

AUG 30 2022

COR-2022-1351

Reg. # 2184

Adam Scott  
Newfoundland Power Inc.  
PO Box 8910  
55 Kenmount Road  
St. John's NL A1B 4P2  
Email: [AScott@newfoundlandpower.com](mailto:AScott@newfoundlandpower.com)

Dear Adam Scott:

**RE: Blaketown to Riverhead 94L Transmission Line Rebuild (The Project)**

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador **Environmental Protection Act, SNL 2002, cE-14.2**. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment.
- The Natural Areas Program of my Department requires the following;
  - Prior to construction of the new line and/or dismantling of the old line, a rare lichen survey must be completed in appropriate habitats by a qualified botanist, and mitigation measures be employed if any thalli are found (e.g., translocations). The Wildlife Division of the Department of Fisheries, Forestry and Agriculture should be consulted on survey methodology and mitigations prior to conducting surveys. The lichen survey and mitigations should also be part of the project-specific Environmental Protection Plan that will be implemented prior to construction, as noted by the proponent.
- The Department of Fisheries, Forestry and Agriculture (FFA) requires the following:
  - Where possible, for slopes less than 30 percent, a minimum 30-metre undisturbed riparian buffer zone shall be established around all waterbodies, from the high water mark, that are identified on either the 1:50,000 scale National Topographic System maps, or the topographic mapping layer shown in the Provincial Land Use

Atlas. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities shall take place in this zone.

- For slopes greater than 30 percent, there shall be an undisturbed riparian buffer zone calculated using the following formula:  $30 \text{ metres} + 1.5 \text{ metres} \times \text{slope} (\%)$ . No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities shall take place in this zone.
- The new transmission line section west of Markland, between Route 81 and Route 100 (Argentia Access Road), is in an area identified as a significant wetland (Nine Island Pond, Soldier Pond, Simmons Pond, and Goosey Gullies, Markland, south of Whitbourne).
  - Where possible, for slopes less than 30 percent, a minimum 30-metre undisturbed riparian buffer zone shall be established around the wetland. No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities will take place in this zone.
  - For slopes greater than 30 per cent, there shall be an undisturbed buffer zone calculated using the following formula:  $30 \text{ metres} + 1.5 \text{ metres} \times \text{slope} (\%)$  (see Annex C). No land use activities involving grubbing, ground or soil disturbance, or timber harvesting activities shall take place in this zone.
  - Any work required along the new section of transmission line must be done outside the brood rearing, breeding and staging period for waterfowl (approximately May 15 to July 31).
- No vegetation clearing is to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year. The 200-metre buffer also 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 any raptor nest site must be reported to the Wildlife Division. For more information, please contact the Department of Fisheries, Forestry and Agriculture at (709) 637-2353.
- You are required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
- You are required to update the Environmental Assessment Division on the status of your Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your Project, one year from the date of this release letter and to provide additional updates if required. Please email your Project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

**Federal and provincial government departments and agencies that reviewed your Project during the environmental assessment provide the following advice:**

The Climate Change Branch (CCB) of my Department advises you to consider the impact of climate change on the Project. The CCB suggests that you consider provincial climate change projections for St. John's and Argentia (the nearest regional sites) in the planning of this undertaking. For more information contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of my Department recommends that you develop a site-specific contingency plan to enable a quick and effective response to a spill event. Any spill or leak of gasoline or associated product is to be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089. For more information, please contact the Pollution Prevention Division at (709) 729-5782.

The PPD further advises that the purchase, storage and use of pesticides is subject to compliance with the Pesticides Control Regulations, 2012, under the **Environmental Protection Act**. For more information, please contact the Pesticides Control Section of my Department at (709) 729-6054 or (709) 729-2565.

The Water Resources Management Division (WRMD) of my Department advises that a permit is required for any work in or within 15 metres of waterbody (including wetlands) and you must obtain a water use licence for the use of water from any water source for any purpose, prior to the start of work. For more information, please contact the WRMD at (709) 729-1646.

The Government Service Centre (GSC) of the Department of Digital Government and Service NL advises that a development permit is required for any construction within 400 metres of the centreline of the TransCanada Highway, including access to the TransCanada Highway. For more information please contact the GSC at (709) 292-4259.

The Occupational Health and Safety Division (OHS) of the Department of Digital Government and Service NL advises generally that you must ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and its Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per Occupational Health and Safety. For more information, please contact OHS at (709) 729-3275.

FFA advises that a commercial cutting permit is required prior to any harvesting or timber removal in the Project area. An operating permit is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office. During the forest fire season, a permit to burn must be obtained to ignite a fire on or within 300 meters of forest land. FFA further advises that a portion of the Project falls within the Cottage Development Area for Warren's Waters. You should keep the

safety of cottage owners and other recreational users in mind during rebuilding. For more information, please contact FFA at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that any quarry materials required for the Project must be sourced from either: a site covered by a quarry permit or quarry lease; an external source as a byproduct of an approved development; or within the legal boundary of the Project site provided that excavation would be in compliance with other permits and understandings. For more information, please contact IET at (709) 729-5748.

The Department of Municipal and Provincial Affairs (MPA) advises that the proposed transmission line extends through the municipal planning areas for the Towns of Whitbourne, Mount Carmel-Mitchell's Brook-St. Catherine's, and St. Joseph's. Any development within the municipal planning area requires a permit under the Development Regulations or the Interim Development Regulations from each Town.

Environment and Climate Change Canada (ECCC) recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory songbirds and waterfowl, operations should consider nesting locations between April 15 and August 15 in this region. ECCC provides a list of avian and non-avian species that are listed on Schedule 1 of the **Species at Risk Act**, and requests that any sightings be reported to [ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca](mailto:ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca). ECCC further advises that the **Species at Risk Act** "General prohibitions" apply to the Project, and recommends that you complete an analysis of potential impacts on the migratory birds listed on Schedule 1 and take measures to avoid or lessen those effects. ECCC requests that you provide a GIS file of the Project boundaries and study area so that the Project can be mapped. For more information, please contact ECCC at (709) 772-2126.

The Department of Fisheries and Oceans Canada advises that the modernized **Fisheries Act** includes fish and fish habitat protection provisions which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the **Fisheries Act**, as well as, information on the Project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.ac.ca/Dnw-ppe/index-ena.html>. For more information, please contact the Fisheries Protection Program at (709) 772-4140.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You shall comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, my decision is valid for a period of three years from the date of this letter. If



you have not commenced the Project within this three-year period, you may apply to extend the term of my decision for a maximum of three periods of one year. Should the term of my decision expire, the Project will have to be registered again for environmental assessment, if you wish to proceed. For further information, please email [EAProjectcomments@gov.nl.ca](mailto:EAProjectcomments@gov.nl.ca).

If you have any questions, please contact Joanne Sweeney, Director of the Environmental Assessment Division, at (709) 729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, appearing to read "Bernard Davis", enclosed within a blue circular scribble.

**HON. BERNARD DAVIS, MHA**  
District of Virginia Waters - Pleasantville  
Minister

Cc: Sherry Gambin-Walsh, MHA - District of Placentia-St. Mary's