

SUNTERRA HORTICULTURE (CANADA) INC

Saskatchewan Peat Harvesting Project Terms of Reference FINAL

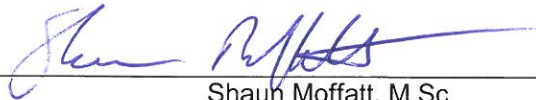
KGS Group 13-1996-001
July 2014

Prepared By



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July 17, 2014

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ATTENTION: Ms. Ann Riemer

RE: Final Terms of Reference
Saskatchewan Peat Harvesting Proposal
Usherville and Swan Plain

Dear Ms. Riemer:


KGS Group is pleased to electronically submit a copy of the Final Terms of Reference for the Saskatchewan Peat Harvesting Project on behalf of Sunterra Horticulture (Canada) Inc. (Sunterra). The Terms of Reference has been revised to address comments made on the draft TOR by the Technical Review Committee. As requested, to track changes made to the draft Terms of Reference the Review Comments Table is enclosed, which indicates how reviewer comments have been addressed.

Sunterra is submitting this Terms of Reference, as prepared by KGS Group, as part of the environmental assessment process. Please do not hesitate to contact us if you have any questions or require additional information.

Prepared By:


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Approved By:


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SM/sa

cc: Al Dorish
Sterling Dorish

Terms of Reference (TOR) Review Comments Table
Sunterra – Saskatchewan Peat Harvesting (EAB file No. 2013-031)

Highlighted comments require revisions to the draft TOR

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
1	ENV/Landscape Stewardship – Aboriginal Affairs	1	Appendix A	In addition to the <i>Proponents Guide: Consultation with Métis and First Nations in Saskatchewan Environmental Impact Assessment</i> all duty to consult activities should be consistent with the <i>Government of Saskatchewan's First Nation and Métis Consultation Policy Framework</i> which can be found at http://www.gr.gov.sk.ca/Consult-Policy-Framework . It would be worth noting this policy in the TOR.	Sentence added “Additionally, all DTC activities will be consistent with the Government of Saskatchewan’s First Nation and Métis Consultation Policy Framework.” (Appendix A - Page 1)
2	ENV/Landscape Stewardship – Aboriginal Affairs	3	Appendix A	When preparing the EIS it is helpful for review purposes if activities are sorted by community first, then date.	No Response Required in the TOR – to be considered during the EIA
3	ENV/ Environmental Protection	10	2.6	<p>Regulatory Requirements</p> <p>The Ministry of Environment is undergoing a “Results Based Regulatory” transition which will impact existing Ministry legislation. Please contact the Environmental Protection Branch (EPB) to determine requirements for construction and operating activities.</p> <p>The following permits are required pursuant to The Environmental Management and Protection Act, 2002 (EMPA) and associated regulations for all aspects of these operations- both on Crown and patented lands - including the processing facilities.</p> <ul style="list-style-type: none"> • Aquatic Habitat Protection Permit for any work planned in or near water; • Fuel and/or chemical storage will require a Construction and Storage Approval; • Approval to Construct Pollutant Control Facility; • Approval to Operate Pollutant Control Facility; • The proponent will be required to submit a Conceptual Decommissioning and Reclamation Plan and a Financial Assurance instrument for review; • Permits to Construct and Operate a Waterworks will be required for the construction, operation and distribution of waterworks. • Permits to Construct and Operate a Sewage Works. • There may be a requirement for a Clean Air Permit - pursuant to <u>The Clean Air Act</u> and associated regulations for these operations. <p>The Ministry will blend like approvals into one permit where applicable – such as a Hazardous Substances Waste Dangerous Goods Approval would be blended into the overall “Approval to Operate Pollutant Control Facilities” to assist in streamlining the permitting processes.</p>	No Response Required in the TOR – to be considered during the EIA

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				The Saskatchewan Queen's Printer (access to Saskatchewan Legislation) link is attached: http://www.qp.gov.sk.ca/	
4	ENV/ Environmental Protection	10	2.6	<p>The Proponent has referenced three (3) guidelines (Page 104) utilized for development of the December 2013 Project Proposal - Saskatchewan Peat Harvesting Proposal Usherville and Swan Plain Final Report. The following Guidelines/Standards may also assist in development of the Environmental Impact Statement (EIS) and have been developed to summarize and support existing legislation.</p> <ul style="list-style-type: none"> -Guidelines for Northern Mine Decommissioning and Reclamation November 30, 2008 Version 6 EPB 381. (Available from EPB staff) - Environmental Monitoring Guidelines (For Operational Monitoring at Uranium and Gold Mining and Milling Operations in Saskatchewan) March 31, 1989 (EPB is currently updating this document and it should be completed in 2014). - Guidelines for Sewage Works Design January 2013 - EPB 203. - A Guide to Waterworks Design October 2012 - EPB 201. The Sewage Works and Waterworks EPB's 201 and 203 may be found at the following link: http://www.saskh20.ca/foroperators.asp - Industrial Works Construction Application Standards EPB 204 - February 2008. (Available from EPB staff) - The following link provides information to proponents with respect to Hazardous Materials, Spills and Impacted Sites: http://www.environment.gov.sk.ca/Default.aspx?DN=7a75bb9f-0a16-46e8-970b-a8a14b722872. The Saskspills link (under related links) at the bottom of the above referenced page is particularly useful with respect to understanding the storage/licencing and spill reporting requirements in Saskatchewan. - Access to the Field Guide to the Ecosites of Saskatchewan's Provincial Forests is provided at the following link: http://www.environment.gov.sk.ca/adx.aspx/adxGetMedia.aspx?DocID=8734900c-f0b6-4f0d-9a63-d93326f466ce&MediaID=f1e111f4-5006-4c25-9d3a-647f9cbe1cdd&Filename=Forest+Guide+Ecosites.pdf&l=English This publication will be particularly useful when planning your reclamation activities. - Clean Air Permitting Protocol June 2010 Version 3.0 (Available from EPB staff). - Saskatchewan Ministry of Environment Environmental Performance Report Guideline September 6, 2013 (Available from EPB staff) This document discusses the requirement for longer term reporting, typically every five (5) years, whereby the proponent can assess and report their environmental performance. There will still be a requirement for Annual Environmental Reporting pursuant to an Approval to Operate. 	No Response Required in the TOR – to be considered during the EIA
5	ENV/Fish and Wildlife	36 to 39, 133 and 209 (Proposal)	4.1.6 (Proposal)	<p>Table #4 lacks dissolved oxygen, which is a key parameter in understanding the aquatic fauna that may inhabit these areas. Proper assessment of dissolved oxygen would need to be done during ice-on (mid-March), spring freshet or first ice-off, mid-August and December. This would be conducive to understanding the limits to major species such as fish and aquatic invertebrates.</p> <ul style="list-style-type: none"> - The proponent took Biochemical Oxygen Demand, which is usually used to assess the available oxygen in the water for aerobic organisms to break down organic matter within the water. Originally BOD was used to assess pollution levels in rivers. - The proponent does indicate that dissolved oxygen would be taken on page 209 on 	No Response Required in the TOR – to be considered during the EIA

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				one of their power point slides that goes over “Biologic and Vegetation Surveys”; however, I could not find any Table or written information that showed dissolved oxygen testing.	
6	ENV/Fish and Wildlife	45 to 47 (Proposal)	4.1.10 (Proposal)	- The proponent did sample 5 streams and 2 lakes. The sampling was done utilizing a backpack electric shocker. This is one method used in streams and it looks like they did 2 passes as if doing a population survey. Including another active method such as seine netting and passive methods such as gill nets or Fyke nets would have provided a better assemblage of fish species. Using backpack electrofishing equipment to assess a lake results in under sampling. One time sampling within the year does not look at the diversity of fish that may utilize these areas due to spawning, feeding or rearing, which can be reflected in both water quality parameters and water temperature values. One major water parameter lacking is dissolved oxygen along with water temperature, which provide a better understanding of what fish species were caught and why. Aquatic invertebrates and zooplankton sampling is lacking from the proposal.	No Response Required in the TOR – to be considered during the EIA
7	ENV/Fish and Wildlife	67 (Proposal)	6.2.1 (Proposal)	- The proponent mentions that restoration activities can create a functioning wetland ecosystem within 5 to 7 years. What will be used to determine the success of this activity if there is no sampling of aquatic invertebrates or zooplankton? Fish populations alone may not be adequate.	No Response Required in the TOR – to be considered during the EIA
8	ENV/Fish and Wildlife	69 and 70 (Proposal)	6.2.5 (Proposal)	- The proponent mentions settling ponds. The location of these ponds and where they drain should be provided along with the parameters used to measure and monitor the water quality both within ponds and downstream of where they drain. These parameters should include the normal water quality parameters shown in Table #4 along with dissolved oxygen.	No Response Required in the TOR – to be considered during the EIA
9	ENV/Fish and Wildlife	70 (Proposal)	6.2.6 (Proposal)	- The proponent mentions once again a functioning natural ecosystem with characteristics close as possible to the pre-harvesting conditions. The proponent should provide a description of the changes that will result from the harvesting process and the residual changes that will remain into the future, which would include areas where bogs would be created.	No Response Required in the TOR – to be considered during the EIA
10	ENV/Fish and Wildlife	73 to 76 (Proposal)	6.3.4 (Proposal)	- The proponent mentions that the bog will be drained to natural discharge points. These points are not mentioned and would be good to know. As well water quality parameters within the bog, catch basins and downstream should be monitored and include dissolved oxygen.	No Response Required in the TOR – to be considered during the EIA
11	ENV/Fish and Wildlife	102 (Proposal)	7.1 (Proposal)	- Surface water quality monitoring will need to be implemented in order to determine if there will be any major changes to both the project area and the receiving environment by water moved out of the project location as the bog is harvested. At present dissolved oxygen is missing and is an important player to the aquatic community both within the project area and the area that water will be drained to from the project.	No Response Required in the TOR – to be considered during the EIA
12	ENV/Fish and Wildlife	105 (Proposal)	7.4 (Proposal)	- The proponent indicates that many conditions will be required in order to have good environmental management practices. These should include monitoring of water quality parameters important to both the project and the area receiving water from the project. These should include pH, dissolved oxygen, Total Dissolved Solids, Total Suspended Solids, Salinity and water temperature at the monitoring sites to determine whether or not there could be impacts to the aquatic communities within both areas.	No Response Required in the TOR – to be considered during the EIA
13	ENV/Fish and Wildlife	106 to 109 (Proposal)	8 (Proposal)	- The proponent mentions that bog pools were going to be created. The proponent did sample areas for fish species, but should have done some aquatic invertebrate and	No Response Required in the TOR – to be considered during

