

EASB File No: 2018-008  
Transaction No: 10029525

September 24, 2018

Tom Bird  
BluEarth Renewables Inc.  
Unit 400  
214-11 Avenue SW  
Calgary AB T2R 0K1

Dear Mr. Bird:

**Re: Riverview Solar Project – BluEarth Renewables Inc.**

The Saskatchewan Ministry of Environment (the ministry), Environmental Assessment and Stewardship Branch (EASB), has received your Application for Ministerial Determination and has completed a screening of the BluEarth Renewables Inc. (BluEarth) Riverview Solar Project (the project). The proposed project is described in the following documents, termed “the Application”:

- *Riverview Solar Project Technical Project Proposal* dated July 2018; and
- Additional information memorandum dated August 10, 2018.

Based on the information presented in the Application, it is our determination that the project does not meet the criteria of section 2(d) of *The Environmental Assessment Act* (the Act) and, therefore, is **not** a “development” that is required to undergo an Environmental Impact Assessment (EIA). This determination is provided under the authority of section 7.3 of the Act and grants the proponent authorization to proceed with the subsequent regulatory approvals for this project.

The project is deemed **not** to be a development as per the attached Reasons for Determination. In addition to advising of our determination, this letter also includes the following terms and conditions.

**The decision to not require an EIA pursuant to the Act is contingent on compliance with the following terms and conditions:**

1. The project must be undertaken and environmental protection measures implemented in the manner described in the Application, except where alterations are required for compliance with other regulatory requirements.
2. The ministry must be advised if BluEarth plans to alter the project significantly from that described in the Application.

3. The ministry must be advised if work is not commenced within two years of the date of this letter. The Application's environmental acceptability would be re-examined in light of the circumstances of the day.
4. BluEarth must comply with all other federal, provincial and municipal regulatory requirements including those from the ministry.
5. BluEarth must comply with all other reasonable follow up ministerial requests to monitor compliance with these conditions.

**Please also be advised that:**

1. This letter is NOT an approval to proceed with construction activities, it is simply provided to inform you that BluEarth may proceed to obtain other permits and approvals that may be required. Additional approvals from the ministry and other agencies may be required.
2. As noted above, the ministry has made a determination that the proposed undertaking is not a development. The purpose of providing a determination is to provide some certainty that the ministry will not initiate any action to require an EIA pursuant to the Act.
3. The province recognizes its constitutional obligation to consult with potentially affected First Nations and Métis communities when making decisions that may adversely impact the exercise of Treaty and Aboriginal rights. If the project may have an impact on Treaty or Aboriginal rights, decisions by other government agencies during permitting may trigger the Crown's duty to consult.

Should you have any questions regarding the content of this letter, please contact Alvin Yuen, Senior Environmental Assessment Administrator, at [alvin.yuen@gov.sk.ca](mailto:alvin.yuen@gov.sk.ca) or (306) 787-5971.

Sincerely,

Original Signed by Wes Kotyk

Wes Kotyk  
Assistant Deputy Minister – Environmental Protection Division  
Acting for and on behalf of the Minister of Environment  
Phone: (306) 787-5419

Enclosure: Reasons for Determination

cc: Brady Pollock, Environmental Assessment and Stewardship, Ministry of Environment  
Brienne England, Environmental Assessment and Stewardship, Ministry of Environment  
Brant Kirychuk, Fish Wildlife and Lands, Ministry of Environment  
Katherine Mehl, Fish Wildlife and Lands, Ministry of Environment  
EA Records

# Reasons for Determination

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**Date:** September 24, 2018

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**Transaction No:** 10029525

**Project Title:** Riverview Solar Project

**Proponent:** BluEarth Renewables Inc. (BluEarth)

**Proposal:** BluEarth is proposing to construct and operate the Riverview Solar Project (the project), a 10 megawatt (MW) solar power facility to be located 1.2 km north of the Town of Radville, Saskatchewan. The project will be located over 128.9 hectares (ha) at NE 24-6-18 W2M and SE 24-6-18 W2M, in the Rural Municipality of Laurier No. 38. The anticipated lifespan of the project is 25 years.

Construction activities will include: clearing, levelling and grading the project area; constructing 1.8-metre-deep concrete foundations; and installing the racking systems. The solar panels will be mounted on the racking system in rows approximately 5 to 12 metres apart. Collector lines will be installed in trenches approximately 1 metre in depth.

