

1 **Q. *Re: 2012 Capital Expenditure Status Report, Appendix A, Page 1 of 6***

2
3 **Please provide the confirmation received from DFO for extending the**
4 **implementation plan.**

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6 A. The final design proposal including the 5 years implementation period was formally
7 submitted to DFO on June 4, 2012. On June 8, 2012 R. D. Finn, Regional Director for
8 DFO responded to Newfoundland Power in a letter and stated “We have reviewed this
9 report and I am pleased to advise that the plans for providing upstream and downstream
10 fish passage for Atlantic Salmon are acceptable to DFO.”

11
12 A copy of the letter is provided in Attachment A.

Fisheries and Oceans Canada
Letter dated June 8, 2012
RE: Rattling Brook Hydroelectric Facility - Fish Pass Design



Fisheries and Oceans
Canada

Pêches et Océans
Canada

PO Box 5667
St. John's NL A1C 5X1

Your File Votre référence

Our File Notre référence
BAB 3970-280

June 8, 2012

Mr. Earl Ludlow
President and Chief Executive Officer
Newfoundland Power Inc.
55 Kenmount Road
PO Box 8910
St. John's NL A1B 3P6

RECEIVED
JUN 13 2012

Dear Mr. Ludlow:

Re: Rattling Brook Hydroelectric Facility - Fish Pass Design

I am writing to you as a follow-up to the letter from Fisheries and Oceans Canada (DFO) of February 10, 2012 requiring Newfoundland Power Inc. to provide a fish pass for Atlantic Salmon around the Rattling Brook hydroelectric generation facility.

As set out in that letter and pursuant to section 20(3) of the Fisheries Act, the place, form and capacity of the fish pass design was to be provided to DFO before construction for review and approval. On June 4, 2012 DFO received NP's design plan entitled "*Reintroduction of Salmon into Rattling Brook Watershed Phase 1 Report - Preliminary Studies and Concept Selection* (February 2012)".

We have reviewed this report and I am pleased to advise that the plans for providing upstream and downstream fish passage for Atlantic Salmon are acceptable to DFO.

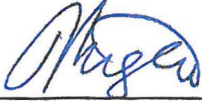
As set out in the February 2010 letter in relation to section 20(4) of the *Fisheries Act*, DFO has also evaluated the flow requirements associated with the various components of the fish pass design proposed by NP. DFO is in agreement with the proposed flows to be maintained at the Amy's Lake Dam bypass structure and at the Gouldings Reservoir smolt fence and spillway bypass. However maintenance flows in the main stem of Rattling Brook downstream of the tailrace, and as such at the tailrace fish collection facility, must be maintained at higher levels. Details of required levels have been provided to your personnel (by e-mails from Michelle Roberge of DFO to David Ball of Newfoundland Power on May 31, 2012).


I commend and thank your staff for the cooperative and collaborative manner in which they have worked with our personnel over the past few years to realize the design of structures which will support the reintroduction of anadromous Atlantic Salmon to the Rattling Brook watershed. We look forward to continued collaboration as the components of the design are installed and monitored to determine their effectiveness.

Canada

If you have any question or would like to discuss this initiative please do not hesitate to contact either me (772-2442) or Tilman Bieger, Regional Manager, Habitat Protection Division (772-4029).

Yours sincerely,



 R.D. Finn
Regional Director
Ecosystems Management

mr

cc Tilman. Bieger, DFO-St. John's
Leon King, DFO-Grand Falls-Windsor
Gary Murray, Newfoundland Power Inc.