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				zooplankton sampling so that when these bogs are created the aquatic diversity flora and fauna can be looked at to see that those communities are brought back into these created bog areas. Again, it would be nice if we could get some type of post harvesting idea of where these bog pools will be created.	the EIA
14	ENV/Fish and Wildlife	110 (Proposal)	9.2 (Proposal)	- The proponent indicates that additional monitoring may be required by Ministry of Environment (MOE). This is where surface water quality parameters can be added that have been missed by the proponent in the pre-assessment, which lacked dissolved oxygen, sampling of aquatic invertebrates, zooplankton and numerous capture devices to assess the fish species within the sampled regions along with the time frame to do this sampling so that the proponent does not cause impacts to both the project area and receiving environment where water will be diverted.	No Response Required in the TOR – to be considered during the EIA
15	ENV/Fish and Wildlife		10 (Proposal)	- The proponent did provide some information on the aquatic organisms within the project area. However, only fish species were minimally sampled for and not aquatic invertebrates or zooplankton. The surface water quality lacked the parameter of dissolved oxygen along with water temperature at the sites fish were sampled at. - Further sampling of aquatic organism would provide a better look at the aquatic community. This should be done at proper time frames throughout the year and include water quality parameters not sampled for, especially dissolved oxygen and water temperature.	No Response Required in the TOR – to be considered during the EIA
16	ENV/Fish and Wildlife	14	4.1	<p>The TOR states that more detail will be provided in the EIS, regarding how surveys were completed. It appears that plant survey methodology was likely sufficient, but it is not clear if surveys for birds, mammals and herpetiles were adequate, meaning more information may be required. To determine if further surveys are needed, the proponent should visit the Ministry of Environment - Research Permit webpage where information regarding survey protocols and data loadforms can be found. http://www.environment.gov.sk.ca/Default.aspx?DN=a7d1b343-5099-4578-9083-ecc975e5902e</p> <p>In addition, the potential woodland caribou track location will require further investigation by the proponent to determine caribou use of the area. Please identify this in the TOR.</p>	<p>Sentence added “Surveys were conducted consistent with survey protocol within the Saskatchewan Ministry of Environment Research Permit webpage, and were discussed and confirmed prior to fieldwork with Saskatchewan Ministry of Environment (Tom Maher).” (Page 13)</p> <p>Sentence added “Additional bird, mammal and herpetile survey methodology will be provided within the EIS.” (Page 14)</p> <p>Bullet point added “To investigate the potential use of the area by woodland caribou and to assess potential project impacts (including cumulative impacts) additional surveys will be conducted”. Survey described in bullet (Page 14).</p>
17	ENV/Fish and Wildlife			The removal of important habitat from a species [caribou] that is already facing habitat limitations is a significant concern. Cumulative impacts should be considered. Please	Additional caribou surveys are proposed to assess cumulative

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				<p>identify this in the TOR.</p>	<p>impacts (Page 14), as noted in response to comment 16.</p>
18	ENV/Fish and Wildlife			<p>Peat/bog areas are known to be important for the survival of Woodland Caribou (see references below). In order to prevent the further decline of the population within the province we should be cognizant of any adverse effects that could result as a product of proposed developments. Since possible Caribou tracks were observed in the study area, it is suggested that the proponent address woodland caribou specifically. I recommend that a more detailed literature review and survey be performed to address the potential number of caribou present in the area and alternate sources of suitable habitat which could be used by these animals within the study area. Please identify this in the TOR.</p> <p>References</p> <p>Corey J. A. Bradshaw, Stan Boutin, Daryll M. Hebert, A. Blair Rippin. 1995. Winter peatland habitat selection by woodland caribou in northeastern Alberta. Canadian Journal of Zoology 73(8), 1567-1574.</p> <p>Robert B. Anderson. 1999. Peatland habitat use and selection by woodland caribou (Rangifer tarandus caribou) in northern Alberta. A thesis submitted to the Faculty of Graduate Studies and Research, Department of Biological Sciences, Edmonton, AB.</p> <p>Natasha Morrill, Mark Ball, Shannon Walshe, Steve Kingston, and Paul Wilson. 2005. Site fidelity in forest-dwelling woodland caribou (Rangifer tarandus caribou) Nursery habitat in Wabakimi Provincial Park and woodland caribou signature site. http://casiopa.mediamouse.ca/wp-content/uploads/2010/05/PRFO-2005-Proceedings-p339-346-Morrill-Ball-Walshe-Kingston-and-Wilson.pdf.</p> <p>Schmelzer, I. & Brazil, J, Chubbs, T., French, S., Hearn, B., Jeffery, R., LeDrew, L., Martin, H., McNeill, A., Nuna, R., Otto, R., Phillips, F., Mitchell, G, Pittman, G., Simon, N., Yetman, G. (2004). Recovery strategy for three Woodland caribou herds (Rangifer tarandus caribou; Boreal population) in Labrador. Department of Environment and Conservation, Government of Newfoundland and Labrador, Corner Brook.</p> <p>Racey, G., A. Harris, L. Gerrish, E. Armstrong, J. McNicol and J. Baker. 1999. Forest management guidelines for the conservation of woodland caribou: a landscape approach. MS draft. Ontario Ministry of Natural Resources, Thunder Bay, Ontario. 69 pp.</p> <p>Rettie, J., Rock, T., Messier, F. 1998. Status of woodland caribou in Saskatchewan. The Seventh North American Caribou Conference, Thunder Bay, Ontario, Canada. Rangifer, Special Issue No. 10.</p> <p>Manitoba Conservation, Wildlife and Ecosystem Branch. 2005. Manitoba's</p>	<p>Bullet point added "Additional literature will be reviewed to expand upon the woodland caribou discussion." (Page 14).</p>

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				<p>Conservation and Recovery Strategy for Boreal Woodland Caribou. http://www.gov.mb.ca/conservation/wildlife/sar/pdf/bw_caribou_strategy.pdf.</p> <p>Dyke, C. 2008. Spatial and temporal characterization of woodland caribou (Rangifer tarandus caribou) calving habitat in the boreal plains and boreal shield ecozones of Manitoba and Saskatchewan. A thesis submitted to the Faculty of Graduate Studies, Natural Resources Institute, University of Manitoba.</p>	
19	ENV/ Environmental Assessment	14	4.1	Based on reviewer comments above, additional baseline biophysical data will be required for caribou, aquatic organisms, water quality and possibly other fauna and flora. Please review the appropriate survey guidelines posted on the Ministry website (referenced in item 16 above) and identify, in general terms, any additional data requirements in the draft TOR.	See responses to comments 16-18 above.
20	ENV/Forest Service	5	2.2.3.1	Identify in the TOR that the use of an FMA road will require a Road Use Agreement entered between the FMA holder(s) and Sunterra.	Added sentence as requested stating "The use of a Forest Management Area (FMA) road will require a Road Use Agreement entered between the FMA holder(s) and Sunterra." (Page 5)
21	ENV/Forest Service	10	2.6	For the damage and/or destruction of forest products, a forest products' permit will be required. This permit may be applied for and approved through the forest service's field office in Hudson Bay.	No Response Required in the TOR – to be considered during the EIA
22	ENV/Forest Service	4	2.2.2	The location of the extraction area, if approved, will need to be removed from the FMA as an exclusion.	No Response Required in the TOR – to be considered during the EIA
23	ENV/Forest Service	15	4.2.2	Regional impacts may also include the loss of productive forest land. This, depending on scale, may have an impact on the forest industry; i.e., removal of productive forest land will impact the amount of available volume that may be harvested. This should be identified in the TOR as one of the main regional issues.	As requested, added "Loss of productive forest land" to the VECs listed in Section 4.2.2, although the harvesting areas generally do not have merchantable timber (small sparsely treed black spruce). (Page 16)
24	ENV/Forest Service	6	2.2.3.2	I understand that site preparation includes the removal of merchantable trees. The FMA holders hold the first right of refusal for all trees that are harvested on the FMA (with conditions). Any harvested trees will need to be offered to the FMA holder for utilization.	No Response Required in the TOR – to be considered during the EIA
25	ENV/Landscape Stewardship	2	1.1	The proposed project area appears to be 1620 ha for harvest. It would be helpful if the applicant indicated the total lease area of 2390 ha proposed that includes harvest area, staging, access, vegetated areas for wetlands and propagule collection, etc. Please include in the TOR.	As requested the following sentences inserted "While the total lease area is 2390 hectares, only approximately 1620 hectares (68% of total) is believed to be suitable for harvesting. The balance of the lease areas would act as buffer zones to facilitate the future restoration of the land,

