

Re: Environmental Requirements: Wind Energy Projects

1. PURPOSE.

The following directive has been established to provide direction to proponents clarity regarding Section 9 of the Community Feed-in Tariff (COMFIT) application (Environmental Requirements).

2. POLICY RATIONALE.

The COMFIT program is designed to assist in the development of renewable low-impact electricity generation facilities owned by Nova Scotian-based community entities. Qualifying projects must meet the requirements of the COMFIT program as outlined in the *Renewable Electricity Regulations* and COMFIT directives.

The COMFIT application states that proponents must demonstrate that they have knowledge of the specific environmental regulations, permits, and approvals that their project will require. Feed-in tariff approval will not be granted to projects that do not demonstrate an appropriate level of understanding of the regulations, permits, and approvals that they must obtain for their project. This Directive clarifies the requirements of Section 9: Environmental Requirements of the COMFIT Application and the Notice to Prospective and New COMFIT Applicants (effective April 30, 2012) for wind energy projects. Due to economies of scale and environmental impacts, the environmental requirements for small- and large-wind COMFIT applications are different. This ensures consistency with the Nova Scotia Department of Environment's Environmental Assessment process for wind energy projects 2 megawatts (MW) or greater.

This Directive amends the requirements of Section 9 of the COMFIT Application, including changes to the Environmental Statement and Environmental Checklist requirements as well as previously outlined Geographic Information System (GIS) data. This Directive outlines the environmental requirements small-wind (50 kilowatts or less) and large-wind (greater than 50 kilowatts) must meet in order to satisfy the COMFIT One Window Committee.

The amendments to Section 9 of the COMFIT Application are designed to process COMFIT applications more efficiently.

3. LEGAL AUTHORITY.

Under Subsection 28(1) of the Renewable Electricity Regulations, the Minister of Energy (Minister) may approve or reject an application for a Feed-in Tariff approval that satisfies the requirements of the Act and the regulations. This directive provides guidance regarding what stage of projects the Minister will consider eligible for COMFIT Approval.

4. DIRECTIVE.

This Directive states that Section 9: Environmental Requirements of the COMFIT Application will consist of different requirements for small-wind or large-wind projects. This Directive does not impact the requirements under Section 9 of the COMFIT Application for any other COMFIT eligible technologies as outlined in the *Renewable Electricity Regulations*.

This Directive formalizes the guidance in the Notice to Prospective and New COMFIT Applicants (effective April 30, 2012) for wind energy projects.

Proponents submitting a wind energy project with capacity of less than 2 megawatts (MW) must submit an Environmental Statement that outlines the expected environmental impact of the proposed project and any measures the proponent is taking or will take to mitigate any adverse impacts on the natural environment. Small-wind applicants should consult the Environmental Checklist when preparing their Environmental Statement.

In addition, these applicants must provide appropriate Geographic Information System (GIS) data (shapefiles as well as kml/kmz files) with their COMFIT Application. These files must consist of:

- An outline of the proposed project area (footprint) as a polygon shapefile, including the project name, proponent name, application number, number of towers, proposed tower height, and proposed tower capacity (in megawatts).
- The project area should include the location of the towers (within 100 meters), and property ownership by Property Identification Number (PID) as a polygon shapefile.
- A linear road shapefile with attributes labeled as roads to be constructed, existing roads to be upgraded, and existing roads to be utilized but not upgraded.

Proponents submitting a wind energy project with capacity 2 MW or greater must submit a brief Environmental Statement with their COMFIT Application, which outlines at a high level any expected environmental impacts of the proposed project and any mitigation measures. Further environmental reports and analysis will be conducted during the Nova Scotia Department of Environment's Environmental Assessment (EA) process. An EA is a tool that predicts and evaluates that environmental effects of a proposed undertaking in order to facilitate decision-making on the acceptability of the undertaking. Learn more about EAs at <http://gov.ns.ca/nse/ea>.

In addition, these applicants must provide appropriate Geographic Information System (GIS) data (shapefiles as well as kml/kmz files) with their COMFIT Application. These files must consist of:

- An outline of the proposed project area (footprint) as a polygon shapefile, including the project name, proponent name, application number, number of towers, proposed tower height, and proposed tower capacity (in megawatts).
- The project area should include the location of the towers (within 100 meters), and property ownership by Property Identification Number (PID) as a polygon shapefile.
- A linear road shapefile with attributes labeled as roads to be constructed, existing roads to be upgraded, and existing roads to be utilized but not upgraded.

5. DEFINITIONS.

“Renewable low-impact electricity generation facility” means a facility in the Province that generates qualifying renewable low-impact electricity (as defined in Section 18(1) of the *Renewable Electricity Regulations*) and has received all required approvals and permits.

“Small Wind” means wind power with a capacity of 50 kilowatts (kW) or less. Small wind turbines must have a swept area of less than 200 m² and an output of 50 kW or less at a wind speed of 11 m/s.

“Large Wind” means wind power with a capacity of greater than 50 kW. Large wind turbines must have an output greater than 50 kW at a wind speed of 11 m/s.