

Environmental Assessment Bulletin

The Honourable Tom Hedderson, Minister of Environment and Conservation, has announced the following events relative to Part 10 Environmental Assessment of the *Environmental Protection Act*.

UNDERTAKINGS RELEASED:

Maritime Transmission Link

(Reg. 1618)

Proponent: Emera Newfoundland and Labrador

A review has been completed of the Environmental Assessment Report (EA Report) submitted January 15, 2013. This document complies with Part X of the *Environmental Protection Act* (the Act) and the EA Report Guidelines dated October 2012 and requires no further work. The project can now proceed as per Section 67 of the Act, and is released from further environmental assessment, subject to the following terms and conditions:

- The proponent shall prepare Environmental Effects Monitoring Plans (EEMs), in consultation with the applicable Government divisions and submit them to the Minister of Environment and Conservation and receive the Minister's approval for the EEMs, prior to the start of any site specific construction. The EEMs will cover the following VECs and will be developed to monitor effects as a result of the project and to ensure that any changes to existing baseline as a result of project effects are documented and mitigated against:
 - Woodland Caribou;
 - Species of Conservation Interest;
 - Socio-economic Environment; and,
 - Archaeological and Heritage Resources.
- The proponent is required to provide a Project Benefits Agreement and Gender Equity and Diversity Plan approved by the Minister of Natural Resources and for Gender Equity and Diversity, the Minister Responsible for the Status of Women. The commitments and expectations finalized in these two documents will supersede all prior commitments, agreements or approvals related to these subject matters;
- The proponent shall prepare an Environmental Protection Plan (EPP) for all applicable construction and operation activities and submit the EPP to the Minister of Environment and Conservation, and receive the Minister's approval for the EPP, prior to the start of any site specific construction. The EPP must include, but not be limited to:
 - Location and construction details for any new access roads, staging areas, laydown areas, and associated infrastructure, and any other such information as required by the Department of Environment and Conservation;
 - In consultation with Parks and Natural Areas Division, protocols for accessing the T'Railway Provincial Park, crossing the T'Railway Provincial Park right of way and for crossing any provincial park boundary;
 - In consultation with Parks and Natural Areas, protocols regarding corridor placement and best practices for construction, maintenance and vegetation

- control to ensure ecological integrity of provincial protected areas or areas of conservation interest, where the project occurs within 100 metres of such areas;
 - Protocols for any proposed blasting within the area of new access to avoid conflict with outfitting operations;
 - In consultation with the Wildlife Division, protocols for scheduling transmission corridor and timber clearing activities to avoid marten denning periods;
 - In consultation with the Wildlife Division, protocols for development and implementation of rare plant mitigations resulting from targeted rare plant surveys; and,
 - In consultation with the Wildlife Division, protocols for vegetation clearing to reduce negative impacts on bird species during nesting, breeding and brood rearing periods;
- The proponent must obtain a Water Resources License-Permit for Construction under the *Water Resources Act*. This single approval will include all permitting for development within 15 metres of a body of water (including wetland) showing on the 1:50,000 topographic maps, water usage, development activities within the Dribble Brook Public Protected Water Supply Area and Stephenville Crossing Wellfields and any other requirements under the *Water Resources Act*; and,
- The proponent is required to prepare and submit to the Minister of Environment and Conservation for approval a Species at Risk Project Impacts Mitigation and Monitoring Plan to provide protection for listed species, to the greatest extent possible, through avoidance measures and mitigation of the impacts resulting from authorized activities, as well as to monitor the effects of authorized activities on listed species at risk. Approval of this plan by the Minister will be a precondition to an Economic Activity Permit which may be issued under Section 19 of the *Endangered Species Act* subject to approval by the Lieutenant-Governor in Council.

