

# **Environmental Assessment Approval**

**Approval Date:** *Original Dated October 23, 2006*

## **Higgins Mountain Road 3.5 MW Wind Power Project Springhill Riverhurst Wind Power Ltd., Proponent**

**Higgins Mountain Road, Cumberland County, Nova Scotia**

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The 3.5 MW Higgins Mountain Road Wind Power Development (the “Undertaking”), proposed by SpringHill Riverhurst Wind Power Ltd. (the “Proponent”), Higgins Mountain Road, Cumberland County, Nova Scotia is approved pursuant to Section 13(1)(b). This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations, by-laws, guidelines, policies or standards before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Information.

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## **Terms and Conditions for Environmental Assessment Approval**

### **1.0 General Approval**

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the Registration Document. Any proposal by the Proponent for expansion, modification or relocation of any aspect of the project from that proposed in the registration document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.
- 1.2 The Proponent must within 2 years of the date of issuance of this approval commence work on the Undertaking unless granted a written extension by the Minister.
- 1.3 The Proponent must not transfer, sell, lease, assign or otherwise dispose of this approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.

- 1.4 The Proponent must implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSEL.

## **2.0 Birds**

- 2.1 Considering the results of the Fall study, the Proponent must implement a program to monitor for birds to the standards as defined by the Nova Scotia Department of Natural Resources Wildlife Division and Canadian Wildlife Service. Based on the results of monitoring programs, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSEL, based on consultation with NSDNR Wildlife Division and EC.

## **3.0 Bats**

- 3.1 Considering the results of the Fall study, the Proponent must implement a program to monitor for bats to the standards as defined by the NSDNR Wildlife Division. Based on the results of monitoring programs, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSEL, based on consultation with NSDNR Wildlife Division.

## **4.0 Public Consultation**

- 4.1 The Proponent must appoint a contact person designated to deal with complaints from the public, and must provide the contact information to NSEL.

## **5.0 Archaeological and Heritage Resources**

- 5.1 The Proponent must cease work and contact the Director, Heritage Division, Nova Scotia Tourism, Culture and Heritage, and the Executive Director, Union of Nova Scotia Indians, immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed project.

## **6.0 Noise and Visual Impact**

- 6.1 The Proponent must monitor noise levels, at the request of NSEL. Based on the results of monitoring program, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of

NSEL.

## **7.0 Site Reclamation**

- 7.1 The Proponent must submit a reclamation plan to NSEL for review and approval, six months prior to initiating site reclamation and abandonment. The Proponent must reclaim the site to the satisfaction of NSEL.

## **8.0 Contingency Plans**

- 8.1 Prior to construction of the components of the Undertaking, the Proponent must provide for review and approval to the NSEL Amherst District Office, an Environmental Protection Plan (EPP) for the construction, operation and maintenance of the Higgins Mountain Road Wind Power Project. The EPP must include, but not be limited to:
- a) details of procedures to ensure hazardous material are handled, stored and disposed of properly
  - b) details of erosion and sedimentation control plans, including a monitoring program for site runoff
  - c) such other information as required by NSEL.
- 8.2 The Proponent must provide NSEL for review and approval a contingency plan, as part of the Environmental Protection Plan, that includes but is not limited to:
- a) accidental occurrences, including but not limited to contingencies for spills, spill equipment kept on-site, and list and location of emergency phone numbers
  - b) training to be delivered to staff
  - c) procedures for responding to incidents occurring during times when the facility is not staffed (e.g. evenings, weekends, holidays).
- 8.3 The Proponent must adhere to the EPP once finalized and approved by NSEL.

*Original Signed By*

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Mark Parent  
Minister of Environment & Labour