

1 INTRODUCTION

Wisokolamson Energy LP (WISK) is proposing the development of the Wisokolamson Energy Project (Project). WISK is a limited partnership between SWEB Development LP and Woodstock First Nation (WFN). WFN will have a 51% interest in the Project and SWEB Development LP will have a 49% interest. The WFN will be responsible for supporting the development, construction, and operation of the Project as well as continuing to be involved in all First Nations engagement and stakeholder consultation.

SWEB Development (SWEB) is a team of renewable energy professionals who are passionate about community, the environment, and shared social values. SWEB is the North American subsidiary of W.E.B. Group, an Austrian, community-owned renewable energy development company. W.E.B operates wind energy, photovoltaic, and small-scale hydroelectric power plants throughout Europe and North America. SWEB has over 500 megawatt (MW) in development throughout North America. Given SWEB's experience in the renewable energy sector, it will lead and manage all development, construction, and operation activities associated with the Project.

1.1 THE PROPONENT

1.1.1 NAME AND ADDRESS OF PROPONENT

The proponent is as follows:

Wisokolamson Energy LP (WISK)
44 Chipman Hill Suite 1000
Saint John, New Brunswick (NB), E2L 2A9

1.1.2 PRINCIPAL PROPONENT CONTACT

The principal proponent contact for the Project is as follows:

Jason Parisé, Development Manager
SWEB Development
6080 Young Street, Suite 106
Halifax, Nova Scotia (NS), B3K 5L2
Phone: (902) 431-0564 ext. 254
Email: jason.parise@swebdevelopment.ca

1.1.3 ENVIRONMENTAL ASSESSMENT CONTACT

The consultant contact for the Project is as follows:

Christina LaFlamme, Project Manager
WSP Canada Inc.
90 Woodside Lane
Fredericton, NB, E3C 2R9
Phone: 1 506-458-9494
Email: christina.laflamme@wsp.com

1.1.4 PROPERTY OWNERSHIP

The Project will be located on Crown Land. The acknowledgement of the application from the New Brunswick Department of Energy and Resource Development (NBDERD) and confirmation from NBDERD that the subject

Crown Lands can be made available for Project development is provided in Appendix A. The Option Agreement is also included in Appendix A. In addition, the Project's electrical substation will be located on a private parcel adjacent to a section of NB Power's 69 kilovolt (kV) circuit which ends at the Albert substation, south of Riverside-Albert, NB.

1.2 REGULATORY FRAMEWORK

There are a number of federal and provincial regulations and local municipal by-laws, that renewable energy developers should be aware of for the planning and execution of their projects. This section is intended to describe the regulatory framework within which the Environmental Impact Assessment (EIA) for the Project will be completed.

1.2.1 FEDERAL

The federal Environmental Assessment process and requirements are outlined in the *Canadian Environmental Assessment Act* (CEAA). The federal process is triggered if the project is a "designated project" as defined by the Regulations Designating Physical Activities. Based on the current understanding of the Project, the federal process will not be triggered because this type of project is not listed in the Regulations Designating Physical Activities.

Other federal legislation, such as the *Fisheries Act*, *Species at Risk Act* (SARA), and *Migratory Bird Conventions Act* may apply to the Project. Federal agencies such as Transport Canada, Environment Canada, Canadian Coast Guard (CCG), and the Department of National Defense (DND) were consulted during the early stages of planning.

1.2.2 PROVINCIAL

The NB EIA process involves three primary steps; a registration document, a Determination Review, and a Comprehensive Review that requires the submission of an EIA Report.

The first step in the EIA process is to determine whether a project is likely to be an "Undertaking" as defined in Schedule A of *Environmental Impact Assessment Regulation 87-83*. Schedule A of the Regulation identifies the types of undertakings that must be submitted for registration. Because the Project is an electric power generating facility with a production rating of 3 MW or more it is an Undertaking for the purposes of the Regulation and must be registered with the Sustainable Development, Planning and Impact Evaluation Branch, Department of Environment and Local Government.

Section 5 (2) of the Regulation requires that proponents deliver a completed registration document to the Minister. It is understood that final engineering details of a project will typically not be available at the time of project registration, however, full and accurate descriptions of the project location, proposed activities, the existing environment, potential impacts, and proposed mitigation are required. This can partially be completed for the Project using a high level desktop review of potential environmental and socio-economic effects for the Project location. It is recommended that the registration document be submitted early in the planning process so that the ability to modify the project to address government and stakeholder concerns is maintained.

Once the Project is registered, it must undergo a Determination Review. The Determination Review is used to identify and evaluate the environmental issues surrounding the proposed Project. The review is coordinated by the Sustainable Development, Planning and Impact Evaluation Branch of the Department of Environment and Local Government. A specially constituted Technical Review Committee comprised of experts and specialists from federal agencies, various departments of the NB Government and the rural district planning commission or municipality having jurisdiction over the project location will assist in the review. The purpose of this Review is to determine whether or not a Comprehensive Review is required.

If the Minister decides that a Comprehensive Review is required, the following would be required prior to proceeding with the Undertaking.

- Review Committee formulates draft guidelines for the Comprehensive Review

- Completion of an EIA study and the preparation of a report describing the results
- Technical Review Committee completes detailed examination of the draft EIA Report
- Public Review and Comment on the EIA Report
- Ministry issues or denies an approval for the Undertaking

It is important to note that if the Minister determines that a Comprehensive Review is not required, all relevant environmental regulations such as the *Clean Environment Act*, *Clean Air Act*, or any other relevant provincial or federal legislation must be complied with, and all required permits and approvals must be obtained. In addition, the Minister may attach conditions to the Project, aimed at addressing or mitigating concerns raised during the Determination Review. The Lieutenant-Governor in Council may suspend or revoke an approval if the proponent violates the terms and conditions imposed for the Project.

