

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

## 1.0 INTRODUCTION

This document is the registration document for the Environmental Impact Assessment (EIA) process for the proposed International Power Line Project: Woodstock to Houlton, Maine (Transmission Line 0155), (the Project). The Project is being proposed by New Brunswick Power Corporation (NB Power) (the proponent), and consists of the construction and operation of a new transmission line from Woodstock, New Brunswick to the New Brunswick-Maine border near Houlton, Maine. This Project will be primarily financed by Houlton Water Company. No applications for grants or loans of capital funds from any other government agency will be submitted for this Project.

This document is submitted to the New Brunswick Department of Environment and Local Government (NBDELG) as part of the environmental impact assessment (EIA) process under Section 5(2) of the *Environmental Impact Assessment Regulation 87-83* of the *Clean Environment Act*.

## 1.1 ORGANIZATION OF THIS DOCUMENT

This document is organized into ten chapters, as follows.

- Chapter 1 provides introductory information regarding the Project, including Project scope, information on the proponent, the purpose of the Project, and the regulatory framework that is anticipated to apply to the Project.
- Chapter 2 provides a detailed description of the Project as it is currently conceived. This description includes information on: the Project location; siting considerations; Project components and infrastructure; how construction, operation, and decommissioning and abandonment of the Project will be achieved; mitigation by design of the Project; and the anticipated Project workforce and schedule.
- Chapter 3 provides an overview of the environmental setting of the Project.
- Chapter 4 contains details of the potential interactions between the Project and valued components (VCs), including a description of existing conditions, previous environmental assessment work that has been completed in the area, potential Project-environment interactions, and mitigation for those interactions.
- Chapter 5 provides a summary of mitigation for the Project, both by design and in response to potential environmental interactions.
- Chapter 6 contains details of the post-Construction Monitoring planned for the Project.
- Chapter 7 outlines public involvement activities conducted and planned for the Project.
- Chapter 8 describes the Aboriginal engagement activities conducted to date and planned for the Project.
- Chapter 9 includes closing remarks and a statement of limitations about the document.
- Chapter 10 lists the references cited in this work.

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

## 1.2 OVERVIEW OF THE PROJECT

NB Power is proposing to construct, operate, and maintain a 69 kV transmission line, approximately 15.7 kilometres in length. The Project will start by connecting to an existing transmission line (# 0038) near the western banks of the Meduxnekeag River in Woodstock, NB, and proceed west along the northern edge of Route 95 to a new substation to be constructed near the NB-Maine Border crossing near Houlton, Maine. From the substation, a 34.5 kV distribution line would run along an existing access road to the border to connect to the Houlton Water Company electrical distribution system.

As currently conceived, the Project would include the following new components and infrastructure:

- A new transformer and capacitor bank within the existing Woodstock terminal in Jacksontown, NB
- A 69 kV, 15.7 km long transmission line including single pole, H-frame, and deadend angle structures
- Conductors and insulators
- A right-of-way for linear infrastructure
- A new substation which includes a step-down transformer, switching equipment, revenue metering, protection and control devices, and a capacitor bank
- A 34.5 kV distribution line to the border crossing

It is noted that the scope of this EIA Registration is for those Project components that will be constructed and operated by NB Power on the New Brunswick side of the NB-Maine border only; activities and components on the Maine side of the border will be subject to separate regulatory processes in Maine and the United States, as led by Houlton Water Company.

## 1.3 PROPONENT INFORMATION

On October 1, 2013, following the proclamation of New Brunswick's new *Electricity Act*, the former NB Power Group of Companies along with the former New Brunswick System Operator were amalgamated into a single Crown corporation called the New Brunswick Power Corporation (abbreviated NB Power). NB Power's responsibilities include the operation and maintenance of the high voltage electricity transmission system in New Brunswick and to serve as a common carrier, providing access to all parties wishing to use the transmission system for delivery of electricity within the province, for exports, or for wheeling through by other parties.

