

APPENDIX B

**LEGISLATION APPLICABLE TO THE
KEYYASK TRANSMISSION PROJECT**

Appendix B, Table 1: Legislation Applicable to the Keeyask Transmission Project

Statutes and Regulations	Regulatory Requirement	Actions to Address Requirement
Provincial		
<p>1. <i>The Endangered Species Act</i></p> <ul style="list-style-type: none"> • Threatened, Endangered and Extirpated Species Regulation 	<p>No person shall kill, possess, disturb or interfere with an endangered species, a threatened species, or an extirpated species that has been reintroduced.</p> <p>No person shall destroy, disturb or interfere with the habitat of an endangered species, a threatened species or an extirpated species that has been reintroduced.</p> <p>No person shall damage, destroy, obstruct or remove a natural resource on which an endangered species, a threatened species or an extirpated species that has been reintroduced depends for its life and propagation.</p> <p>Sets out a ministerial exemption that is available to proposed developments.</p>	
<p>2. <i>The Environment Act</i></p> <ul style="list-style-type: none"> • Burning of Crop Residue and Non-Crop Herbage Regulation • Classes of Development Regulation • Environment Act Fees Regulation • Licensing Procedures Regulation • Litter Regulation • Onsite Wastewater Management Systems Regulation 	<p>Maintains an environmental protection and management system in Manitoba.</p> <p>Permit for burning and accumulation of slash and debris.</p>	<p>Burning of slash and debris.</p> <p>Construction, installation or modification of an onsite wastewater management system and disposal of less than 14,000 litres of sewage per day.</p>
<p>3. <i>The Heritage Resources Act</i></p> <ul style="list-style-type: none"> • Heritage Objects Designation Regulation • Heritage Resources Forms Regulation • Heritage Sites Designation Regulation 	<p>Sets out the parameters for dealing with heritage resources (which includes sites and objects).</p>	<p>All persons involved in construction, operations and maintenance of the Project shall comply with all aspects of the Act.</p>

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<p>4. <i>The Planning Act</i></p> <ul style="list-style-type: none"> • Provincial Planning Regulation 	<p>Sets out provincial and regional planning strategies.</p> <p>Contains provisions related to the integration of public services (which includes infrastructure for utilities).</p>	<p>The Project should be consistent with the regional development strategy.</p>
<p>5. <i>The Public Health Act</i></p> <ul style="list-style-type: none"> • Food and Food Handling Establishment Regulation • Water Supplies Regulation • Water Works, Sewerage and Sewage Disposal Regulation 	<p>Laws regarding health standards.</p> <p>Authorization for domestic water system for road camp and start-up camp.</p> <p>Food Handling Permit (camp).</p>	<p>Onsite sewage disposal system and domestic water system.</p> <p>Operating food premises.</p>
<p>6. <i>Sustainable Development Act</i></p>	<p>Creates a framework consisting of principles and guidelines through which sustainable development will be implemented in the provincial public sector and promoted in private industry and in society generally.</p>	
<p>7. <i>The Water Protection Act</i></p> <ul style="list-style-type: none"> • Nutrient Management Regulation 	<p>Provides for the protection and stewardship of Manitoba's water resources and aquatic ecosystems.</p> <p>The Minister may make regulations dealing with the siting, construction or operation of onsite wastewater management systems.</p>	<p>Site, construction and operation of onsite wastewater management systems.</p>
<p>8. <i>The Water Rights Act</i></p>	<p>No person shall use or divert water without a valid and subsisting licence to do so.</p> <p>No person shall construct, establish, operate or maintain any works, without a valid and subsisting licence to do so.</p> <p>No person shall control water or construct, establish, operate or maintain any water control works, without a valid and subsisting licence to do so.</p>	<p>Authorization for water supply system for site start-up camp (surface water).</p> <p>Water use.</p>

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9. <i>The Wildlife Act</i> <ul style="list-style-type: none"> • Designation of Wild Animals Regulation • Designation of Wildlife Lands Regulation • Use of Wildlife Lands Regulation 	Sets out provisions related to designed areas such as wildlife management areas.	Mitigation measures during construction and operation phases will ensure compliance.
10. <i>The Workplace Safety and Health Act</i> <ul style="list-style-type: none"> • Administrative Penalty Regulation • Operation of Mines Regulation • Workplace Safety and Health Regulation 	Laws respecting the safety, health and welfare standards of workers. Sets out employer obligations with respect to the issuance of Blasting Certificates.	
Federal		
1. <i>Canadian Environmental Assessment Act</i>	Sets out project criteria that will result in an environmental assessment of a project.	The Project does not require a federal permit or authorization from a responsible federal authority.
2. <i>Fisheries Act</i> – s. 22, 32, 35(1) and (2), s. 37(1) and (2)	No person shall destroy fish by any means other than fishing except as authorized by the Minister or under a regulation. No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.	Hydro will follow Fisheries and Oceans Canada (DFO) “Overhead Line Construction Operational Statement.” As required, Hydro will seek a Letter of Advice to ensure mitigation measures are in place such that there will not be a requirement for a section 32 authorization or a section 35(2) authorization under the <i>Fisheries Act</i> . An environmental protection plan will be in place to ensure compliance.
3. <i>Migratory Birds Convention Act</i> – s. 5, 5.1	Except as authorized by Regulation, no person shall without lawful excuse be in possession of a migratory bird or nest. No person shall deposit a substance or permit a substance to be deposited in any place frequented by migratory birds if the substance is harmful to migratory birds.	Best management practices will be undertaken to prevent contravention of the Act.

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<p>4. <i>Navigable Waters Protection Act</i> – s. 5(1), 5(2), 5(3), 5.1(1), 5.1(2), 5.1(3), 6(1), 13</p>	<p>No work shall be built, placed in, on, over, under, through or across any navigable water without the Minister’s prior approval of the work, its site, and the plans unless the work falls within a class of works, or then navigable water falls within a class of navigable water falls within a class of navigable waters, established by regulation or statute.</p>	<p>No part of the Project will be built, placed in, on, over, under, through or across any navigable water in such a way as to interfere with navigation.</p>
<p>5. <i>Species at Risk Act</i> – s. 32(1), 33, 34(2)</p>	<p>No person shall kill, harm, harass, capture, or take an individual of a wildlife species that is listed as an extirpated species, an endangered species or a threatened species.</p> <p>No person shall damage or destroy the residence of one or more individuals of a wildlife species that is listed as an endangered species, a threatened species or an extirpated species.</p>	<p>Measures will be undertaken to assure compliance and avoid any potential harm to <i>Species at Risk Act</i>-listed species.</p>