

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2360 - Boyd's Cove to Lewisporte 148L Transmission Line (the Project)
Newfoundland Power Inc. (the Proponent)

1 Climate Change Branch (CCB), Department of Environment and Climate Change (ECC)

- 1.1 Proponent is advised to consider provincial climate change projections for Comfort Cove in Project planning.
- 1.2 Proponent is advised to operate heavy equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, please contact the CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised that all waste material generated during construction and operation is to be placed in suitable refuse containers and removed to an approved waste disposal site, with the approval of the site owner/operator.
- 2.2 Proponent is advised to follow guidance documents for Treated Wood Waste available at <https://www.gov.nl.ca/ecc/files/env-protection-waste-guidancedocs-gd-ppd-075.1treated-wood-waste-disposal-.pdf>.
- 2.3 A Pesticides Applicator License is required under the Pesticides Control Regulations for the application of a pesticide, and any contractor hired to perform that service must have a valid Pesticide Operator License.
- 2.4 Proponent is advised to maintain the following buffers while applying herbicides near scheduled salmon rivers:
 - 30-metre buffer shall be maintained where the terrain slope is 20 degrees or less;
 - 50-metre buffer where the slope exceeds 20 degrees.

For further information, please contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised to apply for and obtain a Section 48 Permit under the **Water Resources Act**, 2002, for any work in or within 15 metres of a body of water (including wetlands) prior to the start of construction.
- 3.2 Proponent is advised to apply for and obtain a Water Use License under the **Water Resources Act** prior to the start of construction.
- 3.3 Proponent is advised that any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.

- 3.4 Proponent is advised to obtain a Section 39 Permit under the **Water Resources Act**, 2002, prior to the commencement of the Project, as the proposed development is adjacent to or within the Dog Bay Pond Brook, Indian Arm Brook and Southeast Pond Protected Public Water Supply Areas (PPWSA) servicing the communities of Stoneville, Campbellton and Loon Bay, respectively.
- 3.5 Proponent is advised to maintain the required buffers under the Policy for Land and Water Related Developments in PPWSA available at <https://www.gov.nl.ca/ecc/waterres/regulations/policies/water-related/> .
- 3.6 Proponent is advised that creosote wood shall not be used within a PPWSA under the Policy for Treated Utility Poles in Water Supply Areas available at <https://www.gov.nl.ca/ecc/waterres/regulations/policies/utility-poles/#:~:text=Existing%20treated%20wooden%20utility%20poles,are%20not%20impacting%20water%20quality>. For further information, please contact the WRMD at (709) 729-2563.

4 Department of Fisheries, Forestry and Agriculture (FFA)

- 4.1 Proponent is advised to operate under the **Wild Life Act**, the **Migratory Birds Convention Act**, the **Fisheries Act** and associated regulations to avoid or minimize adverse impacts.
- 4.2 Proponent is responsible for identifying and making application for any Crown lands required for the project and complying with the **Lands Act**. There may also be private land located within this area which may not be on record with the Crown Lands Office. If work is planned on any private land/issued title sites, permission is required from the land owners.
- 4.3 Proponent is advised to comply with the Cutting of Timber Regulations under the **Forestry Act**, which requires a Cutting Permit before any timber harvesting or removal. Additionally, during the forest fire season, an Operating Permit under Section 13 and a Permit to Burn on or within 300 metres of forest land under Section 3 of the Forest Fire Regulations are required.
- 4.4 Proponent is advised that several species known to occur in the area are currently being assessed for designation and listing under the **Newfoundland and Labrador Endangered Species Act (NLESA)** and **Species at Risk Act (SARA)**. The Proponent should be aware that if species that are designated and listed under endangered species legislation are found within the Project area, the ESA and/or the federal SARA will apply and the Proponent may be required to develop mitigations, in consultation with FFA-Wildlife Division, for the protection and recovery of the species.
- 4.5 Proponent is advised Red Pine are listed as Threatened under the **NLESA** and are known to occur within the general region. The Proponent must ensure that any activities do not result in disturbance, injury, or direct loss of Red Pine or its residence. Species identification information can be provided by the Wildlife Division upon request (WildlifeReferrals@gov.nl.ca). For further information, please contact the FFA at (709) 637-2950.