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					staging areas for harvested peat and peat roads on the bog to facilitate the transportation of harvested peat to the production facility." (Page 2)
26	ENV/Landscape Stewardship	2	1.1	Scope of the project for the purpose of the EIA should include decommissioning of peat bog access roads, but also assuming responsibility and potential decommissioning of existing roads that will be used and upgraded for purposes of peat harvest. The proponent should work with the Ministry's Landscape Stewardship Branch on determining the appropriate decommissioning of access roads. Please include access roads explicitly in the TOR.	List of scope items modified as requested so it is clear the project consist of "construction, operation and potential decommissioning of access roads, including associated water crossings". (Page 2)
27	ENV/Landscape Stewardship	2	1.1	Use of roads and availability for public access and unpermitted use must be addressed. An access management plan including development/construction, availability, permitted use, timing of use, up-keep, reclamation and monitoring to ensure reclamation should be developed in partnership with the Ministry. Please include reference to developing an access road plan in the TOR.	Added sentence to Section 2.2.3.1 Main Access Roads; "Additionally, an access road plan will be developed in partnership with the MOE." (Page 5)
28	ENV/Landscape Stewardship	5	2.2.3	Description of activities should also include monitoring of the site to ensure restoration and reclamation is successful over time. This is noted briefly on page 2.	No Response Required in the TOR – to be considered during the EIA
29	ENV/Landscape Stewardship	5	2.2.3.1	Detailed description of road and access development is needed, such as road right of way width, where borrow pits will be located in proximity to road development, etc.	No Response Required in the TOR – to be considered during the EIA
30	ENV/Landscape Stewardship	6	2.2.3.2	Additional detail is needed for surveys undertaken. Methods used should be made available. It is likely that some species were not captured during the limited site assessment made in June 2013 and August 2013 due to seasonal use of the area, and is therefore potentially not a representative sample. Would suggest a more robust assessment of the area take place, including seasonal assessment appropriate to species that are probable in the area/habitat.	No Response Required in the TOR – to be considered during the EIA; however, see points 16-19 above.
31	ENV/Landscape Stewardship	7 (also 18)	2.2.3.2 (also 5.1)	A decommissioning and reclamation plan must ensure disturbed area regenerates to a pre-disturbance state including environmental features such as hydrology, plant community composition, habitat effectiveness and functionality that resembles pre-disturbance conditions as well as being physically stable, safe and environmentally sustaining as the draft TOR suggests. Would suggest that a final, rather than conceptual decommissioning plan be provided that would provide site-specific approaches, and provide a better indication of reclamation success. Such a decommissioning plan could be amended over time to better fit the final disturbed state and associated measures needed for successful reclamation.	No Response Required in the TOR – to be considered during the EIA. Please note that the biophysical reclamation identified in the EIS must have sufficient detail for reviewers to conclude that it will adequately mitigate for the effects of the peat harvesting in the future. The proponent may provide best management practices employed by the peat industry as partial fulfillment of this requirement provided site/project specific characteristics and issues are also addressed.

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32	ENV/Landscape Stewardship	7	2.2.4	Key project phases should also include anticipated lifespan and commitment to successful reclamation and restoration of disturbed areas.	No Response Required in the TOR – to be considered during the EIA
33	ENV/Landscape Stewardship	8	2.2.5	Project benefits only include socio-economic aspects. Could propose environmental benefits in reclaiming existing access roads and areas of disturbance as part of the project.	No Response Required in the TOR – to be considered during the EIA
34	ENV/Landscape Stewardship	9	2.3.3	The temporal boundary of the CEA should be the longest relevant time associated with any of the indicators chosen for the VECs. As such, it could be the life of the peat harvesting project, or any of the indicators with long-term effects as a result of the project. I would suspect the timeline for the peat harvesting project is appropriate, but the temporal end point should be where the site has sufficiently regenerated to a plant community representative of pre-disturbance conditions.	No Response Required in the TOR – effects on VECs should be considered when defining timelines during the EIA
35	ENV/Landscape Stewardship	10	2.6	<p>The proponent must be aware of woodland caribou range assessment and planning as it could pertain to the proposed area; Boreal woodland caribou (woodland caribou) are listed as threatened federally under the Species at Risk Act (SARA). As management of woodland caribou differs by jurisdiction, the federal recovery strategy for woodland caribou released in October 2012 called for the development of jurisdictionally led range plans. All woodland caribou ranges were assessed by Environment Canada and given a population status, with the exception of the Boreal Shield woodland caribou range in Saskatchewan. The Boreal Plain woodland caribou range was assessed as likely not self-sustaining. As such, Saskatchewan Ministry of Environment is undertaking directed studies that will provide the information necessary to assess the population in the Boreal Shield range by 2016. The Ministry is also working to create and submit a range plan for the woodland caribou to Environment Canada by 2017. Range plans will be assessed for their effectiveness in protecting habitat and ensuring population trend improves overtime. If range plans are deemed insufficient in protecting woodland caribou and measures for protection are not being created or in place, the federal Minister of the Environment may invoke an emergency protection (safety net) order. If issued, an emergency protection order may intervene to mitigate impeding risks to woodland caribou. The order could result in halting development and forcing reclamation of disturbance within the woodland caribou range.</p> <p>The Ministry is taking a proactive approach in creating range plans to help ensure land use practices consider and encourage biodiversity while allowing for economic sustainability. Initial steps include conducting an assessment of the woodland caribou range to gather and provide an understanding of parameters affecting or reflecting woodland caribou. When the range assessment is complete, a range plan will be developed and guide how land use will be managed through time to optimize woodland caribou habitat and natural resource use. In order to succeed in this regard, the Ministry acknowledges users of the land must be included and engaged in the range planning process. Proponents are encouraged to participate in the range planning process that is anticipated to begin in the fall of 2014.</p> <p>Current and potential land and resource users in the woodland caribou range need to be aware of risks to habitat. Woodland caribou require relatively large and contiguous expanses of habitat that allows them to escape from predators, access forage, rear young, as well as allow for connectivity between habitat patches. Knowing if a particular</p>	No Response Required in the TOR – to be considered during the EIA

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				land use activity could impact woodland caribou is important, as the Ministry must ensure and demonstrate land use activity within the woodland caribou range is sustainable. If proponents operating on Crown land anticipate their ongoing or future operations will take place within the woodland caribou range, it is important to consult with Ministry staff to consider potential mitigations and options so that land use does not negatively impact woodland caribou populations or habitat.	
36	ENV/Landscape Stewardship	11	3.0	Indicators of VECs should be clearly shown in the TOR. For example, woodland caribou and Canada warbler should be included as indicators for mammals/habitat as these species are designated as Threatened under the Species at Risk Act, have been identified in the study area, and habitat management is of concern by the Ministry. Variables to be measured for these indicators include population trend, habitat availability and fragmentation, plans to mitigate destruction of habitat, etc. The VECs outlined in the draft TOR must be expanded to include the indicators of such, how they will be monitored, objectives in maintaining or mitigating negative impacts to these, and strategies for management of the indicators that can be used to reflect the state of the VEC throughout the lifetime of the project. Mitigative actions could include strategies such as offsets to reclaim a set area of habitat for the duration of loss/impact by the project, or in perpetuity, etc.	No Response Required in the TOR – specific VECs to be considered during the EIA
37	ENV/Landscape Stewardship	15	4.2.2	The EIS should also include potential issues as a result of the project such as opening up access to a sensitive area for increased unpermitted use by hunters, recreationalists, the public and negative aspects that could be associated with that increased use.	No Response Required in the TOR – to be considered during the EIA
38	ENV/Landscape Stewardship	16	4.3	Reduction and control of adverse effects could occur through replacement and restoration. These items should be discussed in detail, especially aspects of replacements. Are offsets or trade-offs to reclaim additional habitat being suggested? The proponent should work with the Ministry in determining these approaches.	No Response Required in the TOR – to be considered during the EIA
39	ENV/Landscape Stewardship	17	4.4	The CEA criteria for evaluation and how it was quantified should be explained. How would mitigation action differ between VECs of different value, and how would significance change? Table 14 in the technical proposal document could be improved by adding a summary row under all the project activities that quantify residual effects for each environmental variable. This environmental variable should also be altered to reflect the VEC and associated indicators for that VEC once expanded. Mitigation measures provided in Table 15 should also be re-evaluated. More specifically, what is meant by design, proposed, regulatory and management mitigations should be defined. It appears many of these measures hit more of the mitigation types than what are currently indicated. For instance, minimizing habitat disturbance/loss should be considered in the design, management, and also regulation - as the Species at Risk Act	No Response Required in the TOR – to be considered during the EIA

