



HENVEY INLET FIRST NATION

NOTICE OF ENACTMENT OF LAND LAWS

TO : All Members, Henvey Inlet First Nation
FROM : Chief Wayne McQuabbie
DATE : 05 September 2017
RE : **Amendment to the HIW Wind Energy Centre Environmental Permit**

At the meeting of Council on 05 September 2017, two draft Land Laws were tabled to amend the Environmental Permit issued by Henvey Inlet First Nation for the HIW Wind Energy Centre. The amendment will allow HIW to use Vestas V136 (3.5 mW) wind turbine generators, instead of the Vestas V126 (3.3 mW) wind turbine generators originally specified in the permit.

Benefit to Henvey Inlet First Nation

The change in wind turbine generators will increase the productivity of the Wind Energy Centre, which will benefit Henvey Inlet First Nation as a shareholder of Nigig Power Corporation. Our Environmental Commissioner has advised that the change will not increase the environmental impact of the Wind Energy Centre on Henvey Inlet Reserve No. 2 land.

Notice of Meeting of Members, Monday 23 October 2017 at 11:00 am

A Meeting of Members to obtain Community Input in relation to the proposed new Land Law amending the Environmental Permit will be convened in the Fire Hall Building, French River Reserve No. 13, on Monday, 23 October 2017, at 11:00 am.

Notice of Open Meeting of Council, Monday 23 October 2017 at 1:00 pm

An open meeting of Council shall be convened in the Library, Fire Hall Building, French River Reserve No. 13, on Monday, 23 October 2017 to consider the enactment of draft Land Law 2017/18-003, at 1:00 pm or as soon thereafter as this matter may be dealt with.

Contents of this Notice Package

The following documentation is included in this Notice:



- Land Law Proposal: First Amendment to the HIWLP Environmental Permit
- Draft Land Law 2017/18-003: First Amendment to the HIWLP Wind Energy Centre Environmental Permit
- Feedback Form Use this form to provide your views to Council if you cannot attend the Meeting of Members or Open Council Meeting.

The contents of this Notice package have been posted on the Henvey Inlet First Nation website:
<http://www.hifn.ca/>

Lands Advisory Committee

Our Lands Advisory Committee has been asked to advise Council and the Meeting of Members in relation to draft Land Law 2017-18-003 amending the Environmental Permit.

Rescheduling

If for any reason the Meeting of Members or the Open Council Meeting to enact the Land Law cannot be convened or concluded at the location or on the date or time specified in the Notice, Council may reschedule the Meeting of Members or Open Council Meeting, in whole or in part, to an alternate date, time or place. At least three days' notice of the rescheduling shall be given to the Members by posting the new date, time and location in the Band Office and on the Henvey Inlet First Nation website.

Further Information

If you have any comments or questions in relation to any of the proposed Land Laws or the ratification or enactment processes, please do not hesitate to contact any of the following:

Chief Wayne McQuabbie: tel. (705) 857-2331
Patrick Brennan, Lands Councillor: tel. (705) 857-2331

Miigwetch!

Chief M. Wayne McQuabbie



LAND LAW PROPOSAL: FIRST AMENDMENT TO THE HIW WIND ENERGY CENTRE ENVIRONMENTAL PERMIT

Draft Land Law

A draft Land Law entitled

Land Law 2017-18-003 FIRST AMENDMENT TO THE HIW WIND ENERGY CENTRE ENVIRONMENTAL PERMIT

is attached for consideration by Council and the Lands Advisory Committee.

Purpose

By a letter from its solicitors dated 10 August 2017, Henvey Inlet Wind LP requested that Schedule A to the Environmental Permit issued by Henvey Inlet First Nation as Land Law 2015/16-012 be amended to allow a change from Vestas V126-3.3 MW wind turbine generators to Vestas V136-3.45 MW wind turbine generators.

In support of its request, Henvey Inlet Wind LP provided an analysis of the environmental impact of the new wind turbine generators compared to the ones original specified in the Schedule, prepared by AECOM and dated 08 August 2017, and a noise impact assessment of the replacement generators completed by DNV-GL dated 26 July 2017. AECOM concluded that the differences in design parameters between the two technologies are minor and therefore the change to Vestas V136-3.45 MW wind turbine generators will not change the overall potential environmental effects assessment.

It will also be necessary to amend the definition of "Noise Impact Assessment Report" in the Environmental Permit to refer to a new noise impact assessment of the Vestas V136-3.45 MW wind turbine generators completed by DNV-GL dated 26 July 2017, entitled "Renewable Energy Approval Application - Noise Impact Assessment."

Henvey Inlet First Nation's Environmental Commissioner has advised, based on the AECOM and DNV-GL reports, that the change in wind turbine generators will not increase the environmental impacts of the HIW Wind Energy Centre on Henvey Inlet First Nation land.

Benefit to Henvey Inlet First Nation

The change in wind turbine generators will increase the productivity of the Wind Energy Centre, which will benefit Henvey Inlet First Nation as a shareholder of Nigig Power Corporation.

Authority

Section 20(1) of Henvey Inlet First Nation Land Law 2015/16-009 Environmental Assessment and Permitting provides that the Environmental Permit may be amended, with the consent of HIW Wind LP, by a Land Law enacted with Community Input.

Enactment Procedure

As noted, this draft Land Law requires a Meeting of Members for Community Input (no vote). It is recommended that the meeting be convened at 11:00 am on Monday, 23 October 2017, and that an open meeting of Council be convened immediately afterward to deal with the Land Law. Council must seek the advice of the Lands Advisory Committee with respect of the proposed amendments. Notice of the draft Land Law, the Meeting of Members and the open council meeting to enact the draft Land Law must be given in accordance with subsections 14.01 and 14.02 of the Land Code.



TABLING RESOLUTION SCHEDULE "B"

HENVEY INLET FIRST NATION

D R A F T

LAND LAW 2017-18-003

**FIRST AMENDMENT TO THE HIWLP WIND ENERGY CENTRE
ENVIRONMENTAL PERMIT**

**Enacted pursuant to section 20 of Land Law 2015/16-009
ENVIRONMENTAL ASSESSMENT AND PERMITTING**

CHANGE OF WIND TURBINE GENERATOR

1. Paragraph (a) of the Schedule "A" of the Environmental Permit enacted as Land Law 2015/16-012 issued on 28 February 2016 is hereby repealed and the following substituted therefor:

- a. up to ninety-one (91) Vestas V136-3.45 MW wind turbine generators each rated at up to 3.6 megawatts generating output capacity;

CHANGE OF DEFINITION

2. Paragraph 54 of the Environmental Permit enacted as Land Law 2016-17-012 issued on 28 February 2016 is hereby repealed and the following substituted therefor:

54. "Noise Impact Assessment Report" means the report entitled "Renewable Energy Approval Application - Noise Impact Assessment" prepared by DNV-GL dated 26 July 2017, including any modifications thereof by or approved by the Commissioner.

COMING INTO FORCE DATE

3. This Land Law shall come into force immediately upon enactment by Council.