Labrador – Island Transmission Link

Proponent: Nalcor Energy

(Reg. 1407)

On June 20, 2013, the Minister of Environment and Conservation informed Nalcor Energy that under the authority of Section 67(3) (a) of the *Environmental Protection Act SNL 2002, cE-14.2*, the Lieutenant-Governor in Council has released the Labrador-Island Transmission Link from further environmental assessment, subject to the following terms and conditions:

- The proponent, Nalcor Energy, shall adhere to all mitigation, monitoring and commitments stated in the Environmental Impact Statement (EIS) submitted April 12, 2012 and the additional EIS information submitted December 10, 2012;
- The proponent shall submit a Diversity Plan for the Project satisfactory to the Minister Responsible for the Status of Women and the Minister of Environment and Conservation;
- The proponent shall prepare an EPP for the following Project Valued Ecosystem Components (VECs), in order to minimize disturbance and mitigate potential effects on VECs during Project construction and operation and submit the EPP to the

Minister of Environment and Conservation for approval prior to the start of any site-specific construction. The EPP will address the following VECs:

- i. Vegetation;
 - ii. Island Caribou;
 - iii. Furbearers and Small Mammals (including American marten in Labrador);
 - iv. Avifauna (species not covered by Section 19 of the *Endangered Species Act*); and
 - v. Freshwater Fish;
- The proponent shall prepare an EPP for all applicable construction and operation activities and submit the EPP to the Minister of Environment and Conservation for approval prior to the start of any site specific construction;
 - The proponent shall prepare Environmental Effects Monitoring Plans (EEMs), in consultation with the applicable Government divisions, and submit them to the Minister of Environment and Conservation for approval prior to the start of any site specific construction. The EEMs will address the following VECs and will be developed to monitor effects as a result of the Project and to ensure that any changes to existing baseline as a result of Project effects are documented and mitigated:
 - i. Vegetation;
 - ii. Island Caribou;
 - iii. Furbearers and Small Mammals (including American marten in Labrador);
 - iv. Avifauna (species not covered by Section 19 of the *Endangered Species Act*); and
 - v. Freshwater Fish;
 - The proponent shall provide financing for two full-time positions of Environmental Monitor, employed by the Department of Environment and Conservation, whose responsibilities will include monitoring the biophysical components related to the L-ITL Project. One position will be for the duration of the construction of the L-ITL Project (approximately four years) and the second will be for the duration of drilling and cable installation activities at the Shoal Cove, Newfoundland, cable landing site in the Strait of Belle Isle (approximately one year);
 - The proponent, in consultation with the Newfoundland and Labrador Outfitters Association and outfitters who may potentially be impacted by the L-ITL project, will develop a monitoring plan related to the potential impacts of the Project on these outfitters. Should direct impacts be identified, the proponent shall work with the affected outfitters and the Newfoundland and Labrador Outfitters Association to develop reasonable compensation provisions. In areas with new project access, the proponent will also design and implement an Access Decommissioning Plan to mitigate diminished outfitting success rates; and
 - The proponent is required to prepare and submit to the Minister of Environment and Conservation for approval a Species at Risk Project Impacts Mitigation and Monitoring Plan to provide protection for listed species, to the greatest extent possible, through avoidance measures and mitigation of the impacts resulting from authorized activities, as well as to monitor the effects of authorized activities on

listed species at risk. Approval of this plan will be a precondition to the issuance to the proponent of an Economic Activity Permit under Section 19 of the *Endangered Species Act*.

Huguette Lake Sand Quarry Extension

Proponent: Allard Distributing Ltd.

(Reg. 1705)

The project is released subject to the following condition:

- a minimum 30-metre naturally vegetated buffer be maintained along all waterbodies and wetlands.

Foxtrap On-site Centrifuge Process for Offshore Drilling Mud

Proponent: Newalta Corporation

(Reg. 1706)

PROJECT WITHDRAWN:

Mount Pearl NORM Decontamination and Temporary Storage Facility

Proponent: Atlantic Inspection Services Inc.

(Reg. 1697)

For further information on the environmental assessment process, please contact the Director of Environmental Assessment at (709) 729-4211 or toll-free: 1-800-563-6181 or by mail to:

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Environmental assessment information is on the department Web site at:
<http://www.gov.nl.ca/env>

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