

# **Environmental Assessment Approval**

**Approval Date:** *Original dated Nov 2005*

## **4MW Lingan Wind Power Project**

### **Glace Bay Lingan Wind Power Ltd., Proponent**

**Lingan, Cape Breton Regional Municipality,  
Nova Scotia**

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The 4 MW Lingan Wind Power Development (the “Undertaking”), proposed by Glace Bay Lingan Wind Power Ltd. (the “Proponent”), Lingan, Cape Breton Regional Municipality, 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 shall 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 shall 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 shall implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSEL.

## **2.0 Birds**

- 2.1 The Proponent shall provide to the Nova Scotia Department of Natural Resources (NSDNR) Wildlife Division and the Canadian Wildlife Service (CWS), for review, details of the fall migratory bird survey and assessment of potential impacts to fall migratory species.
- 2.2 The Proponent shall implement a program to monitor impacts to birds over a period of one year, and the bird protocol/program shall be submitted to NSDNR Wildlife Division and CWS by dates determined by NSDNR Wildlife Division and CWS. Based on the results of monitoring programs, the Proponent shall make necessary modifications to mitigation plans and/or wind farm operations to prevent continued unacceptable environmental effects to the satisfaction of NSEL, based on consultation with NSDNR Wildlife Division and CWS.
- 2.3 Prior to wind turbine construction and assembly, the Proponent shall submit a proposed turbine lighting plan for review and approval by Environment Canada (EC).

## **3.0 Bats**

- 3.1 The Proponent shall implement a program to monitor impacts to bats over a period of one year, and the bat protocol/program shall be submitted to NSDNR Wildlife Division by dates determined by NSDNR Wildlife Division. Based on the results of monitoring programs, the Proponent shall make necessary modifications to mitigation plans and/or wind farm operations to prevent continued unacceptable environmental effects to the satisfaction of NSEL, based on consultation with NSDNR Wildlife Division.

## **4.0 Wetlands**

- 4.1 Prior to construction of the components of the Undertaking, the Proponent shall re-assess potential impacts to wetlands and propose appropriate mitigation measures, and submit the results for review and approval to NSDNR Wildlife Division.

## **5.0 Public Consultation**

- 5.1 At the request of NSEL, the Proponent shall form a Community Liaison Committee (CLC) in consultation with NSEL and with municipal and community representatives. The NSEL *Process for the Formation of a Community Liaison Committee* shall be used for the guidance of the Proponent and community.

## **6.0 Archaeological Resources**

- 6.1 The Proponent shall perform archaeological assessments involving subsurface testing in the area of the proposed turbines and access roads (as proposed in the Registration Document).
- 6.2 The Proponent shall cease work and contact the Director, Heritage Division, Nova Scotia Department of Tourism and Culture, 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.

## **7.0 Noise and Visual Impact:**

- 7.1 Prior to construction of the wind turbines, the Proponent shall provide to the Environmental Assessment (EA) Branch, additional information and/or diagrams to demonstrate the impact of the proposed wind turbines on the landscape values in the Lingan site and the adjacent area (both seaward and landward).
- 7.2 The Proponent shall monitor for noise at the request of NSEL.

## **8.0 Transportation**

- 8.1 The Proponent shall provide Nova Scotia Transportation and Public Works with the details of how equipment will be transported to the site and determine which, if any, permits are required.

## **9.0 Wind Farm Development and Operation**

- 9.1 Prior to construction of the components of the Undertaking, the Proponent shall conduct a geotechnical assessment of the area and provide the results to the EA Branch.
- 9.2 The Proponent shall not blast unless otherwise approved by NSEL.
- 9.3 Prior to construction of the components of the Undertaking the Proponent shall provide for review and approval to the NSEL Sydney District Office, an Environmental Protection Plan (EPP) for the construction, operation and maintenance of the Langan Wind Power Project. The EPP shall 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.
- 9.4 The Proponent shall adhere to the EPP once finalized and approved by NSEL.
- 9.5 The Proponent shall provide in a form acceptable to NSEL, proof of either ownership of the site or a lease or other written agreement or option with the landowner or occupier to enable the Proponent to conduct the activity on the site.

## **10.0 Site Reclamation**

- 10.1 The Proponent shall submit a reclamation plan to NSEL for review and approval six months prior to initiating site reclamation and abandonment.

## **11.0 Contingency Plans**

- 11.1 The Proponent shall provide for review and approval a contingency plan, as part of the EPP, that includes but shall not be limited to:
- a) accidental occurrences, including but not limited to contingencies for spills, including spill equipment kept on-site 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).

*Original Signed By*

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Kerry Morash  
Minister of Environment and Labour

