

COR/2021/01798

29 JUN 2021

Reg. # 2127

Jason Dalton
Newfoundland Power Inc.
55 Kenmount Road
St. John's, NL A1B 3P6
jdalton@newfoundlandpower.com

Dear Mr. Dalton:

Re: Grand Falls-Windsor Distribution Feeder Upgrades

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.
- 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.

Federal and Provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:

The Government Service Centre, Department of Digital Government and Service NL advises that a development permit will be required from under the *Protected Road Zoning Regulations* for any construction within 400 metres of the centre line of the Trans Canada Highway or other protected road. For further information, please contact the Government Service Centre at (709) 292-4206.

The Climate Change Branch of this Department suggests that you consider provincial climate change projections for Gander (nearest regional site) in the planning for this undertaking. The Climate Change Branch notes that the clearing of trees and brush can contribute to climate change and all heavy duty equipment used in the construction phase of this project should be operated in a manner to maximize fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the Climate Change Branch at (709) 729-1485.

The Pollution Prevention Division of this Department provides advice for waste management air pollution, pesticide control, storage and handling of gasoline and associated products, halocarbons, and Environmental Control Water and Sewage. They also provided a guidance document the Treated Wood Waste Guidance Document, GD-PPD-PPD-075.1, at <https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf>. For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division of this Department advises that you are required to apply for and obtain permits for the following: infilling work within 15 metres of a body of water; any work within a body of water (including wetland); work within this project area which is a designated Flood Risk Area; and for work in Shore Water Zones.

The Water Resources Management Division advises that no treated poles be installed less than 10 metres from a private well and advises on the use of utility poles in protected water supply areas (<https://www.gov.nl.ca/eccm/waterres/regulations/policies/utility-poles/>). All pole installations within protected water supply areas will require application for a permit for a development activity. For further information, please contact the Water Resources Management Division at (709) 729-2563.

The Department of Fisheries, Forestry and Agriculture advises that the proposed work is either within the highway right-of-way or on private land. If the work extends beyond these areas onto Crown land, an application is required to obtain a Crown land lease. The application and related information can be found at <https://www.gov.nl.ca/ffa/lands/applications/>. Fisheries, Forestry and Agriculture advises you to maintain a 30-metre undisturbed buffer around water bodies and wetlands, where possible. For further information, please contact the Department of Fisheries, Forestry, and Agriculture at (709) 729-1140.

The Mines Branch of the Department of Industry, Energy and Technology advises that should you require a quarry permit or subordinate quarry permit you should contact the Quarry Rights Section at quarries@gov.nl.ca. For further information, please contact the Department of Industry, Energy and Technology at (709) 729-5748.

The Local Governance and Land Use Planning Division of the Department of Municipal and Provincial Affairs advises that a development permit is required from the Town of Grand Falls-Windsor, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The Provincial Parks Division of the Department of Tourism, Culture, Arts and Recreation advises that a permit is required for vehicular use on the Newfoundland and Labrador T'Railway Provincial Park. For further information, please contact the Provincial Parks Division at (709) 637-8077.

The Sector Diversification Division of the Department of Tourism, Culture, Arts and Recreation advises you to contact tourism operators in this area to mitigate the impact of this activity on their operations. For further information, contact the Department of Tourism, Culture, Arts and Recreation at (709) 729-0892.

The Department of Transportation and Infrastructure advises that a permit is required for any proposed highway access to the site and for any work proposed within the Department Right-of-Way. Installation of power lines must be in compliance with requirements for the utility corridor. For further information, contact the Department of Transportation and Infrastructure at (709) 729-5493.

The Department of Fisheries and Oceans 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 and as well as information on the project review process. The "Projects Near Water" website is located at <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Environment and Climate Change Canada 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. For further information, please contact Environment and Climate Change Canada at (709) 772-2126.

Transport Canada advises that you can assess the individual watercourse crossings against the criteria in the *Minor Works Order* (Section 6 - Aerial Cables - Power and Telecommunication) at <https://tc.canada.ca/en/marine/departement-transport-navigable-waters-protection-act> to determine whether or not an approval is required. For further information, please contact the Navigation protection Program at (506) 851-3113.

Although the undertaking, as proposed, is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. Please note that you must 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, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three-year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed.

If you have any questions concerning these matters, please contact Joanne Sweeney, Director (A), Environmental Assessment Division, at (709) 729-0673 or joannesweeney@gov.nl.ca.

Sincerely,



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

c: Chris Tibbs
MHA, Grand Falls-Windsor-Buchans