1.2.3 MUNICIPAL

It is not expected any municipal by-laws and policies apply to this Project.

1.2.4 APPROVALS AND PERMITTING

Like any project in NB, provincial, and federal approvals and permits are required before the Project can proceed. Permitting occurs after ministerial determination or approval of the EIA report. Permitting can include submission of applications to obtain specific construction and operating approvals. All supporting infrastructure will likely require specific permits for construction (e.g., temporary and permanent roads and the collector system may require a provincial permit such as a Watercourse and Wetland Alteration [WAWA] permit and federal review if crossing fish bearing watercourses).

Table 1.2-1 presents the Acts, Regulations, permits, and approvals are expected to apply to the Project. Many of these requirements are site specific and are dependent upon existing environmental and socio-economic conditions in the proposed Project area and existing infrastructure.

Table 1.2-1 Federal and Provincial Acts, Regulations, Permits, and Approvals That May be Required for the Project

ACTS	RELATED REGULATIONS	APPROVALS OR PERMITS REQUIRED
Federal		
<i>Canadian Environmental Protection Act</i>	No specific regulations related to this Act	Release of toxic substances, Air pollutants, Water pollutants
<i>Fisheries Act</i>	Applications for Authorization under Paragraph 35(2)(b) of the Fisheries Act Regulations	It is anticipated that no in water work will be required. If any destruction to fish or fish habitat will occur as a result of the Project, Authorization For Work that May Result in Serious Harm to Fish is required
<i>Species At Risk Act</i>	No specific regulations related to this Act	No specific permit required. Adhere to species specific activity restrictions and recovery initiatives
<i>Migratory Bird Conventions Act</i>	Migratory Birds Regulations	No specific permit required. Notification only
<i>Aeronautics Act</i>	Canadian Aviation Regulations	No specific permit, but must comply with lighting and marking requirements specified by Transport Canada
<i>National Energy Board Act</i>	National Energy Board Export and Import Reporting Regulations National Energy Board Electricity Regulations	Licence or permit for the exportation of electricity

ACTS	RELATED REGULATIONS	APPROVALS OR PERMITS REQUIRED
Provincial		
<i>Clean Environment Act</i>	Environmental Impact Assessment Regulation	Registration with the Sustainable Development, Planning and Impact Evaluation Branch, Department of Environment Authority of permission to discharge contaminant into waters during construction (i.e., site run-off)
<i>Clean Environment Act</i>	Water Quality Regulation	Permit for a WAWA if within 30 metres (m) of a watercourse or wetland
<i>Protected Natural Areas Act</i>	No specific regulations related to this Act	Permits for Activity in Protected Natural Areas
<i>Electricity Act</i>	Electricity from Renewable Resources Regulation	Approval for construction of a new energy generation facility
<i>Crown Lands and Forests Act</i>	No specific regulations related to this Act	A Wind Farm Lease and Licence of Occupation for Access and Distribution authorizing the construction and operation of a wind farm is required from NBDERD.
<i>Occupational Health and Safety Act</i>	Occupational Health and Safety Regulations	No specific permit required
<i>Community Planning Act</i>	Provincial Building Regulation	Building permits for construction and operation of the Project
<i>Species at Risk Act</i>	No specific regulations related to this Act	Notification to NBDERD, authorization may be required for clearing and site preparation
<i>Heritage Conservation Act</i>	General Regulation - Heritage Conservation Act	Site alteration permit and Heritage Impact Assessment
<i>Electrical Installation and Inspection Act</i>	Electrical Installation and Inspection Regulations	Approval for electrical installation
<i>Motor Vehicle Act</i>	Vehicle Dimensions and Mass Regulation	Permits for moving large structures on provincial highways
<i>Highway Act</i>	Highway Usage Regulation	Application for public property easements for installation of utilities along public highways
<i>Topsoil Preservation Act</i>	General Regulation - Topsoil Preservation Act (N.B. Reg. 95-66)	Permit required for removal of topsoil from a site
<i>Transportation of Primary Forest Products Act</i>	No specific regulations related to this Act	Compliance with specified documentation requirements for the transportation of primary forest products within NB
<i>Transportation of Dangerous Goods Act</i>	No specific regulations related to this Act	Permit required for the transportation of dangerous goods
<i>Clean Environment Act</i>	Petroleum Product Storage and Handling Regulation	Permit required for the storage of two thousand litres or more of petroleum products onsite

Federal agencies including Navigation Canada (NAV Canada), Transport Canada, CCG, Environment Canada, DND, and Royal Canadian Mounted Police (RCMP) have been consulted for the Project and correspondence is included in Appendix A. No concerns related to the Project were identified.

1.3 DOCUMENT STRUCTURE

The scope of this report includes a Project and the proposed construction and reclamation activities. The intent of this report is to support SWEB's registration to provincial agencies. A summary of the content of this report is as follows:

- Section 1 – Introduction;
- Section 2 – First Nations and Public Involvement
- Section 3 – Project Description
- Section 4 – Description of the Existing Environment
- Section 5 – Identification of Environmental Effects and Mitigation
- Section 6 – Residual Environmental Effects and Determination of Significance
- Section 6.3 – Summary of Proposed Mitigation
- Section 8 – Follow-up Monitoring
- Section 9 - References
- Appendix A – Clearances And Approvals
- Appendix B – Preliminary Indigenous Knowledge Study
- Appendix C – Letter of Support
- Appendix D – Noise Impact Assessment
- Appendix E – Bird Inventory Report
- Appendix F – Bat Inventory Report
- Appendix G – Archaeology Report
- Appendix H – Visual Impact Assessment
- Appendix I – Shadow Flicker Assessment
- Appendix J – Electromagnetic Interference Study