

Environmental Protection Operations Directorate
Prairie & Northern Region
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ECCC File: 4194-10-4/7566

IAAC Registry: 83231



May 20, 2022

via email at: hilary.hunter@sac-isc.gc.ca

Hilary Hunter
Sr. Environmental Officer
Indigenous Services Canada
Saskatchewan Region
1827 Albert Street, Regina, SK S4P 2S9

Dear Hilary Hunter,

RE: 83231– Environment and Climate Change Canada’s (ECCC) comments on the updated EIS and response to ECCC’s March 16, 2022 comments for the proposed Bekevar Wind Energy Project in Saskatchewan

Environment and Climate Change Canada (ECCC) has reviewed the updated Environmental Impact Statement (EIS) and Natural Resource Solutions Inc.’s (NRSI’s) response to ECCC’s March 16, 2022 comments for the Bekevar Wind Energy Project (‘the Project’) proposed by Bekevar Wind L.P. (‘the Proponent’). This review is conducted as requested by Indigenous Services Canada (ISC) per S. 85 of the *Impact Assessment Act* (IAA).

The Project includes the construction and operation of a net 200MW wind power project south and southeast of Kipling, Saskatchewan. A portion of the Project will be located on three quarter sections of Cowessess First Nation IR No.73 reserve lands (NW 04-13-05-2, SW 04-13-05-2, SE 04-13-05-2). The portion of the Project located on federal lands includes cultivated open agricultural lands, with tree stands, wetlands and ponds interspersed.

Project components that are proposed to be sited on federal land include between one and three wind turbines, with associated access roads and an underground medium-voltage collector system that will connect the turbines to a main substation. Temporary infrastructure would include construction access roads to turbine sites (30 meter wide right of way for disturbance) and wind turbine laydown areas (approximately 1 hectare) where cranes and other equipment would access the turbine site area and install the turbine foundation and components. Permanent infrastructure would include turbine foundations and turbines, access roads (5 metres in width) to access the turbines during operations, and underground medium-voltage cabling that would be trenched or plowed in the fields at a depth to enable future farming after construction.



The following comments are based on consideration of ECCC's mandate pursuant to the *Canadian Environmental Protection Act (CEPA)*, *Migratory Birds Convention Act (MBCA)*, the *Species at Risk Act (SARA)*, the *Fisheries Act* and their relevant regulations.

Impacts to Wetlands

NRSI's April 20, 2022 response states there will be no disturbance to wetlands as there are no wetlands occurring within the Project footprint on federal lands. No further information is required.

"NRSI confirms that the Project footprint does not overlap with any wetland, of any classification, on the federal lands, resulting in no anticipated areas of temporary or permanent disturbance to wetlands on these lands".

Impacts to Wildlife Species

ECCC notes that even with the proposed mitigations, there is always risk to bird nest disturbance, especially during the migratory bird breeding season. ECCC advises reviewing the guidance on our website to avoid harm to migratory birds prior to commencing work (<https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html>).

ECCC continues to advise caution due to the risk associated with mortality of species at risk (notably bats) and migratory birds during operation of the turbines. NRSI has referenced the Adaptive Management Plan & Post-construction Monitoring Plan as an appendix in the updated EIS to address potential mortality of birds/bats during operation. The plan (under Table 6) indicates that any fatality of a species designated under the SARA would trigger a management response, but the mitigation measures proposed appear to be optional. The plan indicates that when SARA species mortality (or specific levels of bird mortality) trigger a response that mitigation MAY occur, implying there is discretion in initiating additional mitigation. Without a clear and specific Adaptive Management Plan & Post-construction Monitoring Plan with defined actions in place to address mortality for species at risk and migratory birds during operation, ECCC's Canadian Wildlife Service is unable to fully assess mitigation of risk to species at risk and migratory birds during operation. Further to this, ECCC would advise ISC to remind the Proponent that permitting under the SARA may be required should Project activities have the potential to harm SARA listed species. Please reference "ECCC's Standard Advice on Species at Risk" section provided in the March 16th letter to ISC for information on when permits may be required.

Please contact Cari-Lyn Epp at 306-491-2372 or cari-lyn.epp@ec.gc.ca if you need more information.

Sincerely,

N. John Olyslager
A/Regional Director, Environmental Protection and Operations Directorate
Prairie Northern Region

cc: Gillian Brown, A/Head, EA South, EPOD, ECCC
Cari-Lyn Epp, Senior Environmental Assessment Officer, EPOD, ECCC
David Stepnisky, Head Regulatory Affairs, Prairies Region, CWS, ECCC