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				is triggered if the species is listed under Schedule 1, such as woodland caribou and Canada warbler.	
40	ENV/Landscape Stewardship	18	5.1	The development of low-cost and maintenance free restoration methods is provided as a part of the restoration plan. This item should not come at a cost of compromising restoration success in relation to generally accepted or best management practices. The establishment of habitats that complement the regional landscape ecology is also provided as a part of the restoration plan; these habitats must be representative of pre-disturbance site conditions. The TOR should be revised to reflect the requirement to restore sites as close as possible to pre-disturbance conditions.	As requested in introduction to 5.1 added to end of first sentence “to restore sites as close as possible to pre-disturbance conditions” (Page 18). In bullet regarding low cost methods added “that do not compromise success” (Page 18). In second last bullet regarding establishment of habitat added “and are similar peatland ecosystems representative of pre-disturbance site conditions” (Page 18).
41	ENV/Landscape Stewardship	19	5.3	Passive management needs and land controls should to be defined in detail.	No Response Required in the TOR – to be considered during the EIA
42	ENV/Wildfire Management	30 (Proposal)	3.10 (Proposal)	Ensure building components (roofing material; building exteriors; eaves, vents, and openings) comply with FireSmart principles to minimize damage from accidental fires.	No Response Required in the TOR – to be considered during the EIA
43	ENV/Wildfire Management	64 (Proposal)	5.4 (Proposal)	Incorporate access road network into emergency response plan to ensure roads are upgraded and maintained to be wide enough for simultaneous egress and ingress during fire emergency response.	No Response Required in the TOR – to be considered during the EIA
44	ENV/Wildfire Management	94 (Proposal)	6.6.3 (Proposal)	<p>“Proposed mitigation measures include providing fire suppression equipment at harvesting areas and within buildings during operation and implementing an emergency response plan that includes fire prevention, notification and response.”</p> <p>Components to consider including in fire prevention and emergency response plan:</p> <ul style="list-style-type: none"> - the names of key contact personnel with emergency contact information and process for communicating and reporting; - a map identifying location of work activities, camp and camp layout, road access, fuel types, water sources and the location of wildfire suppression equipment; - a description of the methods to be used to reduce or prevent fire starts; - a description of the procedure to be used for notifying a ministry officer, in the event of any fire on the operations area; - measures to be taken to protect infrastructure and assets from outside wildfire threat; - a description of how the operation will make itself aware of the current wildfire danger rating and activity modifications according to the appropriate industrial wildfire precaution level; - a prearranged plan of action for initial suppression response in case of fire; - a description of the personnel resources available for wildfire suppression, the training standards and requirements for those personnel and an inventory of wildfire 	No Response Required in the TOR – to be considered during the EIA

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				suppression equipment available; and - a description of emergency response plans including escape routes, safety zones and evacuation plans.	
45	Water Security Agency			There was no work done to characterize the groundwater resources underlying the harvest sites. That being said, the project does not appear to have significant potential to adversely affect groundwater resources. For completeness, the proponent should address the question as to whether bog dewatering could influence local groundwater recharge.	No Response Required in the TOR – to be considered during the EIA
46	Water Security Agency			The proposed water wells would require approvals from the Water Security Agency.	No Response Required in the TOR – to be considered during the EIA
47	Water Security Agency	17 (Proposal)	3.7 (Proposal)	Should a water well be installed at the harvesting site and should that system eventually provide water for human consumption to workers at the site, the water supply would be regulated subject to The Water Regulations, 2002 if the capacity of the system exceeds 18 m ³ /day (approximately 4,000 gallons). Disinfection is highly recommended for any system providing water for human consumption and is mandatory for any waterworks regulated by <u>The Water Regulations, 2002</u> . Water treatment may also be required if the source water does not meet Saskatchewan's drinking water quality standards. This is offered to the proponent should provision of bottled water at the harvest site become cost prohibitive or otherwise not desirable in the future.	No Response Required in the TOR – to be considered during the EIA
48	Water Security Agency	30 (Proposal)	3.10 (Proposal)	What will be the source of drinking water for the peat processing site? There is no mention of such in the technical proposal.	No Response Required in the TOR – to be considered during the EIA
49	Water Security Agency	15	4.2.2	Impacts on drainage pattern - At time of maximum hectares drained, quantify changes in instantaneous or mean daily discharge resulting from ditch construction for median (1:2) and higher flow (1:25) events at locations where outlet drainage ditches enter the natural drainage system. Also include estimates of changes in annual outflow volumes from each location for 1:2 and 1:25.	No Response Required in the TOR – to be considered during the EIA
50	Water Security Agency	25 (Proposal)		Site preparation section includes information of 30 m buffer zone to protect the surrounding environment. This information has been repeated throughout the TOR. The proponent should describe the rationale and reference for selecting 30 m buffer.	No Response Required in the TOR – to be considered during the EIA
51	Water Security Agency	67 (Proposal)	6.2 (Proposal)	Environmental Issues identified, are those meant in general or specific to Sunterra Horticulture? Section 6.2.1 'Loss of Wetland', 0.02% refers to what? The proponent needs to add project specific data on environmental issues. What will be the net loss of wetlands, what specific effects will be on surface water quality, vegetation, etc.? A detailed compensation plan may be required to address the environmental issues. An inventory of existing flora and fauna is required to assess the impacts [as mentioned in previous comments].	No Response Required in the TOR – to be considered during the EIA
52	Water Security Agency	73 (Proposal)	6.3.4 (Proposal)	'Surface Water' section should be expanded to include a detailed description of the effects of the bog drainage on surrounding water bodies including downstream flows. Seems like the proposed activity might have a noticeable impact on regional hydrology, water quality and potentially fish habitat.	No Response Required in the TOR – to be considered during the EIA
53	Water Security Agency	82 (Proposal)	6.3.9 (Proposal)	Information on the requirement of Aquatic Habitat Protection Permit should be included.	No Response Required in the TOR – to be considered during

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
					the EIA
54	Water Security Agency	110 (Proposal)	9.2 (Proposal)	The monitoring program should include a robust sampling design to assess effects on water quality and quantity during average operating conditions as well as during higher precipitation events.	No Response Required in the TOR – to be considered during the EIA
55	Government Relations	10	2.6	The proposed project is located on land zoned PF-Provincial Forest District under the RM of Hudson Bay No. 394 Zoning Bylaw. The proponent should contact the RM Administrator to determine if the proposal complies with the Zoning Bylaw and to determine if there are any local comments or concerns regarding the project. If amendments to municipal bylaws are required they must be reviewed by Government Relations for compliance with provincial interests and receive Ministerial approval. Government Relations' role is to ensure that the municipal land use bylaws comply with the requirements in The Planning and Development Act, 2007 and also to ensure that provincial agencies have the opportunity to identify any interests that exceed municipal boundaries.	No Response Required in the TOR – to be considered during the EIA
56	Government Relations	10	2.6	Should the project extend to lands under the jurisdiction of a rural municipality and a subdivision be required the approval of the Director of Community Planning must be obtained. Easements for a transmission lines and/or water pipelines if less than 5 km from a city or 2.5 km from another urban centre including hamlets require the approval of the Director of Community Planning.	No Response Required in the TOR – to be considered during the EIA
57	Highways and Infrastructure	85 (Proposal)	6.4.3 (Proposal)	The report does not assess the traffic impact of the development on the highway system at the access points to the process plant and the peat harvesting areas other than to include comments made with respect to it at the public consultations. The construction and operational phase traffic needs to be estimated for these points and its impact on the highway assessed (Traffic Impact Assessment). Contact should be made with the Northern Region Asset Management Director. This should be noted in Section 2.2.3.1 - Main Access Roads of the TOR and addressed in more detail in the EIS.	Sentence added: "Contact will be made with the Ministry of Highways and Infrastructure to determine if any additional information is required in the EIS to further assess traffic impacts." (Page 5)
58	Highways and Infrastructure	12	3.7.1	The proponent proposes to connect to Highway 9 on a curve. It is desirable that the connection point is not on a curve. The proponent will have to meet the Ministry design standards with respect to intersections on curves or move the access point off the curve.	No Response Required in the TOR – to be considered during the EIA
59	Highways and Infrastructure	12	3.7.1	It was not clear in the report where the intersection point(s) onto Highway 8 would be.	No Response Required in the TOR – to be considered during the EIA
60	Labour Relations and Workplace Safety	10	2.6	The proposal does not address in detail, the requirements of The Occupational Health and Safety Act, 1993 (Act) and The Occupational Health and Safety Regulations, 1996 (regulations). A complete copy of this legislation and supporting informational publications can be accessed on the website at www.saskatchewan.ca	No Response Required in the TOR – to be considered during the EIA
61	Labour Relations and Workplace Safety	10	2.6	Even though the project is subject to all of the requirements of the Act and regulations, highlighted in these further comments are the regulations that address potential hazards or issues that may be associated with this project.	No Response Required in the TOR – to be considered during the EIA
62	Labour Relations and Workplace Safety	10	2.6	Regulation 35 Working alone or at an isolated place of employment - The worksite is in an isolated location; therefore requirements under this section apply. The risks of working in the conditions and circumstances at this place of employment must be identified. An effective means of communication must be present and others items that	No Response Required in the TOR – to be considered during the EIA

