

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Sequoia Energy Inc.
PROPOSAL NAME: KillarneyWind Energy Project
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Energy Production
CLIENT FILE NO.: 5164.00

OVERVIEW:

The Proposal was dated January 17, 2006 and was received on January 20, 2006. The advertisement of the Proposal read as follows:

“A Proposal for the Killarney Wind Energy Project has been filed by Sequoia Energy Inc. for the construction and operation of a 99 megawatt (MW) net electrical generation capacity commercial wind energy facility within the Rural Municipality of Turtle Mountain. The development consists of 35 to 70 wind turbine generators and ancillary facilities located on 30 sections of privately owned land across a 34,608 acre Project Area near the community of Lena, south of Killarney. An Environmental Impact Assessment (EIA) prepared by TetrES Consultants Inc has been filed in support of the Environment Act Proposal. Site preparations and initial construction is expected to begin in March 2007 with the final in-service date targeted for December 2008.”

The Proposal was advertised in the following newspapers:

Killarney Guide – Friday, February 3, 2006;

Boissevain Recorder – Friday, February 3, 2006

Cartwright South Manitoba Review – Tuesday, February 7, 2006

The Proposal was made available for public review at the following locations:

Main Registry/Winnipeg Public Library/Manitoba Eco-Network (Wpg);

Lakeland Regional Library (Killarney)

It was also distributed to the "Energy Production" TAC members for comment. All comments were requested by March 10, 2006.

PUBLIC RESPONSE

Comments received in response to the advertisement supportive of the proposal:

Letters

Jim Dowsett, CMMA
Chief Administrative Officer
Town of Killarney/ R.M. of Turtle Mountain
P.O. Box 10/ P.O. Box 160
Killarney, MB R0K 1G0 -dated March 22, 2006

M.L. (Lee) Bartley
President
Killarney and District Chamber of Commerce
Box 809
Killarney, MB R0K 1G0 -dated January 30, 2006

Allen E. Pearen
Chair
Turtle Mountain Sustainable Ventures Inc.
Deputy Mayor, Town of Boissevain
P.O. Box 10
Killarney, MB R0K 1G0 -dated January 12, 2006

Dale Banman
Community Development Officer
Killarney & District Community Development Corporation
Box 10
415 Broadway Ave.
Killarney , MB R0K 1G0 -dated March 22, 2006

Randy Hodge
General Manager
Killarney-Cartwright Consumers Co-operative
Box 880
416 Broadway Ave.
Killarney, MB R0K 1G0 -dated January 13, 2006

Mark Witherspoon
President
Market Sales Ltd.
Shop Easy Foods
Box 1059
Killarney, MB R0K 1G0 -dated January 13, 2006

David and Gary King
P.O. Box 1110
Killarney, MB R0K 1G0 - dated January 15, 2006

Vic and Lila Martens
Box 1239
Killarney, MB R0K 1G0 - dated January 14, 2006

Wayne and Adelyn Nichol
Kelvin and Margaret Nichol
Rosevalley Farms Ltd.
Killarney, MB R0K 1G0 - dated January 16, 2006

e-mails

Ed & Lori Dorothy Martens
Troy and Lori Martens - sent January 16, 2006
emarten@inetlink.ca

Kenneth and Stacey Dyck
Henry and Anna Dyck
Dennis and Rhonda Wiebe - sent January 13, 2006
ksdyck@inrtlink.ca

Comments received which express concerns with respect to the proposal are as follows:

C. Fitzgerald - e-mail sent March 8, 2006

EIA does not address the cumulative effects of the project in accordance with the Canadian Environmental Assessment Act in the following areas:

- “wind shadow” on a local and regional scale
- wind turbine blade “flicker” effects on people on a local scale
- cumulative effects (economic and environmental) of the project on Manitoba Hydro’s electric grid and system operations.
- Method used to notify Metis, aboriginal and First nation communities about the public consultation process.
- Request Clean Environment Commission hearing.

Disposition: The Canadian Environmental Assessment Act process provides for an assessment of cumulative effects and can be considered during the federal environmental screening of the project by Natural Resources Canada. The EA documents correspondence sent to Metis and Aboriginal communities with invitations to attend proponent sponsored public open houses on the project. A CEC hearing is not recommended on the basis of one request.

Gaile Whelan Enns
Director, Manitoba Wildlands
1000-191 Lombard Ave.
Winnipeg MB R3B OX1

- letter dated March 8, 2006

- No public EA guidelines for wind energy projects in Manitoba
- The Killarney Wind Energy Project may become subject to staged licensing for any future expansion
- Projects are described as 99 MW to avoid a federal trigger under the CEAA. Combined size of a wind project should be the basis for decisions about federal responsibility and assessment.
- Standards are required which detail to the public how other agencies and departments are responsible for related infrastructure on wind projects.
- Wind projects need to be undertaken in accordance with a Manitoba Energy Plan.
- Information contained in wind project EA's should not be confidential.
- Public notice for open houses and access to information prior to construction has not been adequate.

Disposition: On April 12, 2006 the Director of Environmental Assessment and Licensing provided a letter of response advising that the comments would be filed on the public registry and would be considered in conjunction with the Environment Act review of the Killarney Wind Project.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Historic Resources Request that the proponent contract an archaeological consultant to conduct a heritage resources survey of the proposed wind turbine locations and access roads.

Disposition: Comment can be accommodated as a condition in the Licence.

