

Environmental Considerations for COMFIT Projects

Demonstrating Knowledge

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. The proponent does not have to obtain these permits and approvals before submitting their application. However, 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. The Minister reserves the right to revoke feed-in tariff approval from projects, including ones that do not comply with all necessary municipal, provincial and federal environmental regulations, as per section 43(2)¹ of the Renewable Electricity Regulations.

Provincial Environmental Approvals

Environmental Assessment vs. Environmental Site Assessment

An environment assessment is a tool through which the environmental effects of a proposed undertaking are predicted and evaluated, and a subsequent decision is made on the acceptability of the undertaking² Environmental assessments will be required for wind and small scale tidal projects greater than 2 MW, biomass projects greater than 4,000 GJ and run of the river projects greater than 10 MW.

An environmental assessment should not be confused with an environmental site assessment which looks at whether or not the project site may have been previously contaminated for example. Often times, lending agencies such as banks as well as seller and buyers of property will request an environmental site assessment to determine the environmental liability associated with a property.

What do environmental assessments require?

Environmental assessments will require information related to the project including the geographic location of the site, physical components, site preparation and construction details, setback and separation distances, operation and maintenance plans and decommissioning agreements. Assessments also consider the effects of the project on the biophysical environment, socio-economic conditions, the effects of the undertaking on the environment and the effects of the environment of the undertaking (i.e. climate change).

¹ 43(2) In addition to the powers and duties set out in subsection (1), the Minister may do any of the following: ...
(b) suspend or revoke an approval issued under these regulations;

² "A Proponent's Guide to Environmental Assessment" NS Department of Environment. Sept 2009.
<<http://www.gov.ns.ca/nse/ea/docs/EA.Guide-Proponents.pdf>>

Environmental Impact Statements

You will be required to submit an environmental impact statement as part of the COMFIT application. This should be based on the information gathered when completing the Environmental Considerations Check List (see below).

Environmental Considerations Checklist

The following checklist will assist you with the preparation of the Environmental Impact Statement and Environmental Assessment, if required. Please note, this list is not meant to be exhaustive. For more detailed information see Nova Scotia Environment's 'Proponent's Guide Environmental Assessment' and 'Proponents Guide to Wind Projects'.

Checklist:

- Will preparing your project site and constructing your project impact the local environment?
- What is the proximity of your project to local conservation areas (provincial, federal and municipal)?
- Will your project or the construction of your project affect the migratory pattern of birds, bats, or other wildlife?
- Will your project impact a large or important bird colony (herons, gulls, terns, raptors, waterfowl) or bats?
- Is your project located within 5 km inland of costal waters (potential impact to shorebirds)?
- Is your project near a protected municipal water supply?
- Will the operation and maintenance of your project have environmental impacts?
- Will your project effect the biophysical environment including the geological features, surface water, groundwater, wetlands, flora and fauna species and habitat, etc.?
- Have you considered what the overall impacts of the project will be on the environment and vice versa, what the effects of the environment will be on your project?
- Does your project impact Aboriginal rights or title?
- Has the federal government provided you with financial assistance, sold, leased or disposed of federal lands for the purposes of your projects? If so, a federal environmental assessment may be required. For more information please visit www.ceaa.gc.ca.
- Have you considered the time it will take you to obtain an environmental assessment and factored that in to your project planning? For more information on regulatory time frames visit <http://www.gov.ns.ca/nse/ea/docs/EA.RegistrationTimeFrames.pdf>.

If there are minimal environmental impacts assessed for your project, your statement might include information such as:

- there are no known bat hibernacula within a 25 km radius;
- the project is not within a migratory staging or wintering area, or near a conservation area or habitat for large raptors,
- the project is not expected to impact a watercourse

If you suspect there may be complex environmental issues related to the construction of your renewable electricity project please contact Nova Scotia Environment very early on during your project planning. For more information about environmental assessments please contact the Environmental Assessment Branch of Nova Scotia Environment at (902) 424-3230 or refer to www.gov.ns.ca/nse/ea.

Feel free to include any formal information and advice you receive from Nova Scotia Environment with the submission of your COMFIT application. Obtaining accurate information about the potential impacts of your project early in the process will allow your application to be processed more efficiently and will also allow you to communicate this information to the community and other interested stakeholders.

If you have questions about what you need to submit in your COMFIT application please send them to comfit@gov.ns.ca.