

DEC - 1 2022

Reg. #2221

COR-2022-2953

Newfoundland Power Inc.
C/O Kathleen Fillier
55 Kenmount Road
P.O. Box 8910
St. John's, NL
A1B 4P2
kfillier@newfoundlandpower.com

Dear Kathleen Fillier:

Re: Blaketown to Clarkes Pond 55L 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 the Project 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 Department of Fisheries, Forestry and Agriculture requires the following:
 - 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 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). For more information please contact the Wildlife Division at (709)637-2052
- 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 EAPProjectComments@gov.nl.ca.
- You are required to 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 required. Please email the Project updates to EAProjectComments@gov.nl.ca.

Federal and provincial government departments and agencies that reviewed the 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 Argentia (the nearest regional site) in the planning of this undertaking. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division (PPD) of my Department advises you to develop a contingency plan in the event of a spill and to store spill response equipment, such as absorbents and open-ended barrels for collection of clean-up debris, in an accessible location on-site. 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. 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 further information, please contact the PPD at (709) 729-5782 or email rlocke@gov.nl.ca.

The Water Resources Management Division (WRMD) of my Department advises that a permits are required under the **Water Resources Act** for any work in or within 15 metres of waterbody (including wetlands), any infilling work within 15 metres of a body of water and for any work within or adjacent to a protected public water supply (Clarkes Pond). Additionally, a water use licence is required for the use of water from any water source for any purpose, prior to the start of Project construction. For further information, please contact the WRMD at (709) 729-1646.

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. For further information, please contact OHS at (709) 729-3275.

The Department of Fisheries, Forestry and Agriculture advises that a commercial cutting permit is required prior to any timber removal, an operating permit is required prior to the start of any work during the forest fire season, and a permit to burn must be obtained to ignite a fire on or within 300 meters of forest land during the forest fire season. Permits can be obtained from the local forest management district office. FFA further advises that



a permit for lichen surveys and translocations/transplants must be obtained prior to conducting surveys. You are advised to consult with the Wildlife Division on the identification of rare lichen habitats. For further information, please contact FFA at (709) 637-2353.

The Department of Industry, Energy and Technology (IET) advises that quarry materials required for the Project are to be acquired from approved sources. For further information, please contact IET at (709) 729-5748.

The Department of Municipal and Provincial Affairs (MPA) advises that the proposed transmission line extends through municipal planning areas for the towns of Whitbourne and Placentia, and is located within the boundary of the Protected Road Zoning Regulations governed by the Government Services Centre (GSC). Any development within the municipal planning area and protected road zone requires a permit under the applicable development authorities, prior to the start of Project construction. For further information, please contact MPA at (709) 729-3090.

The Department of Tourism, Culture, Arts and Recreation (TCAR) advises that a Temporary Vehicular Access permit is required if the T'Railway Provincial Park (T'Railway) is to be used by Newfoundland Power or associated contractors, and a permit is required should any work be needed on the T'Railway, such as excavating, grading etc. TCAR further notes that the T'Railway boundary in the proposed area of work is 7.62 metres perpendicularly distant and running parallel on each side of the centerline of the T'Railway, and that the crossing of any bridge in the T'Railway with anything other than an off-road vehicle is prohibited without prior written approval from the Parks Division. For further information, please contact TCAR at (709) 637-2411.

The Department of Transportation and Infrastructure (TI) informs that permits are required for land use within and access to its protected right of ways and reservations, and advises you to consult with them regarding infrastructure locations and designs. For further information, please contact TI at (709) 729-5399.

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. 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. For further 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.

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

Sincerely,

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

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

Enclosures

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