

JUL 07 2023

COR-2023-2220

Reg. No. 2236

Ken Sparkes  
Newfoundland and Labrador Hydro  
Hydro Place  
St. John's, NL A1B 0C9  
E-mail: [kensparkes@nlh.nl.ca](mailto:kensparkes@nlh.nl.ca)

Dear Ken Sparkes:

**RE: Labrador – L1301 Transmission Line Decommissioning (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 must uphold all commitments made in your environmental assessment submission to mitigate the effects of the Project on the environment, including your commitment to implement an Environmental Protection Plan as described in your registration document.
- The Pollution Prevention Division of this department requires the following:
  - A Waste Management Plan that includes all aspects of waste related to the Project, including treated poles, be submitted and approved prior to the start of Project construction. For further information, please contact Pollution Prevention Division at (709) 729-5782.
- The Wildlife Division of the Department of Fisheries, Forestry and Agriculture requires the following:
  - A Caribou Protection and Impacts Mitigation Plan (CPIMP) for the listed Red Wine Mountain Boreal Caribou must be submitted and approved prior to the start of Project construction.
  - A minimum 30-metre undisturbed riparian buffer must be maintained from the high water mark of all wetlands and waterbodies within and adjacent to the Project 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, to protect sensitive riparian and aquatic species and their habitats.

- Vegetation clearing is not to occur 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. 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 further information, please contact FFA at (709) 637-2353.
- You must 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 [EAPProjectComments@gov.nl.ca](mailto:EAPProjectComments@gov.nl.ca).
- You must update the Environmental Assessment Division on the status of the Project, including a copy of all permits, licences, certificates, approvals and other authorizations required for the Project, one year from the date of this release letter and to provide additional updates, if requested. Please email Project updates to [EAPProjectComments@gov.nl.ca](mailto:EAPProjectComments@gov.nl.ca).

The reviewing federal and provincial government departments and agencies have provided advice, which is attached for your reference.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You must 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 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 would have to be registered again for environmental assessment, if you wish to proceed. For further information, please email [EAPProjectComments@gov.nl.ca](mailto:EAPProjectComments@gov.nl.ca).



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

Sincerely,

A handwritten signature in blue ink, appearing to be "Bernard Davis", with a long horizontal line extending to the right.

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

Enclosure

Cc: Perry Trimper, MHA – District of Lake Melville



## Attachment A

Federal and provincial government departments and agencies provide the following advice:

The Climate Change Branch (CCB) of my department advises that heavy-duty equipment 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 CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of my department advises you to refer to the Treated Wood Waste Guidance Document, GD-PPD-PPD-075.1 available at <https://www.gov.nl.ca/eccm/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf>. The PPD further advises that a contingency plan specific to the proposed undertaking should be developed and spill response equipment should be readily available on site to enable a quick and effective response should a spill occur. 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 further information, please contact the PPD at (709) 729-5782.

The Water Resources Management Division (WRMD) of my department advises you to obtain permits under the **Water Resources Act** for any work, including infilling, within fifteen metres of a body of water (and wetlands). Further, a water use licence is required for the use of water from any water source for any existing or planned purpose, including all non-domestic uses, prior to the start of Project construction. Any effluent or runoff leaving the site is to conform to the requirements of the Environmental Control Water and Sewage Regulations. For more information, please contact the WRMD at (709) 729-1646.

The Department of Digital Government and Service NL advises that a Development Permit under the Protected Road Zoning Regulations, and a Highway Access Permit may be required prior to commencing any development. For further information, please call (709) 729-0248 or email [TammyMcDonald@gov.nl.ca](mailto:TammyMcDonald@gov.nl.ca); or call (709) 729-2008 or email [chriswparsons@gov.nl.ca](mailto:chriswparsons@gov.nl.ca).

The Department of Fisheries, Forestry and Agriculture (FFA) advises you to operate under established legislation, regulations and guidance such as to prevent harassment of wildlife (see Wild Life Regulations under the **Wild Life Act**), and to protect endangered species, (see the **Newfoundland and Labrador Endangered Species Act**), as well as other wildlife and their habitats (e.g. waterfowl, wetlands, inland fish, riparian buffers). For further information, please contact FFA at (709) 729-2353.



FFA further advises that a Cutting Permit is required prior to any harvesting or timber removal in the area, an Operating Permit is required prior to the start of any work during the forest fire season, and a Permit to Burn is required to ignite a fire on or within 300 meters of forest land during the forest fire season. The Wildlife Division advises that a permit is required for the removal of any raptor nests. The Crown Land Management Division advises that approval is required for any additional access roads required for the Project. For further information, please contact FFA at (709) 637-2353.

Environment and Climate Change Canada (ECCC) advises you to manage Project activities to ensure compliance with the **Fisheries Act**, the **Migratory Birds Convention Act** and the Migratory Birds Regulations. ECCC recommends that you prepare the following plans:

- a Management Plan that includes appropriate preventative measures to minimize the risk of impacts on migratory birds;
- an Oil Spill Prevention and Response Plan; and
- a Contingency Plan that considers potential accidents and malfunctions for site-specific activities.

ECCC-Canadian Wildlife Service (CWS) advises that the Migratory Bird Regulations (MBRs) were updated on July 30, 2022. For those species that are listed on Schedule 1 of the MBRs, a permit is required for the removal and/or relocation of these nests. For more information on permitting, please contact [Permi.Atl@EC.GC.CA](mailto:Permi.Atl@EC.GC.CA).

ECCC-CWS recommends that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between April 15 and August 15 in this region, and does not recommend nest searches during the bird breeding season. CWS requests that species-at-risk sightings be reported to [ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca](mailto:ec.scfatldonneesei-cwsatliadata.ec@ec.ac.ca). ECCC-CWS also recommends you to consult the Committee for the Status of Endangered Wildlife in Canada (COSEWIC) Assessment and Status Report for the Eastern Migratory Caribou for information on threats to caribou and minimizing impacts to caribou populations. This document can be found at [Caribou, Rangifer tarandus \(canada.ca\)](http://Caribou.Rangifer.tarandus.canada.ca). For further information, please contact the ECCC-CWS at (709) 777-4221.

Health Canada (HC) advises that if there is a potential for impacts to human receptors from noise and/or air quality changes from the Project, you should consider establishing mitigation measures. HC recommends that you establish a process to ensure receptors are informed prior to loud activities and that any complaints are collected and addressed. In addition, HC advises you to consider preparing a response plan in the event of an





accident or malfunction with the potential to impact drinking and/or recreational water quality including a plan to notify all potentially impacted receptors. For further information, please contact HC at (902) 237-7478.