



**Environment  
Office of the Minister**

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our file number:

**JUL 25 2014**

Tom Bird  
BluEarth Renewables Inc.  
34 Harvard Road  
Guelph ON N1G 4V8

Dear Mr. Bird:

**Re: Environmental Assessment - East Bay Hills Wind Project  
Cape Breton Regional Municipality, Nova Scotia**

The environmental assessment of the proposed East Bay Hills Wind Project, near East Bay, Cape Breton, Nova Scotia, has been completed.

This letter is to advise that, pursuant to Section 13 (1)(a) of the Environmental Assessment Regulations, I have determined that the registration information provided is insufficient to allow me to make a decision and that I require additional information.

During the environmental assessment review, it was determined that additional information is required to evaluate the high potential for adverse effects within the limited remaining habitat of endangered Canada Lynx. Study methodology and project scope must be developed in consultation with, and to the satisfaction of, Nova Scotia Environment and Nova Scotia Department of Natural Resources. Cape Breton Hydro Inc. must use this information to better inform the proposed road and turbine layout in order to maximize avoidance of impacts to Canada Lynx habitat to the greatest extent possible while balancing other habitat conservation issues such as wetland avoidance.

Wetland delineation has been determined to be preliminary and completed outside of the normal accepted delineation season. In addition, a detailed survey of vascular plants has not been completed for wetlands during the growing season. As a minimum, wetland delineation and a detailed survey of vascular plants must be completed during the growing season (approximately June 1 to September 30) for all wetlands expected to be impacted by project infrastructure.

During the review it was unclear whether noise at the receptor locations represents the worst-case scenario with respect to wind speed. The example output sheet indicates that the modelled wind speed was 3.0 m/s; however, according to the Wind Turbine Technical Literature, the noisiest operational speed for this model is reached when wind speed is 9 m/s. Information must be provided in order to verify that the calculation results represent the worst-case scenario for wind speed and noise generation.

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The Noise Assessment Report indicates a global ground attenuation of 0.7 was used in the noise model. This parameter can vary between 0 and 1 - with 0 representing harder ground and values closer to 1 representing softer ground. The most conservative value to use in the model would therefore be 0, which represents a situation where no sound is absorbed by the ground. Justification must be provided for the use of 0.7 as the ground attenuation value or remodel noise levels using a more conservative ground attenuation value.

Additional information may also be required with respect to potential adverse environmental effects of the Project in the event turbines are relocated to accommodate the objectives detailed above.

This information must be submitted by Cape Breton Hydro Inc. within one year, as an addendum to the original Registration Document. Upon submission of the information I will have 50 days to make my decision.

Cape Breton Hydro Inc. must not commence the undertaking or any part thereof until the undertaking has been approved under Part IV of the *Environment Act*.

If you have any questions regarding the approval of this project, please contact the Supervisor, Environmental Assessment Branch, Ms. Helen MacPhail at (902) 424-3960 or via email at [macphafh@gov.ns.ca](mailto:macphafh@gov.ns.ca)

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Delorey', with a long, sweeping flourish extending to the right.

Randy Delorey, MLA  
Minister of Environment

c: Helen MacPhail