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
				may need to be considered include provision of personal protective equipment and emergency supplies, emergency procedures and training as needed.	
63	Labour Relations and Workplace Safety	10	2.6	Regulations 50-63 First Aid - First aid supplies and personal needed for a worksite. The employer must ensure that these minimal requirements are met for conditions where the worksite is more than 30 minutes from a medical facility	No Response Required in the TOR – to be considered during the EIA
64	Labour Relations and Workplace Safety	10	2.6	Regulations 64-76 General Health Requirements - Regulations, in these sections, address provision of such items as toilet, eating, drinking water and personal washing facilities will need to be considered when setting up the bog site.	No Response Required in the TOR – to be considered during the EIA
65	Labour Relations and Workplace Safety	10	2.6	Regulation 88 Respiratory Protective Devices - If worker exposure to dust and/or biological materials from harrowing the bog or removing the newly dried layer of peat cannot be kept below occupational exposure limits, respiratory protection will be required.	No Response Required in the TOR – to be considered during the EIA
66	Labour Relations and Workplace Safety	10	2.6	Regulations 109-114 Noise Control and Hearing Conservation - The employer must ensure that the sources of noise exposure to workers from the various types of powered mobile equipment are assessed and the noise measurements be documented. If noise levels exceed the requirements as listed in these regulations, effort must be made to reduce exposure either by noise reduction techniques, such cabs designed to reduce noise exposure, or use of personal protective equipment. Where noise exposure cannot be reduced below the prescribed levels listed in these regulations then employer is responsible for providing audiometric testing every two years.	No Response Required in the TOR – to be considered during the EIA
67	Labour Relations and Workplace Safety	10	2.6	Regulations 153-167 Powered Mobile Equipment (PME) - Powered mobile equipment regulations were amended in March 2009 to include requirements for operator training. The employer must ensure that all PME operators meet these requirements.	No Response Required in the TOR – to be considered during the EIA
68	Labour Relations and Workplace Safety	10	2.6	Regulations 302-314-Chemical and Biological Substances - During construction and operation of the bog harvesting site, the employer must ensure as far as reasonably practicable, that worker exposure to the dust and/or biological materials from harrowing the bog or removing the newly dried layer of peat is kept to a minimum.	No Response Required in the TOR – to be considered during the EIA
69	Labour Relations and Workplace Safety	10	2.6	Regulations 315 – 329 Controlled Products – Workplace Hazardous Materials Information System - Due to the presence of controlled products at project site the employer must ensure that workers are trained and follow WHMIS requirements.	No Response Required in the TOR – to be considered during the EIA
70	ENV/ Climate Change	11	3	On page 31 of the technical proposal, it is noted that the development will have significant impacts on GHG emissions through destruction or disruption to the peatland carbon sink. Destruction of the sink is accelerated by peatland drainage or lowering of the water table accelerates respiratory carbon losses. It is important that the proponents consider and quantify the GHG emissions impacts of their operation. The role of the peatland as a carbon sink should be explicitly mentioned in section 3.0 of the TOR.	Release of greenhouse gases is already listed as an issue identified under the discussion of VECs in Section 3.0. Based on the clarification with the reviewer; more detail will be included in the EIS on the calculations used to estimate GHG emissions during operation of the project. In particular the table of GHG emission calculation will be included.

TOR Comments – Sunterra – Saskatchewan Peat Harvesting (EAB file No. 2013-031)

Date: April 23, 2014

	Ministry / Branch Commenting:	Page #	Section in TOR:	Technical Review Comments Date: April 23, 2014	Proponent Response Date:
71	ENV/ Climate Change	18	4	The magnitude of the peatland carbon sink in the area should be quantified as part of the baseline information set. More detailed calculations than those appearing in the technical proposal should be provided in the EIS.	No Response Required in the TOR – to be considered during the EIA
72	ENV/ Climate Change	14	4.2	The impact of the peatland harvesting operation on GHG sinks should be quantified in detail. What is the change to net CO ₂ e flux? This quantification should also defend the use of equations by Cleary et al. (2005).	No Response Required in the TOR – to be considered during the EIA
73	ENV/ Climate Change	18	5	The impact of re-vegetation of the peatland should be assessed with reference to CO ₂ balance. What will be resulting change to CO ₂ e balance and return of the site to carbon sink post restoration? The EIS requires more information on anticipated GHG balance. Under the definition of a regulated GHG emitter, this operation will not otherwise be required to report given the magnitude of GHG release estimated on page 31 of the technical proposal.	No Response Required in the TOR – to be considered during the EIA

TABLE OF CONTENTS

	<u>PAGE</u>
LIST OF ACRONYMS.....	iii
1.0 ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.....	1
1.1 SCOPE OF THE ENVIRONMENTAL IMPACT ASSESSMENT	1
1.2 TERMS OF REFERENCE FOR THE ENVIRONMENTAL IMPACT ASSESSMENT	3
2.0 PROPOSED PROJECT OVERVIEW	4
2.1 EXECUTIVE SUMMARY	4
2.2 PROJECT DESCRIPTION.....	4
2.2.1 Company Profile	4
2.2.2 Location.....	4
2.2.3 Project Components and Activities.....	5
2.2.3.1 Project Components.....	5
2.2.3.2 Project Activities	6
2.2.4 Project Schedule.....	8
2.2.5 Project Benefits.....	8
2.3 PROJECT BOUNDARIES.....	9
2.3.1 Spatial Boundaries.....	9
2.3.2 Temporal Boundaries.....	9
2.4 PROJECT ALTERNATIVES	9
2.5 ANCILLARY PROJECTS.....	10
2.6 REGULATORY REQUIREMENTS.....	10
3.0 LIST OF VALUED ECOSYSTEM COMPONENTS	11
4.0 ENVIRONMENTAL ASSESSMENT OF VALUED ECOSYSTEM COMPONENTS	13
4.1 BASELINE INFORMATION	13
4.2 IMPACT ASSESSMENT	15
4.2.1 Project-Specific Impact Assessment.....	15
4.2.2 Regional Impact Assessment.....	15
4.2.3 Impacts of the Environment on the Project.....	16
4.3 IMPACT MITIGATION AND MONITORING	16
4.4 RESIDUAL IMPACTS	17
4.5 SUMMARY OF CUMULATIVE IMPACTS	17
5.0 DECOMMISSIONING, RECLAMATION AND ABANDONMENT	18
5.1 CONCEPTUAL DECOMMISSIONING AND RECLAMATION PLAN	18
5.2 RECLAMATION.....	19
5.3 INSTITUTIONAL CONTROL.....	19
6.0 PUBLIC PARTICIPATION AND CONSULTATION PLAN.....	20
6.1 PUBLIC INVOLVEMENT	20
6.2 DUTY TO CONSULT FIRST NATION AND MÉTIS	20

**TABLE OF CONTENTS
(CONTINUED)**

	<u>PAGE</u>
7.0 CONDITIONS MANAGEMENT	21
7.1 COMMITMENTS REGISTER.....	21
7.2 REPORTING AND FOLLOW-UP	21
7.2.1 Reporting to the EA Branch	21
7.2.2 Reporting to Other Government Agencies	22
7.2.3 Content of the Report	22
8.0 REFERENCES.....	23
APPENDIX A – Duty to Consult Consultation Plan	

LIST OF ACRONYMS

Acronym	Meaning
CSPMA	Canadian Sphagnum and Peat Moss Association
DTC	Duty to Consult
EA	Environmental Assessment
EAB	Environmental Assessment Branch of the Saskatchewan Ministry of Environment
EIA	Environmental Impact Assessment (Saskatchewan)
EIS	Environmental Impact Statement
MOE	Ministry of Environment
SKCDC	Saskatchewan Conservation Data Centre
TOR	Terms of Reference
VEC	Valued Ecosystem Component

1.0 ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

Sunterra Horticulture (Canada) Inc. (Sunterra) proposes to harvest peat moss near the communities of Swan Plain and Usherville and to construct a peat processing facility near the town of Norquay. The proposed Project is described in detail in the Technical Proposal which was submitted to the Saskatchewan Ministry of Environment (MOE), Environmental Assessment Branch (EAB) on December 13, 2013 for Ministerial Determination in accordance with The Environmental Assessment Act. Upon review of the application for Ministerial Determination, the MOE has determined that the Project meets the criteria of Section 2(d) of The Environmental Assessment Act, and therefore is considered to be a “development” (as per the MOE’s Reasons for Determination letter received by Sunterra on January 28, 2014). As a result, Sunterra is required to complete an Environmental Impact Assessment (EIA) for the proposed Project and prepare and submit to the MOE an Environmental Impact Statement (EIS) for approval.

