

# **Environmental Assessment Approval**

**Approval Date:** *Original Dated July 14, 2008*

## ***Nuttby Mountain Wind Farm***

**3217284 Nova Scotia Limited, Proponent**

**Nuttby Mountain, Colchester County, Nova Scotia**

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The 45 MW Nuttby Mountain Wind Farm (the "Undertaking"), proposed by 3217284 Nova Scotia Limited (the "Proponent"), Colchester 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 NSE.

## **2.0 Birds & Bats**

- 2.1 Prior to turbine construction the Proponent must submit a fall and spring migratory bird survey to Canadian Wildlife Service (CWS). Based on the results of the survey, the Proponent must make necessary modifications to mitigation plans and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSE.
- 2.2 The Proponent must develop and implement a program to monitor for birds and bats. The monitoring program and associated reporting requirements must be developed to the standards as determined by the Nova Scotia Department of Natural Resources (NSDNR) and Canadian Wildlife Service (CWS). Based on the results of bird and bat monitoring, the Proponent must make necessary modifications to mitigation plans, and/or wind farm operations to prevent any unacceptable environmental effects to the satisfaction of NSE.
- 2.3 If site preparation activities occur between May 1 and August 31 (breeding season for most birds), the Proponent must prepare and implement a monitoring and mitigation plan for breeding activity (i.e. nesting) in consultation with NSDNR and CWS.
- 2.4 The Proponent shall develop a turbine lighting plan in consultation with CWS and Transport Canada.

## **3.0 Ground and Surface Water Resources**

- 3.1 The Proponent shall not blast unless otherwise approved by NSE.
- 3.2 The Proponent shall not construct a wind turbine within 30m of a wetland or watercourse unless otherwise approved by NSE.

## **4.0 Noise and Visual Impact**

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

## **5.0 Public Consultation**

- 5.1 The Proponent must develop a complaint resolution program to address public concerns associated with the project. The Proponent must appoint a contact person designated to deal with concerns from the public, and must provide the contact information to NSE.
- 5.2 The Proponent shall consult with the following groups regarding final siting of wind turbines:
- a) Environment Canada's National Radar Program
  - b) Local trails groups
  - c) Seaside Wireless Communication

## **6.0 Archaeological and Heritage Resources**

- 6.1 The Proponent must cease work and contact the Director, Heritage Division, Nova Scotia Department of Tourism, Culture and Heritage, the Executive Director, Confederacy of Mainland Mi'kmaq 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 Environmental Protection Plan (EPP)**

- 7.1 Prior to construction, the Proponent must provide for review and approval to the NSE Truro District Office, the following information:
- a) An Environmental Protection Plan (EPP) for the construction, operation and maintenance of the Project. The EPP must include, but not be limited to:
    - i) details of erosion and sedimentation control plans,
    - ii) a monitoring program for surface waters
    - iii) a contingency plan to address accidents that includes spill response procedures, emergency contacts, and staff training.
  - b) The locations and construction details for proposed new roads, turbines and associated infrastructure, and any other such

information as required by NSE.

- 7.2 The Proponent must adhere to the EPP once finalized and accepted by NSE.

## **8.0 Site Reclamation**

- 8.1 The Proponent must submit a decommissioning plan to NSE for review and acceptance six months prior to initiating project decommissioning and site reclamation. The Proponent must reclaim the site to the satisfaction of NSE.

*Original signed by*

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Mark Parent  
Minister of Environment