

NOVA SCOTIA ENERGY BOARD

IN THE MATTER OF: THE PUBLIC UTILITIES ACT

- and -

IN THE MATTER OF: AN APPLICATION by NOVA SCOTIA POWER INCORPORATED
to approve CI C0064966 – Tusket Tidal Pool Fish Passage -
\$1,763,971

INFORMATION REQUESTS

To: **Lana Myatt**
Manager, Regulatory Capital
Nova Scotia Power Inc.
P.O. Box 910
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By email: lane.myatt@nspower.ca

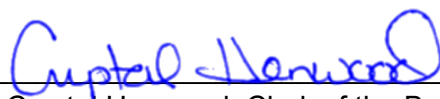
From: **Board Staff**
Nova Scotia Energy Board

Responses Due: **Thursday, June 18, 2026**

Copies: 1 electronic copy (PDF searchable)

Contact Person: **Miranda Mavhunga**
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Nova Scotia Energy Board
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Issued at Halifax, Nova Scotia, this 28th day of May, 2026.



Crystal Henwood, Clerk of the Board

Request IR-1:

Please provide a summary of the fish mortality events that occurred in 2022 and 2023, including:

- a) Estimated fish mortality volumes;
- b) Known or suspected contributing environmental and hydraulic conditions; and
- c) Any findings or observations from internal reviews or third-party investigations.

Request IR-2:

Were there any fish mortality, fish distress, stranding, or similar incidents observed during the 2024 and 2025 migration seasons while temporary mitigation measures were in place?

Request IR-3:

- a) Please provide a copy of any directives, orders, formal correspondence, or written expectations issued by the Department of Fisheries and Oceans (DFO) following the 2022 and 2023 fish mortality events, including any direction related to temporary mitigation measures and permanent remediation requirements; and
- b) Please also confirm whether any additional directives, orders, or formal feedback have been issued by DFO subsequent to the 2023 event, including during the 2024 and 2025 migration seasons.

Request IR-4:

Please explain in further detail why Option A-2 was determined to represent the preferred alternative, including:

- a) How NS Power assessed the balance between environmental effectiveness, constructability, long-term operational requirements, and cost;
- b) Whether any lower-cost alternatives were determined to provide acceptable mitigation outcomes; and
- c) How the selected option minimizes future fish mortality risk relative to the other options considered.

Request IR-5:

Please describe the anticipated long-term operational and maintenance requirements associated with the selected option, including:

- a) Inspection requirements;
- b) Sediment or vegetation management expectations;

- c) Anticipated maintenance of the timber crib structure and piping system; monitoring requirements during migration season; and
- d) Whether the project is expected to materially reduce ongoing manual intervention requirements compared to the temporary pumping arrangement.

Request IR-6:

Please provide additional details regarding the increase in forecast project costs from approximately \$1.32 million to \$1.76 million, including:

- a) A breakdown of the principal cost drivers contributing to the variance;
- b) The rationale for changing the source location of the 6 cfs water supply;
- c) The nature of the archaeological or permitting concerns identified with the original concept;
- d) The extent to which contractor pricing differed from preliminary estimates; and
- e) Whether further material cost escalation risk remains.

Request IR-7:

Please confirm whether DFO, Indigenous communities, or other stakeholders expressed any concerns or preferences regarding the alternative mitigation options evaluated in the Wood Canada report, including:

- a) Options involving greater restriction of tidal exchange;
- b) Options involving infilling or substantial alteration of the wetland area; and
- c) Any concerns related to fish passage, habitat alteration, or long-term ecological impacts.

Request IR-8:

Please provide a high-level summary of the procurement process undertaken for the design and construction components of the project, including:

- a) The procurement method utilized;
- b) Whether the process was competitive;
- c) The number of proponents participating; and
- d) The primary factors considered in vendor selection.

Request IR-9:

Please provide additional detail regarding the “First Nations Commitment” costs included within the project estimate, including:

- a) The nature and purpose of the commitment;

- 1 b) Whether the amounts relate to consultation, monitoring, procurement participation,
- 2 cultural or archaeological considerations, environmental involvement, or other activities;
- 3 c) Whether these commitments arise from regulatory requirements, NS Power policy, or
- 4 negotiated arrangements; and
- 5 d) Whether additional First Nations-related costs are anticipated over the life of the project.