Potential environmental effects of the proposed project were identified in the Technical Proposal using scoping methods, interaction matrix techniques, public comments, advice from specialists and professional judgment. Effects of accidents and malfunctions, effects of the environment on the Project and cumulative environmental effects were also determined. Mitigation measures were identified to eliminate, reduce and control environmental effects. Follow-up was proposed to verify the accuracy of the assessment and determine the effectiveness of the mitigation measures. Significance of the residual environmental effects remaining after mitigation was then evaluated.

The Project has triggered the Crown’s duty to consult (DTC) with potentially affected First Nation and Métis communities. As part of the EIA, First Nations and Métis communities will be notified of the Crown’s DTC and that Sunterra will undertake consultation regarding the Project.

1.1 SCOPE OF THE ENVIRONMENTAL IMPACT ASSESSMENT

The scope of the proposed Project for the purposes of the EIA includes planning, designing, constructing, operating, maintaining and eventual decommissioning and restoration of the Project components. The components of the proposed Project include four peat harvesting sites

and associated access roads and borrow pits near the communities of Usherville and Swan Plain, Saskatchewan, as well as a processing facility approximately 5 km west of Norquay, Saskatchewan. While the total lease area is 2390 hectares, only approximately 1620 hectares (68% of total) is believed to be suitable for harvesting. The balance of the lease areas would act as buffer zones to facilitate the future restoration of the land, staging areas for harvested peat and peat roads on the bog to facilitate the transportation of harvested peat to the production facility. The proposed Project is estimated to operate for approximately 50 years based on the 1,620 ha total area believed to be suitable for harvesting. At target harvesting capacity, Sunterra anticipates the Project will hire and employ 50 to 60 people from the regional area, with an aggregate seasonal payroll of approximately \$2.2 million.

The scope of the EIA includes anticipated effects of the environment on the Project including potential effects on Valued Ecological Components (VECs) of the biophysical and socio-economic environments from the Project, by itself and in combination with other past, present and reasonably foreseeable future developments (*i.e.*, cumulative effects). Monitoring and follow-up programs that will be established with respect to biophysical and socio-economic effects will also be included in the scope of the assessment.

The defined scope of the Project for the purpose of the EIA will include but is not limited to:

- Site preparation (grading, vegetation clearing/stripping, stockpiling trees for future use in access road development);
- Construction, operation, decommissioning of drainage ditches for each peat harvesting site;
- Construction, operation, and decommissioning of the peat harvesting sites and bog roads (phased over approximately 50 years);
- Construction of any temporary structures;
- Construction, operation and potential decommissioning of access roads, including associated water crossings;
- Construction and operation of the peat processing facility;
- Facilities, maintenance buildings and parking areas;
- Construction and operation of ancillary works (e.g. borrow pits);
- Peat hauling operations;
- Operation, maintenance, and storage of machinery and equipment at the facility;
- Maintenance (e.g. vegetation/debris management in field ditches, erosion control measures on side-slopes and ditch grades; erosion control measures on soil stockpiles (where applicable), inspection and maintenance of water crossing/s, inspection and maintenance of settling ponds, annual maintenance of access road surfaces); and
- Reclamation of the entire peat harvesting development, aggregate and borrow pits, and other temporarily disturbed sites.

1.2 TERMS OF REFERENCE FOR THE ENVIRONMENTAL IMPACT ASSESSMENT

These Terms of Reference (TOR) have been prepared for approval by the MOE. A Technical Proposal describing the proposed project was previously prepared and identified possible environmental effects and described the proponent's commitment to avoid or reduce effects. The environmental assessment (EA) for the proposal was carried out in accordance with the Saskatchewan MOE Technical Proposal Guidelines. Information was obtained from Sunterra, literature searches, internet searches, and publications by the peat industry and environmental organizations, contacts with federal and provincial government representatives, consultations with stakeholders, and site investigations by the project team.

As the proposed Project has been deemed a development under the Act and is subject to an EIA, the following TOR have been drafted for submission to the EAB according to the "Guidelines for the Preparation of the TOR". The TOR will regularly refer to work already completed during preparation of the Technical Proposal. These TOR should not be considered as either exhaustive or restrictive, as concerns other than those already identified could arise during the completion of the EIA.

2.0 PROPOSED PROJECT OVERVIEW

2.1 EXECUTIVE SUMMARY

An Executive Summary of the EIS will be provided which will briefly summarize the following:

- Information about the proponent, their other peat operation, the need for the project;
- Description of the proposed project including total area believed to be suitable for harvesting, target harvesting capacity, project lifespan, anticipated employees required and payroll;
- Scope of the project;
- Potential adverse environmental effects of the proposed project;
- Positive effects of the proposed project;
- Design and proposed mitigation measures to minimize / eliminate impacts; and
- Follow-up proposed.

2.2 PROJECT DESCRIPTION

2.2.1 Company Profile

This section will provide information about Sunterra including:

- Name of legal entity;
- Project contact person and mailing address;
- History of Sunterra; and
- Sunterra's other operations;

2.2.2 Location

The proposed harvest sites are located on Crown land, while the processing facility is located on Sunterra's privately owned land. The EIS will identify the location of the proposed Project (*i.e.*, township fabric and coordinates of the sites) and provide maps identifying both the project study areas and the regional study area in relation to nearby communities as previously done in the Technical Proposal.

2.2.3 Project Components and Activities

The EIS will provide an overview and describe components and activities associated with construction, operation, and decommissioning/restoration of the proposed Project as previously described in the Technical Proposal. The EIS will provide appropriately-scaled maps and drawings of the Project components and activities. A description of project components will include access roads, creek crossings, equipment required at the proposed harvest sites, bog roads, drainage ditches, sedimentation ponds, outlet ditches, on-site and off-site infrastructure and facilities. A description of activities will include preliminary site investigations, site preparation, construction, operation (including field preparation, harrowing, harvesting, stockpiling, transporting, maintenance and monitoring), and closure and restoration. Environmental management will be discussed, including management of land, air emissions, water, wastewater, and waste.

2.2.3.1 Project Components

Main Access Roads

Access roads will be tied into existing roads as much as possible, but new roads will be required in certain locations to access the proposed harvest sites. The use of a Forest Management Area (FMA) road will require a Road Use Agreement entered between the FMA holder(s) and Sunterra. The proposed roads will be described including location, length, and composition. Additionally, an access road plan will be developed in partnership with the MOE. Contact will be made with the Ministry of Highways and Infrastructure to determine if any additional information is required in the EIS to further assess traffic impacts.

Proposed and Existing Crossings

In order to access the proposed harvest sites, access roads will have to cross a small number of creeks. Some culvert crossings are already present as they are part of old logging roads, while new crossings would be required at up to three locations. All existing and proposed crossings will be described. A hydrologic assessment was undertaken to determine flow rates and flow direction for specific discharge events. Findings from the hydrologic assessment and potential hydraulic impacts of the proposed project are discussed.

Facility and Equipment Required at Proposed Peat Harvesting Site

Staging areas for facilities and equipment would be required at active harvesting sites. The location, size, and composition of the staging areas will be discussed and on-site equipment will be listed.

Bog Roads

Bog roads will connect staging areas to the bog fields and be used to move equipment within a harvesting site. Their location and how they will be constructed will be described.

Sedimentation Ponds

Sedimentation ponds will be constructed in order to capture suspended sediment from water being drained from the harvest sites. Their location, size, retention time, impact on TSS and control of floating debris will be described in detail.

Drainage Ditches

Main drains, field drains, and outlet ditches will be constructed in order to lower the water table within the proposed harvest sites in a slow and controlled manner by directing it to and from sedimentation ponds. Their location, size, flow rates and drainage areas are discussed.

2.2.3.2 Project Activities

Preliminary Site Investigations

Extensive site investigations were undertaken including vegetation surveys, wildlife surveys, bird surveys, aquatic biota assessment, baseline water quality assessment and hydrologic investigations. The Technical Proposal summarized the site investigation activities. Additional details will be provided to ensure the breadth of the preliminary site investigations is accurately represented.

Site Preparation

The identification and purpose of a buffer zone around all waterways is discussed.

Construction

Construction activities including tree clearing, construction of sedimentation ponds, drainage ditches and bog roads are discussed as was done in the Technical Proposal.

Operation

As was described in the Technical Proposal, the EIS will describe peat harvesting operations following best practices developed by the Canadian Sphagnum Peat Moss Association (CSPMA). Operational activities described include field preparation, field harrowing, peat harvesting, peat stockpiling, transporting, maintenance, and monitoring.

Closure and Restoration

A project-specific conceptual decommissioning and reclamation plan will be required so that lands disturbed by Project activities are returned to a condition that is physically stable, safe and environmentally sustaining. The EIS will describe, at a high level, the basic steps of the peat restoration process found in the Quilty and Rochefort (2003) Peatland Restoration Guide (2nd Edition).

The conceptual decommissioning and reclamation plan for the Project will be described including:

- Decommissioning and reclamation objectives;
- Decommissioning and reclamation approach;
- Conceptual decommissioning planning, including progressive decommissioning, monitoring and adaptive management;
- Proposed activities for decommissioning and reclamation, including environmental mitigation and reclamation practices (e.g., contouring, re-vegetation);
- Post-closure monitoring and contingency planning; and
- Financial assurance.