5 Government Service Centre (GSC), Department of Government Modernization and Service Delivery (GMSD)

- 5.1 Proponent is advised to consider developing a contingency plan specific to the proposed undertaking 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 to GMSD by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.
- 5.2 Proponent is advised should the development require the construction or renovation of on-site service buildings, application must be made for Fire/Life Safety and Building Accessibility review and approvals.
- 5.3 Proponent is advised to submit electrical plans to GSC for review and approval as electrical permits are required for each meter.
- 5.4 A development permit is required from GMSD in accordance with the **Urban and Rural Planning Act** for the construction of an access road in a protected area, or for any access onto a protected road. For further information, please contact the GSC at (709) 256-1420.

6 Occupational Health and Safety (OHS), GMSD

- 6.1 Proponent is advised to ensure that activities are conducted in compliance with the **Occupational Health and Safety Act (OHS)** and related regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with the legislation. For further information, please contact OHS at (709) 729-7454.

7 Department of Industry, Energy and Technology (IET)

- 7.1 Proponent is advised quarry materials used must be sourced from an approved site with a valid quarry Permit or Lease, a byproduct of an approved development, or from within the legal boundary of the project site in compliance with applicable regulations. For further information, please contact IET at (709) 729-5748.

8 Department of Municipal Affairs and Community Engagement (MAC)

- 8.1 Proponent is advised that the **Urban and Rural Planning Act, 2000**, requires a Development Permit for any activity defined as "development" within areas governed by land use controls. The proposed Project falls within the municipal planning areas of Lewisporte, Campbellton and Birchy Bay, each with its own permitting requirements. The Proponent must obtain permits from these municipalities prior to construction. For further information, please contact MAC at (709) 729-3090.

9 Department of Tourism, Culture, Arts and Recreation (TCAR)

- 9.1 Proponent is advised that the Provincial Archaeology Office (PAO) has indicated that the Project area has archaeological potential. As a result, the Proponent is required to carry out a Historic Resources Impact Assessment (HRIA) through a

qualified archaeological consultant, in accordance with the **Historic Resources Act**. For further information, please contact PAO at (709) 729-2462.

9.2 Proponent is advised that the Tourism Product Development Division has indicated that the proposed transmission line is near key tourism and recreational sites in Lewisporte area and along Route 340. The Proponent is advised to consult local stakeholders and the NL Snowmobile Federation to address potential concerns. For further information, please contact Tourism at (709)-729-6588.

10 Transportation and Infrastructure (TI)

10.1 Proponent is advised to follow TI's Highway Access Policy available at <https://www.gov.nl.ca/ti/files/highway-access-policy-2019.pdf> and obtain approval for any work within 20 meters of the centerline of Routes 331 and 340. Any unauthorized access constructed will be removed by TI.

10.2 Proponent is advised that a minimum clearance of 5.5 meters over highways is required, and infrastructure must be set back at least 1.5 meters from the highway boundary. All work must be done by a Certificate of Recognition certified contractor and comply with the TI's Traffic Control Manual available at <https://www.gov.nl.ca/ti/files/publications-traffic-control-2018.pdf>. For further information, please contact TI at (709)-729-7713.

11 Environment and Climate Change Canada (ECCC)

11.1 ECCC advises that to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April to mid-August in this region. ECCC requests that species at risk sightings be reported to the Canadian Wildlife Service (CWS) at <http://www.accdc.com/en/contribute.html>.

11.2 ECCC advises installing bird flight diverters, minimizing guy wires, and using avian-safe configurations to reduce bird collisions and electrocutions.

11.3 ECCC advises that a 300-metre buffer should be maintained from migratory bird nests, and a 1-kilometre buffer for highly sensitive species like the Common Loon for high-disturbance activities such as blasting.

11.4 Proponent is advised to develop the following plans:

- An oil spill prevention and response plan.
- A contingency plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
- A wildlife emergency response plan.

11.5 Proponent is advised to develop and implement measures to diminish the risk of introducing invasive species. For further information, please contact ECCC at (709) 772-4313.

12 Fisheries and Oceans Canada (DFO)

12.1 Proponent is advised to refer to the Projects Near Water website for information about how to comply with the **Fisheries Act**, as well as information on the project review process when conducting work in or near water. 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.

13 Transport Canada (TC)

13.1 Proponent is advised to assess each transmission line water crossing against the criteria in the Minor Works Order (Section 16) available here <https://laws.justice.gc.ca/eng/regulations/SOR-2021-170/index.html>. If all criteria are met for a water crossing, no **Canadian Navigable Waters Act** approval is needed and only Deposit and Publication requirements apply. If not, the Proponent must either apply for approval or seek authorization through the public resolution process via the online registry. For further information, please contact TC at (506) 851-3113.