
- 5.4 The Proponent shall not clear vegetation within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and within 200 metres during the remainder of the year. An 800-metre buffer applies to the short-eared owl (ground) nests between May 15 and August 15. A 200-metre buffer applies to all other active raptor nests between March 15 to July 31. The location of any raptor nest site shall be reported to the Wildlife Division by emailing [WildlifeReferrals@gov.nl.ca](mailto:WildlifeReferrals@gov.nl.ca). For more information Wildlife Division of FAL at (709) 637-2025.

## **6 Natural Areas**

- 6.1 The Proponent shall restrict all activities to the existing main road while traveling through the Stony Lake Proposed Reserve.

**7 Tourism**

7.1 The Proponent shall submit an Outfitter Consultation Plan to TCAR for approval prior to the commencement of Project construction. Approved plans will be posted publicly on the EA Project webpage. For more information, please contact Tourism Product Development Division of TCAR at (709) 729-0559.



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

Date: June 10/2016