Detailed plans for decommissioning, reclamation, and abandonment will be developed in consultation with regulatory agencies during licensing. Financial assurances will be established in consultation with MOE during permitting of the Project.

2.2.4 Project Schedule

The sequence of key Project phases (*i.e.*, construction, operation, decommissioning and reclamation) will be described and will include the following:

- Anticipated schedule for submitting regulatory applications;
- Anticipated timing/scheduling and duration of each Project phase (clearing, road construction, drainage ditches, sedimentation ponds); and
- Anticipated lifespan for each harvesting site.

Construction Schedule

The construction schedule will describe the anticipated timing/scheduling and duration of the various phases of component/facility construction including clearing, road construction, drainage ditches, and sedimentation ponds.

Operation Schedule

The Technical Proposal included a table outlining the anticipated schedule of operations for the harvesting areas. In the EIS, a harvesting schedule with the following information will be provided:

- Production year;
- Site name;
- Size of areas opened for harvesting per year;
- Total area disturbed per year;
- Expected volume harvested per year; and
- Number of truck loads per year.

2.2.5 Project Benefits

This section will describe the benefits of the proposed Project, including job creation, local training, and business opportunities.

2.3 PROJECT BOUNDARIES

The EIS will describe the spatial and temporal boundaries of the proposed Project as previously described in the Technical Proposal. The study areas encompass all relevant components of the environment, including the people, biota, land, water, air, and other aspects of the natural and human environment. Boundaries will reflect the geographic range over which the proposed Project's environmental effects may occur and will take into account ecological, technical, and social considerations.

2.3.1 Spatial Boundaries

Spatial boundaries of the assessment will vary depending on the VEC being assessed. The Project is expected to span over four lease areas which will be described in the EIS. The spatial boundary of the EIA defined in the Technical Proposal includes a project study area and a broader regional study area. The EIS will define the project study areas and the regional study areas as they relate to the Crown land lease boundaries. Direct and indirect biological and physical environmental effects of the project will be considered within the project study areas, while socio-economic and cumulative environmental effects will be considered in the regional study areas.

2.3.2 Temporal Boundaries

Temporal boundaries of the Project will consider the construction, operation and decommissioning of the project, including site restoration. Anticipated timelines will be described as was done in the Technical Proposal. The temporal boundary for the cumulative effects assessment will be defined in the EIS as the life expectancy of the proposed peat harvesting project.

2.4 PROJECT ALTERNATIVES

The EIS will describe the need and purpose for the Project and consider alternatives to it in terms of business, location, and mitigation measures. Analysis of the project alternatives will be discussed.

2.5 ANCILLARY PROJECTS

As noted in the Technical Proposal, Sunterra proposes to construct a peat processing and packaging plant on an agricultural field approximately 5 km west of the town of Norquay. The facility may additionally be used to create mixes in the future. The EIS will describe site preparation and construction, site access, parking, and on-site roads relating to the processing plant. Roadways constructed for this part of the Infrastructure at the site including the buildings and dust collection system will be described as will sources of domestic water, storage and management of hazardous substances, disposal of waste and wastewater.

Other ancillary projects which will be discussed include access roads and borrow pits which would be required to access the proposed harvest sites.

Social, economic and environmental implications of ancillary developments will be discussed in the EIS.

2.6 REGULATORY REQUIREMENTS

This section is intended to provide information to understand the regulatory requirements of the proposed Project within the context of the EIA. This section of the EIS will:

- Indicate that the Project is subject to review by MOE and provide a brief explanation of the provincial process;
- Provide a list of the agencies, departments, organizations, or other participants likely to be involved in the EIA process;
- Identify the environmental and other specific regulatory approvals and legislation that are applicable to the proposed Project at the federal, provincial, regional, and municipal levels;
- Identify government policies, resource management, planning or study initiatives pertinent to the Project and/or EIA and discuss their implications;
- Identify any treaty or self-government agreements with Aboriginal groups that are pertinent to the Project and/or EIA; and
- Provide a list of the regional, provincial, and/or national objectives, standards, or guidelines that have been used to assist in the evaluation of predicted environmental effects.

3.0 LIST OF VALUED ECOSYSTEM COMPONENTS

VECs which have the potential to be affected by the project and be susceptible to change as a result of project-related activities were identified as part of the Technical Proposal (listed under the Biophysical and Socio-Economic Effects Assessment Sections). The VECs that were identified as important, protected or valued components of the environment, and that will be discussed in the EIS include:

Biophysical VECs

- Microclimate;
- Air Quality;
- Soils;
- Surface Water;
- Groundwater;
- Vegetation;
- Mammals/Habitat;
- Birds/Habitat;
- Aquatic Biota/Habitat; and
- Amphibians and Reptiles.

Socio-Economic VECs

- Economic Conditions;
- Business Opportunities;
- Traffic;
- Noise and Vibration;
- Human Health;
- Aesthetic Values;
- Areas of Interest;
- Recreation / Tourism; and
- Heritage Resources.

Potential environmental issues associated with the Project were also identified by considering the nature of the project, the location, by consulting land-use planning documents, consultation with stakeholders, site investigations, and based on previous experience and knowledge of environmental effects typical of peat harvesting projects. Issues identified included: loss of wetland; loss of wildlife habitat; loss of rare vegetative species; release of greenhouse gases; impacts to surface water quality; reclamation and restoration; and peat fires. These issues were considered as they might relate to a list of potential biophysical, socio-economic VECs.

Based on information obtained during First Nation and Métis consultation, additional VECs may be identified (e.g. Traditional Land Use), and if so, would be assessed and included as part of the EIS.

4.0 ENVIRONMENTAL ASSESSMENT OF VALUED ECOSYSTEM COMPONENTS

4.1 BASELINE INFORMATION

In the Technical Proposal for the Project, the Environmental Description section described the existing biophysical, social and economic conditions in the project and regional study areas. Information was gathered from Project information provided by Sunterra, information provided by stakeholders (including government representatives, First Nations, industry and residents), site investigations, a review of published literature (primary literature, peat industry and environmental organizations) as well as internet searches. Components of the Existing Environment that were described include:

Biophysical Environment

- Physiography and Climate;
- Air Quality;
- Geology;
- Soils;
- Groundwater;
- Surface Water;
- Vegetation;
- Mammals/Habitat;
- Birds/Habitat;
- Aquatic Biota/Habitat; and
- Amphibians and Reptiles.

Social Environment

- Communities;
- First Nations;
- Population;
- Services;
- Land Use (forestry, agriculture, trapping, sport fishing, hunting and outfitting, recreational cabins, snowmobiling, parks/recreation sites); and
- Heritage Resources.

To supplement specific baseline information, investigations were completed including:

- Vegetation and wildlife surveys were conducted during site visits in June 2013 and August 2013 at all four proposed harvest locations and the potential borrow pits along the access roads. Surveys were conducted consistent with survey protocol within the Saskatchewan MOE Research Permit webpage, and were discussed and confirmed prior to fieldwork with Saskatchewan MOE (Tom Maher). A systematic approach was used to ensure that each plant community in the harvesting area was included in the

vegetation survey. Observations were made in the morning and evening to represent daytime and nocturnal bird species. The mammal survey was conducted by recording all mammalian species observed during the vegetation and bird surveys, as well as by sound or any visible evidence such as dens, tracks or scat. The amphibian and reptile survey was conducted by recording all species observed during the other surveys, as well as, by sound or any visible evidence such as tracks or shed skins. Additional bird, mammal and herpetile survey methodology will be provided within the EIS.

- To investigate the potential use of the area by woodland caribou and to assess potential project impacts (including cumulative impacts) additional surveys will be conducted including:
 - Summer and winter fixed wing aerial surveys of areas with high to medium habitat potential within the two regional study areas. Ground truthing of potential caribou sign will be done where possible.
 - Routine ground checking of accessible roads and trails for woodland caribou sign this summer, fall, and winter.
 - Word will be spread locally to ascertain if locals have seen any sign of woodland caribou in the area.
 - Future routine checking for caribou sign.
- Additional literature will be reviewed to expand upon the woodland caribou discussion.
- Aquatic biota assessment was completed during July 2013 using backpack electro-shocking equipment at seven locations in close proximity to the proposed lease areas to determine the types and abundance of fish species inhabiting the area and to assess available fish habitat. Basic water quality and water temperature information was also collected within the study area.
- Baseline surface water samples were collected from creeks, lakes and bogs in and around the proposed harvest sites in June, 2013. These were submitted for laboratory analyses for general water quality and metals data.
- A surface water hydrologic investigation and hydraulic survey was completed in June 2013 at all four proposed harvest areas. Survey data at the existing downstream culverts and the proposed crossing locations was collected.

The EIS will provide additional detail, from that which was provided in the Technical Proposal, specifically about how these investigations were completed. Survey data will be summarized in tables. This section will make use of maps, figures and illustrations to provide a visual representation of the Project. We will work with the SKCDC to provide raw vegetation, animal, and bird survey data to add to the provincial database.