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

As such, the proponent for the proposed undertaking is as follows:

<b>Name of Proponent:</b>	New Brunswick Power Corporation (NB Power)
<b>President &amp; Chief Executive Officer:</b>	Mr. Gaëtan Thomas
<b>Mailing Address of Proponent:</b>	P.O. Box 2000, 515 King Street Fredericton, NB E3B 4X1
<b>Contact Person for this EIA Registration:</b>	Mr. Matthew Gorman Corporate Environmental Services NB Power P.O. Box 2000, 515 King Street Fredericton, NB E3B 4X1
<b>Telephone Number of Contact Person:</b>	(506) 458-6887
<b>Fax Number:</b>	(506) 458-4000
<b>Electronic Mail Address:</b>	<a href="mailto:MaGorman@nbpower.com">MaGorman@nbpower.com</a>
<b>Website:</b>	<a href="http://www.nbpower.com">www.nbpower.com</a>

## 1.4 PROPERTY OWNERSHIP

The proposed Woodstock to Houlton transmission line will be located primarily on Crown land. Specifically, the preferred transmission line right-of-way (RoW) identified during the preliminary assessment will affect 37 parcels of land, including 3 private landowners, 24 parcels of land held by the New Brunswick Highway Corporation (NBHC), 8 parcels of land held by the New Brunswick Department of Transportation and Infrastructure (NB DTI), and 1 parcel of land held by the Town of Woodstock. The transmission line also spans a property owned by Public Works Government Services Canada; however, as there are no physical activities to be conducted on that property, it is not discussed further in this document. NB Power will negotiate options for easements with the private landowners.

## 1.5 PROJECT-RELATED DOCUMENTS

Other than this EIA registration document, Project-related documentation in support of this EIA registration includes:

- A letter from Regional Service District 12 confirming that the Project conforms to rural land use planning for the South Central Carleton County Planning Area (Appendix A).
- An Order in Council (2014-372) designating the New Brunswick Department of Environment and Local Government as the provincial regulatory agency for the Project, under Section 58.17 of the *National Energy Board Act* (Appendix A).
- The Constraints Analysis report conducted on the substation location (Appendix B).
- An information package related to the Project which has been provided to landowners to inform them of the Project and will be included as part of the public consultation report (Appendix E).

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

- An information package related to the Project, which was provided to First Nations leaders and organizations to inform them of the Project, and a Consultation log will be included as part of the Aboriginal Engagement report (Appendix F).

## 1.6 PURPOSE / RATIONALE / NEED FOR UNDERTAKING

The purpose of the Project is to provide a dedicated, reliable, and affordable electrical power supply to the Town of Houlton, Maine, via the Houlton Water Company. In addition to its legislated mandate to provide electrical power to customers in New Brunswick, NB Power also has a long-standing relationship as a supplier of electricity to Northern Maine as well as other jurisdictions. This Project will enable NB Power to export (e.g., sell, transmit, and supply) electricity directly to the Houlton Water Company in Maine, USA.

In order for electricity to be supplied to the Houlton Water Company, a new 69 kV transmission line and a 69 kV to 34.5 kV step-down electrical substation will be built on the New Brunswick side of the NB-Maine border near Houlton. The Houlton facilities, including all distribution facilities located on the Maine side of the NB-Maine border, will be owned and operated by Houlton Water Company—those facilities on the Maine side of the border are not subject to this EIA registration. The assets on the Maine side of the border will include approximately 2.4 km of new overhead 34.5 kV distribution line to be constructed from the existing Houlton Water Company Foxcroft Substation in Houlton, to the NB-Maine border. The costs associated with this Project, including all new related transmission infrastructure in New Brunswick, are paid by Houlton Water Company.

## 1.7 REGULATORY FRAMEWORK

This section provides an overview of the anticipated major regulatory processes that could be applicable to the Project, including federal and provincial environmental assessment requirements and the roles of regulatory authorities.

### 1.7.1 Provincial

This section provides a brief description of the anticipated provincial environmental impact assessment, approval and permitting processes that may apply to the Project.