Intergovernmental Affairs (Community Planning Services Offices -Deloraine) Note that "Wind Energy Generation Operations"(WEGO) are allowed as a conditional use in agriculturally zoned areas the RM of Turtle Mountain. Following Public Notice and local hearing, Council may approve any WEGO application with conditions. The process will take 2 to 3 months. The Turtle Mountain Zoning By-Law also contains specific requirements for any WEGO including setbacks from roads, property lines and residences.

Agriculture No comment.

Transportation and Government Services Comments are as follows:

- Permits are required from T&GS under The Highways and Transportation Act to construct or modify access driveways onto Provincial roadways and for the placement of any structures within adjacent control areas (125' from the edge of Provincial road rights-of-way) and a 500' control circle at the junction of PTH 3 and PTH 18.
- Permits are required from the Highway Traffic Board (under The Highways Protection Act) for any accesses or structures within the Provincial Trunk Highway (PTH) 23 (125' from PTH 23 right-of-way).
- All proposed overhead and buried power lines will be reviewed to ensure their location meets T&GS guidelines.
- existing drainage patterns along Provincial highway right-of-way should be maintained.
- detailed design drawings for works proposed adjacent to PTH 18 and PTH 3 should be forwarded to Departmental staff for review and approval.
- provide MT&GS staff to be contacted with regard to T&GS requirements.

Disposition: This information will be forwarded to the proponent for direct follow up with T&GS.

Conservation (Policy Coordination Branch) Recommend the following:

- Surveys of bats, rare birds and areas of rare plants, plant communities and native prairie within the project area should be carried prior to construction.
- Migratory routes for birds and bats should be determined and avoided when locating wind turbines.
- Underground cables and wind turbines should avoid wetlands.
- Post-construction bat and avian surveys including ingress and egress from wetlands should be conducted during the spring migration, breeding period and summer and fall migrations.
- Leks (dancing or display ground) on or adjacent to native prairie areas should be identified and avoided when locating wind turbines and access roads
- Towers should be marked with strobe lights to reduce nighttime bird mortality.
- The Provincial Guidelines for Sound Pollution, Environmental Sound Objectives, Schedule A should be observed.

Disposition: The Proposal EIA states that the proponent intends to develop an Environmental Protection Plan (EPP) for the development. The requirement to provide an EPP will be included as a condition of the Licence. The recommendations to undertake a rare plant and bat surveys areas and the avian surveys including identification of migratory routes and leks can be accommodated as specific requirements of the EPP. A copy of the detailed comments have been provided to the consultant for consideration in developing appropriate survey methodology and mitigation in the EPP.

With respect to sound the Licence will require that siting of WTG's be carried out in accordance with the Provincial Guidelines for Sound Pollution. It is also recommended

that the Licence contain a separate clause to address noise nuisance issues during operation of the Development.

The remaining requirements can be accommodated as separate conditions in the Licence.

Water Stewardship Recommend the following:

- adherence to the *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat* during construction including:
 - consultation with the Brandon Regional Fisheries Manager in the selection of crossing locations and types.
 - no instream work between April 1 and June 15
 - scheduling any instream work after June 15 in erosion prone areas during dry periods.
- Any boreholes and test pits should be filled and sealed to prevent downward migration of surface contaminants.
- Any dewatering required during construction requires authorization by the Water Licensing Branch.
- The Environmental Protection Plan (EPP) should describe the proposed environmental practices to be employed to mitigate adverse effects on groundwater and local wells in the event of accidental contamination during construction and a description of the methods to be used to collect baseline data to assess changes to water quality during operation.

Disposition: Comments can be accommodated as conditions of licencing.

Canadian Environmental Assessment Agency (CCEA)

Fisheries and Oceans Canada requests a complete and separate description of the activities occurring at each watercourse access road crossings and transmission line crossings including a description of the waterbody name and location, existing habitat, construction details/mitigation measures and site restoration/compensation/monitoring techniques. After the information has been submitted, DFO will determine whether it will become a Responsible Authority or provide specialist advice.

Disposition: The proponent is responsible to meet DFO requirements pursuant to the Fisheries Act irrespective of The Environment Act licencing process.

Environment Canada recommends that:

- a baseline study be undertaken of bird use in the project area and the effects of bird use of the various habitats affected by WTG structures.
- the proponent implement post construction mortality study to monitor mortality of birds/bats due to strikes with WTG structures.
- construction activities in areas where birds may be nesting or rearing their young, such as native grasslands, wetlands, lake or pond edges be avoided between April 15 to July 30.
- strobe lighting on the towers would be preferred to minimize nighttime bird mortality.

Disposition: Comments have been forwarded to the project proponent for follow-up, as appropriate, and in accordance with the requirements of the Canada – Manitoba Agreement on Environmental Assessment Cooperation. Specifics regarding the design of the avian survey/study can be detailed within the Environment Protection Plan which will be required as a condition of the licence. The type of lighting on the towers is regulated by Transport Canada, Aerodrome Safety Section and is therefore outside provincial regulatory jurisdiction. The remaining requirements can be accommodated as other separate conditions of licensing.

PUBLIC HEARING

A public hearing is not recommended for this project on the basis that the majority of responses received in response to the Environment Act advertisement of the Proposal were supportive. Only one request for a public hearing was received.

CONCLUSION AND RECOMMENDATION:

The comments received from the technical review of the Proposal can be accommodated as conditions of licencing. It is recommended that the project be licenced pursuant to the Environment Act in accordance with the terms and conditions described in the attached draft Environment Act Licence.

PREPARED BY:

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Environmental Assessment & Licensing
April 19, 2006
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