



**Environment
Office of the Minister**

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our file number:

40100-30-247

APR 29 2016

Terrence Toner
Director of Environmental Services – Nova Scotia Power Inc.
PO Box 910
Halifax, Nova Scotia B3J 2W5

Dear Mr. Toner:

Re: Environmental Assessment – Nova Scotia Power Incorporated
Auld's Cove Transmission Project, Antigonish – Inverness County, NS

The environmental assessment of the proposed Auld's Cove Transmission Project has been completed.

This is to advise that I have approved the above project in accordance with Section 40 of the Nova Scotia Environment Act, S.N.S., 1994-95 and subsection 13(1)(b) of the Environmental Assessment Regulations, N.S. Reg. 348/2008, made under the Act. Following a review of the information provided by Nova Scotia Power Incorporated, and the information provided during the government and public consultation of the environmental assessment, I am satisfied that any adverse effects or significant environmental effects of the undertaking can be adequately mitigated through compliance with the attached terms and conditions.

This approval is subject to any other approvals required by statute or regulation, including but not limited to, approval under Part V of the Environment Act (Approvals and Certificates section).

If you have any questions regarding the approval of this project, please contact Peter Geddes, Director, Policy and Planning, at (902) 424-6250 or via email at Peter.Geddes@novascotia.ca.

Sincerely,

Margaret Miller, MLA
Minister of Environment

Encl.

c: Peter Geddes

Environmental Assessment Approval

Approval Date: ~~APR~~ 29 2016

Auld's Cove Transmission Project Nova Scotia Power Incorporated, Approval Holder Antigonish County and Inverness County, Nova Scotia

The Auld's Cove Transmission Project (the "Undertaking"), proposed by Nova Scotia Power Incorporated (the "Approval Holder"), Antigonish County to Inverness County, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) of the *Environmental Assessment Regulations*. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Approval Holder to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the project from that proposed in the Registration Document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 1.2 The Approval Holder must, within two years of the date of issuance of this approval, commence work on the Undertaking unless granted a written extension by the Minister.

The Approval Holder must notify Nova Scotia Environment (NSE) the commencement date of the Undertaking, at a minimum 30 days prior to the commencement.
- 1.3 The Approval Holder must not transfer, sell, lease, assign or otherwise dispose of this approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Approval Holder must implement all mitigation and commitments in the Registration Document, unless approved otherwise by Nova Scotia Environment.

2.0 Surface Water Resources

- 2.1 The Approval Holder must submit to NSE for review and approval, a detailed erosion and sedimentation control (ESC) plan. Based on the results of the monitoring program, the Approval Holder must make necessary modifications to ESC plans and/or operations to prevent any unacceptable environmental effects, to the satisfaction of NSE.
- 2.2 The Approval Holder must not construct or operate within 30 metres of any watercourse unless otherwise approved in writing by NSE.

3.0 Wetlands

- 3.1 The Approval Holder must not construct or operate within 30 metres of any wetland unless otherwise approved in writing by NSE.
- 3.2 If avoidance of wetlands is not possible during the development of the Project, any loss of wetland habitat through direct infilling or indirectly through alteration of wetland hydrology will require a wetland evaluation and application for alteration under the Activities Designation Regulations.

4.0 Groundwater Resources

- 4.1 Prior to site development, the Approval Holder must submit to NSE a groundwater well survey that identifies all wells and/or water supplies within 1 km of the proposed development and provide for each:
 - Location coordinates;
 - Indication of water supply type (e.g. drilled well, dug well, other); and
 - Indication of water supply use (e.g. commercial business, industrial use, residential use, registered public drinking water supply).
- 4.2 Prior to any blasting, the Approval Holder is required to conduct a pre-blast survey for water wells within 800 m of the point of blast. The survey must be conducted in accordance with a "Procedure for Conducting a Pre-Blast Survey". Any water well impacts from the blasting must be corrected by the Approval Holder to the satisfaction of NSE.

5.0 Flora and Fauna

- 5.1 Site preparations that include clearing and grubbing must be undertaken between September 1st and March 31st in order to minimize impacts on breeding birds.
- 5.2 The Approval Holder must submit to NSE for review and approval, an Avian Management Plan to assess, manage and mitigate risks to bird species. The plan must account for the Undertaking and recognize the critical location of the Undertaking in immediate proximity to the Canso Causeway that may further exacerbate high mortality of birds. The plan must also demonstrate how periods

of high risk interactions will be identified and include mitigation measures to be employed to reduce bird mortality.

- 5.3 The Approval Holder must provide to Nova Scotia Department of Natural Resources – Wildlife Division (NSDNR) all digital wildlife survey data for significant habitats, species at risk and those of conservation concern in the form of shape files and point locations. The Approval Holder must report to NSE that these files have been provided to NSDNR.

6.0 Noise and Dust

- 6.1 At the request of NSE, the Approval Holder must develop and implement an air quality and/or dust monitoring plan. This plan must include but not be limited to sampling locations, parameters, monitoring methods, protocols and frequency. Based on the results of the monitoring programs as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.
- 6.2 At the request of NSE, the Approval Holder must monitor noise levels. Based on the results of monitoring program as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.

7.0 Archaeological and Heritage Resources

- 7.1 At the request of NSE, the Approval Holder must submit for review and approval to NSE, an archaeology and heritage resources monitoring and contingency plan. The plan shall be developed in consultation with the Nova Scotia Communities, Culture and Heritage (CCH) and the Kwi'mu'kw Maw-klusuaqn Negotiation Office (KMKNO).
- 7.2 The Approval Holder must cease work and contact the Coordinator, Heritage Division, CCH immediately upon discovery of an archaeological site or artifact unearthed during any phase of the Undertaking. If the find is of suspected or certain Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the KMKNO.

8.0 Public Engagement

- 8.1 At the request of NSE, the Approval Holder must develop and submit to NSE, a complaint resolution program to address public concerns associated with the Undertaking. The complaint resolution program must include but not be limited to the appointment of a contact person designated to deal with concerns from the public.
- 8.2 The Approval Holder must appoint a contact person designated to deal with complaints from the public, and must provide the contact person information to NSE 30 days prior to the commencement of any work. Records of these complaints and associated actions must be made available to NSE upon request.
- 8.3 At the request of NSE, the Approval Holder must form a Community Liaison Committee (CLC). The NSE Guidelines for the Formation of a Community Liaison Committee should be used for guidance. The Approval Holder must

operate the CLC for the duration of the Undertaking and until released in writing by NSE.

- 8.4 At the request of NSE, The Approval Holder must form a Fisheries Advisory Committee which will include a process for communicating project details and potential interactions with fishers during construction. As a minimum, the Approval Holder shall seek committee membership from government and the local fishing industry.

9.0 First Nation and Aboriginal Engagement

- 9.1 At the request of NSE, the Approval Holder must develop and implement a Mi'kmaq Communication Plan for the Undertaking, which will include a process for communicating project details and seeking input from the Mi'kmaq community.

10.0 Contingency Plans

- 10.1 The Approval Holder must submit to NSE for review and approval, a Contingency Plan developed in accordance with NSE's Contingency Planning Guidelines that addresses:
- Discharges, emissions, escapes, leaks or spills of dangerous goods and/or waste dangerous goods;
 - Collisions, fires, accidents and/or other potential emergencies; and
 - Sensitive shoreline mapping and quantitative risk assessment.
- 10.2 The plan shall be developed in consultation with local fire and emergency service providers, and demonstrate compliance with Federal and Provincial regulatory requirements.



Margaret Miller, MLA
Minister of Environment