#### 1.7.1.1 New Brunswick Environmental Impact Assessment Regulation

The New Brunswick *Environmental Impact Assessment Regulation 87-83* under the *Clean Environment Act* (EIA Regulation) governs the EIA process in the province. The EIA Regulation requires that all undertakings listed in “Schedule A” of the Regulation (including their proposed construction, operation, modification, extension, abandonment, demolition or rehabilitation) require registration and a “Determination Review” led by the New Brunswick Department of Environment and Local Government (NBDELG) to review the Project’s information and potential

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

environmental effects. At the conclusion of the Determination Review, the NBDELG's technical review committee (TRC) will recommend to the New Brunswick Minister of Environment and Local Government as to whether a proposed undertaking can proceed, with or without conditions, or whether it requires a more formal Environmental Impact Assessment (referred to as a "Comprehensive Review").

The Project is an undertaking under the EIA Regulation, according to item (d) of Schedule A of the regulation, as follows:

*"(d) all electrical transmission lines exceeding sixty-nine thousand volts in capacity or five kilometres in length."*

Based on the Project as currently conceived, a formal registration of the Project is therefore required under Section 5(1) of the EIA Regulation and will undergo, at minimum, a Determination Review, coordinated by NBDELG.

## 1.7.1.2 New Brunswick Species at Risk Act

Schedule A of the New Brunswick *Species at Risk Act* (NB SARA) lists species in New Brunswick that are classified as being *extirpated*, *endangered*, *threatened*, or of *special concern*. The NB SARA, by way of Section 28(2), prohibits the killing, harming harassing or taking of any species listed in Schedule A.

The Project will require a desktop review and field assessment to determine the presence of any NB SARA Schedule A listed species, including their residences or critical habitat. In the event such species are found, the Project will implement measures to comply with the NB SARA.

## 1.7.1.3 New Brunswick Community Planning Act

The New Brunswick *Community Planning Act* governs the administration of regional development plans in the province, and confers administrative power of planning authority and variance on regional service commissions. EIA registrations for undertakings occurring in areas with established regional development plans must include a letter from the planning authority indicating that the undertaking is in conformance with the regional plan (NBDELG 2012a).

NB Power is a Crown corporation of the Province of New Brunswick and derives its authority from the *Electricity Act*, S.N.B., 2013, c.7. As such, requirements of some provincial legislation such as the *Municipalities Act* and the *Community Planning Act* do not apply to NB Power because they do not expressly bind the Crown. Nevertheless, it is the policy of NB Power to follow the spirit and intent of such legislation with local zoning restrictions.

The Project is situated in the South Central Carleton County (SCCC) Planning Area, and is subject to the conditions outlined in the *South Central Carleton County Planning Area Rural Plan Regulation*, under Section 77 of the *Community Planning Act*. As such, NB Power has informed

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

the Western Valley Regional Service Commission of the Project and has acquired a letter from the Commission confirming that the Project conforms to the SCCC Land Use Plan (WVRSC 2017) (Appendix A).

## 1.7.1.4 Other Potential Provincial Permit Requirements

Table 1.1 contains a representative list of other provincial permits, approvals, and authorizations that may or may not be applicable to the Project. Note this is not necessarily an all-inclusive list.

**Table 1.1 Other Potential Provincial Permit Requirements**

Project Component	Permit, Approval or Authorization	Issuing Provincial Agency
Right-of-Way (RoW)	Archaeological Field Research Permit	New Brunswick Archaeological Services Branch, Department of Tourism, Heritage and Culture
	Watercourse and Wetland Alteration Permit - <i>Clean Water Act</i>	New Brunswick Department of Environment and Local Government, Sustainable Development, Planning and Impact Evaluation Branch, Surface Water Protection Section
	Highway Usage Permit- <i>NB Highway Corporation Act</i>	New Brunswick Highway Corporation
	Access Permit	New Brunswick Department of Transportation and Infrastructure
	Work Permit	New Brunswick Department of Energy and Resource Development
	Crown Lands - License of Occupation	New Brunswick Department of Energy and Resource Development

## 1.7.2 Federal

This section provides a brief description of the anticipated federal environmental assessment, approval and permitting processes that may apply to the Project.