Project components include:

- Approximately 35,000, 320-watt photovoltaic solar panels;
- Racking systems for the panels that will either be south-facing or will be mounted on structures that follow the direction of the sun;
- Inverter stations to convert the generated direct current (DC) electricity to alternating current (AC);
- Buried collector lines; and
- Associated project infrastructure including access roads, temporary storage areas, perimeter fencing and lighting, control building and communication tower, and an operation and maintenance building.

The information provided in the project proposal has led to the determination that the described project does not trigger criteria of section 2(d) of *The Environmental Assessment Act* (the Act) and therefore is not considered a “development” and will not require an environmental impact assessment (EIA).

**The above determination is based on an evaluation of the project against the criteria of section 2(d) of the Act as described below:**

**a) have an effect on any unique, rare or endangered feature of the environment;**

- The project location has been selected to avoid wildlife habitat and native prairie grassland. The total project area is 128.9 ha and consists of 119.5 ha of cultivated agricultural land (92.7% of the project area) and 9.4 ha of Class II wetland that was previously utilized for hay production (7.3% of the project area).
- Project components will be sited to maintain a minimum 30 metre setback from the wetland boundary and as such no disturbance or impacts to the wetland are anticipated.
- Wildlife field surveys were conducted in 2017. Bobolink (ranked provincially as S4 and listed as threatened under the federal *Species at Risk Act* (SARA)) was observed within the project area.
- Should construction occur between April 15 and August 15, a nest survey will be conducted and BluEarth will adhere to the setback and timing restrictions outlined in the *Saskatchewan Activity Restriction Guidelines for Sensitive Species*.
- An environmental monitor will be on-site during construction of the project. The monitor will be responsible for ensuring environmental mitigations, as outlined in the proposal, are implemented.
- A screening for heritage resources was undertaken for the project on March 13, 2018. The screening results concluded that the proposed locations for project components are not heritage sensitive.
- Based on the information provided in the proposal and the measures proposed to prevent, avoid or minimize the impacts of the project, effects on rare or endangered features of the environment are not anticipated.

*This criterion is not met.*

**b) substantially utilize any provincial resource and in so doing pre-empt the use, or potential use, of that resource for any other purpose;**

- There will be no substantial use of a provincial resource pre-empting its use for other purposes.

*This criterion is not met.*

**c) cause the emission of any pollutants or create by-products, residual or waste products which require handling and disposal in a manner that is not regulated by any other Act or regulation;**

- Waste generated by the project will be collected and disposed of by licensed contractors in accordance with federal, provincial and municipal regulations.
- A noise impact assessment was conducted and the results predicted noise emissions will comply with the Alberta Utilities Commission *Rule 012 – Noise Control* standard.
- The project will not cause emission of any pollutants or create by-products, residual or waste products which require handling and disposal in a manner that is not regulated by any other Act or regulation.

*This criterion is not met.*

**d) cause widespread public concern because of potential environmental changes;**

- BluEarth conducted engagement with nearby communities and landowners to share information about the project and discuss any concerns. An open house meeting was held in Radville in November 2017. Issues raised during engagement activities included the use of agricultural land, land agreements, site drainage and flooding, visual impacts, benefits to the community and reclamation. BluEarth has addressed the issues raised to the extent feasible.
- No widespread public concern regarding environmental change has been identified with this project.

*This criterion is not met.*

**e) involve a new technology that is concerned with resource utilization and that may induce significant environmental change;**

- No new technology is being used. Solar energy production is a proven technology and its environmental interactions are well understood based on widespread implementation in other jurisdictions. The production of solar energy does not require significant resource utilization. Standard methods and equipment will be used during construction and operation of the project.

*This criterion is not met.*

**f) have a significant impact on the environment or necessitate a further development which is likely to have a significant impact on the environment.**

- Construction will be scheduled during frozen or dry conditions to minimize potential disturbance to soils. The project site will be graded and ditched to manage stormwater

and site runoff. BluEarth will develop a detailed stormwater management plan and will obtain drainage approval from the Water Security Agency prior to construction.

- Site restoration, reclamation and revegetation will occur immediately following construction.
- BluEarth will implement industry standards and environmental best management practices during construction, operation, and decommissioning of the project.
- Provided the project is carried out as proposed and mitigation measures are implemented as described, the project is not likely to have a significant impact on the environment.

*The criterion is not met.*

**Conclusion:** Based on the above considerations, the Ministry of Environment Environmental Assessment and Stewardship Branch's review of the proposal concludes that the project is not a "development" that is required to undergo an EIA and require a Ministerial Approval as identified in Section 8 of the Act. The project is subject to all other regulatory requirements, the protection measures in the proposal, and the stipulations in the attached letter.