### 1.7.2.1 Canadian Environmental Assessment Act, 2012

The requirements for federal Environmental Assessment (EA) are defined by the *Canadian Environmental Assessment Act, 2012 (CEAA 2012)*. CEAA 2012 only applies to "Designated Projects," which are physical activities listed under the *Regulations Designating Physical Activities* under CEAA 2010.

The *Regulations Designating Physical Activities* identify 48 "Physical Activities" that constitute Designated Projects requiring environmental assessment under CEAA 2012. Item 39 of the Schedule to the *Regulations Designating Physical Activities* includes:

# ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

*"39. The construction, operation, decommissioning and abandonment of a new electrical transmission line with a voltage of 345 kV or more that requires a total of 75 km or more of new right of way.*

Since the voltage and length of the new transmission line does not exceed these thresholds, the Project is not a Designated Project under CEAA 2012. Further, as no aspect of the Project will be built on federally regulated land, it is not expected that the components of the proposed Project will require an environmental assessment under CEAA 2012, Section 67.

## 1.7.2.2 National Energy Board Act

The National Energy Board (NEB) is responsible for regulating the construction and operation of International Power Lines (IPLs) under the *National Energy Board Act* (Section 58.1) and associated regulations (SOR/97-130). NB Power will be submitting an application for a permit pursuant to Section 58.11 of the NEB Act. The NEB *Electricity Regulations* outline the information to be provided by applicants for permits for the construction and operation of IPLs.

Notwithstanding federal jurisdiction over IPLs, Section 58.17 and Section 58.2 of the NEB Act allow for the application of provincial laws relating to environmental assessment provided an Order in Council is issued by the Government of the province where the IPL is located. On August 13, 2014, the Province of New Brunswick issued an Order in Council No. 2014-372 under the authority of Section 58.17 of the NEB Act. The Order in Council designates the New Brunswick Minister of Environment and Local Government as the provincial regulatory agency for the proposed IPL.

## 1.7.2.3 Species at Risk Act

The *Species at Risk Act* (SARA), by way of Schedule 1, lists species in Canada that are classified as being *extirpated*, *endangered*, *threatened*, or of *special concern*. The more than 300 wild plant and animal species listed in Schedule 1 are afforded special measures to protect them and assist in their recovery. These special measures include, amongst other things, prohibitions against:

- the killing, harming, or harassment of these species
- the damage or destruction of their residences
- the destruction of any part of their critical habitat

The Project will require a desktop review and field assessment to determine the presence of any SARA Schedule 1 listed species, including their residences or critical habitat. In the event such species are found, the Project will implement measures to comply with the SARA.

## 1.7.2.4 Fisheries Act

The *Fisheries Act*, by way of Section 35(1), defines the provisions by which commercial, recreational or Aboriginal (CRA) fisheries are protected. The mitigation measures applied to the

## ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGISTRATION FOR THE INTERNATIONAL POWER LINE PROJECT: WOODSTOCK TO HOULTON, MAINE (TRANSMISSION LINE 0155)

Introduction  
July 26, 2017

Project's activities will comply with the *Fisheries Act* to prevent the "serious harm to fish", including fish habitats, and to fish that support a CRA fishery. Authorization must be provided under Section 35(2) for activities that cause serious harm to fish that support a CRA fishery, including appropriate fish habitat offsetting.

### 1.7.2.5 Migratory Birds Convention Act

The *Migratory Birds Convention Act (MBCA)*, by way of *Migratory Birds Regulations* and *Migratory Birds Sanctuary Regulations*, defines the provisions by which an estimated 450 native species of migratory birds (including their nests and eggs) are protected in Canada. In the event that activities interact with migratory birds in a manner that contravenes *MBCA* regulations, the Project will implement measures to comply with the *MBCA*.