4.2 IMPACT ASSESSMENT

4.2.1 Project-Specific Impact Assessment

In the Technical Proposal, the effects of the proposed peat harvesting Project on the environment in the project and regional study areas were identified using checklists, an interaction matrix and professional judgment. Advice by government representatives, concerns expressed by the stakeholders, and brainstorming among the consultant team was also used to identify environmental issues and associated environmental effects. The adversity of environmental effects was determined based on categories presented in the Technical Proposal. The cumulative environmental effects of the proposed peat harvesting operation with the effects of other projects and activities in the area were assessed following the methods prescribed by the Canadian Environmental Assessment Agency. The significance of the residual environmental effects of the proposed peat harvesting operation was evaluated following the procedures outlined in the Canadian Standards Association EA standard. The degree of change from the existing conditions and the value of the environmental components being affected determine the significance of an adverse effect. The EIA will use the same approach.

4.2.2 Regional Impact Assessment

The EIS will discuss how impacts from other past, present, or reasonably foreseeable future projects or activities in the regional study area might influence the development or its potential impacts on VECs. Scoping for a cumulative effects assessment was completed in the Technical Proposal and involved determining regional issues, selecting appropriate regional VECs, defining spatial and temporal boundaries, describing other actions that may affect the VECs and identifying environmental effects of actions on VECs.

The EIS will discuss the main regional issues identified in relation to the proposed Project including:

- Loss of wetlands;
- Loss of wildlife habitat;
- Loss of rare vegetative species;

- Loss of productive forest land
- Surface water quality;
- Impacts on drainage pattern;
- Increased traffic;
- Reclamation and restoration; and
- Increased hunter access as a result of access road construction.

4.2.3 Impacts of the Environment on the Project

Impacts of the environment on the proposed project will be assessed. Mitigation measures to reduce or eliminate impacts to VECs will be discussed. As was done in the Technical Proposal, the following environment components that may impact the project will be discussed:

- Climate (temperature, wind, rain, snow);
- Flooding; and
- Wildfire.

4.3 IMPACT MITIGATION AND MONITORING

In the Technical Proposal, mitigation for the elimination, reduction and control of adverse effects of the Project including restitution for any damage to the environment caused by such effects through replacement, restoration, compensation or any other means was discussed in terms of design mitigation (incorporation of components, systems, controls and features to mitigate effects) and proposed mitigation (procedures relating to construction specifications or operational procedures). The same approach will be used while conducting the EIA. Monitoring and follow-up will be used to:

- Confirm the success of mitigation measures employed to reduce or eliminate impacts;
- Confirm or refute anticipated project impacts;
- Identify any additional effects which were not anticipated; and
- Evaluate the effectiveness in addressing issues and concerns raised by the public and First Nation and Métis communities.

Monitoring commitments will also be addressed in the commitments register (Section 7.1).

4.4 RESIDUAL IMPACTS

In the Technical Proposal, potential environmental effects of the proposed peat harvesting activities on biophysical, social and economic conditions were identified and assessed. Mitigation measures were proposed, follow-up needs identified, and significance of residual effects evaluated by assessing the following criteria:

- Societal Value;
- Ecological Value;
- Duration;
- Frequency;
- Geographic Extent;
- Magnitude, and
- Reversibility.

The effects of accidents and malfunctions, cumulative effects and effects of the environment on the Project were also considered. The EIA will use the same methodology in order to evaluate environmental effects and determine potential residual impacts for the EIS.

The EIA will evaluate the significance of the residual environmental effects of the proposed peat harvesting operation following the procedures outlined in the Canadian Standards Association EA standard. The degree of change from the existing conditions and the value of the environmental components being affected determine the significance of an adverse effect.

4.5 SUMMARY OF CUMULATIVE IMPACTS

Cumulative effects are those effects that are likely to result from the proposed Project in combination with the effects of other projects or activities that have been or will be carried out in the foreseeable future. In the Technical Proposal, cumulative effects were assessed using the Canadian Environmental Assessment Agency 5-step approach: 1) scoping, 2) analysis of effects, 3) identification of mitigation, 4) evaluation of significance, and 5) follow-up. A summary table outlining Project and cumulative effects will be provided.

5.0 DECOMMISSIONING, RECLAMATION AND ABANDONMENT

Although the detailed plans for decommissioning, reclamation, abandonment and financial assurance assessment will be developed in consultation with regulatory agencies during later stages (e.g., licensing), and would be subject to periodic review during operations, descriptions of key elements of these plans will be described in the EIS.

5.1 CONCEPTUAL DECOMMISSIONING AND RECLAMATION PLAN

The EIS will briefly describe conceptual decommissioning and restoration plans for the proposed Project to restore sites as close as possible to pre-disturbance conditions. Decommissioning and restoration aims at replacing lost elements due to peat harvesting, such as reintroducing peatland vegetation. Restoration would begin once commercial grade peat has been removed or exhausted from the harvesting areas. Fully harvested areas will be restored based on the experience gained by Sunterra through the guidance of CSPMA and restoration research and following the requirements of The Preservation and Reclamation Policy of the CSPMA. Decommissioning options related to the processing facility will be evaluated in the future as it may continue to be operated once the bog areas are closed.

The EIS will indicate a commitment by the proponent for the development of a restoration plan. The restoration plan will focus on the establishment of a productive wetland ecosystem and returning the sites to functioning raised bog ecosystems will be developed and will include:

- The restoration of harvested peatland to functioning wetland ecosystems;
- The enhancement of wildlife values of restored peatland / wetland ecosystems;
- The initiation of restoration as soon as harvesting is completed;
- The integration of bog development with restoration and restoration goals;
- The modification of ditch systems to retain runoff in abandoned sections;
- The development of low cost, maintenance-free restoration methods that do not compromise success;
- The establishment of habitats that complement the regional landscape ecology and are similar peatland ecosystems representative of pre-disturbance site conditions; and
- The utilization of natural features such as bog ponds and upland islands.

5.2 RECLAMATION

Sunterra proposes to restore the harvest sites following methodology provided by Quilty and Rochefort (2003) in the Peatland Restoration Guide (2nd Edition). Although a detailed description of the peat restoration process can be found in this reference, the basic steps of peat restoration will be described. These steps include:

- Surface Preparation;
- Plant Collection;
- Plant Spreading;
- Straw Spreading;
- Fertilization;
- Blocking Drainage;
- Pool Creation; and
- Monitoring

5.3 INSTITUTIONAL CONTROL

The EIS will include proposed criteria for closing the Project and associated infrastructure and will outline plans for monitoring the success of closure and restoration. Commitments for long-term institutional control include:

- Record-keeping describing past operations (including spills, malfunction, accidents, complaints), decommissioning plans and progress;
- Monitoring and reporting on progressive restoration activities as directed by Saskatchewan MOE upon closure of a site;
- Passive site management needs;
- Land controls; and
- Long-term financial liabilities for monitoring, reporting, care, and maintenance, or contingency remediation.

6.0 PUBLIC PARTICIPATION AND CONSULTATION PLAN

6.1 PUBLIC INVOLVEMENT

During preparation of the Technical Proposal, stakeholders were invited to provide Sunterra and KGS Group with their questions, concerns and comments about the proposed Project. Information regarding the proposed Project was provided to regional stakeholders through community meetings (including to the Pasquia/Porcupine Land Use Planning Meeting - Forest Management Advisory Committee), letters to stakeholders, and telephone conversations. The stakeholders list included Rural Municipalities, First Nation communities, Trapper Organizations, Snowmobile Clubs, and NGOs. Concerns expressed by the public and mitigation measures to address them were summarized in the Technical Proposal.

6.2 DUTY TO CONSULT FIRST NATION AND MÉTIS

In the Ministerial Determination letter for the Proposal, MOE has determined that the Project meets the criteria of Section 2(d) of The Environmental Assessment Act, and therefore is considered to be a “development” (as per the MOE’s Reasons for Determination letter received on January 28, 2014). As part of the EIA, Sunterra will undertake consultation with First Nations and Métis communities. A draft consultation plan has been provided in Appendix A.

7.0 CONDITIONS MANAGEMENT

7.1 COMMITMENTS REGISTER

A commitments register outlining each commitment made to mitigate environmental impacts and to meet regulatory requirements will be prepared. The register will provide a brief description of the commitment, indicate how the commitment is to be implemented, indicate how and when the commitment is to be assessed, and describe any follow-up action. The register will be developed in consultation with MOE-EAB. Should the Minister approve the proposed Project, the commitments register will be updated to include all of the ministerial approval's terms and conditions. This summary will be presented in the form of template provided by MOE within the Guidelines for the Preparation of the Terms of Reference: Appendix C.

If commitments don't result in the anticipated environmental protection outcome, adaptive actions may be required. Any adaptive actions would need to be approved by the appropriate government agency and summarized in the commitments register. If adaptive action results in substantial changes to the development, the project may need to be approved by the Minister under section 16 of the Act. If new/different guidelines are to be used, the commitments register will be updated and will need to be approved by the appropriate government agency. If adaptive action results in new commitments, the new commitments will be entered in the commitments register and will be appropriately referenced.

7.2 REPORTING AND FOLLOW-UP

Annual reports will be prepared and submitted to the appropriate government agencies describing progress made on meeting commitments required by each agency.

7.2.1 Reporting to the EA Branch

For reporting on the terms and conditions of the ministerial approval, an annual report will be submitted to the EA Branch describing progress made on meeting commitment under the "Condition of Approval" column of the commitments register. The annual report will be prepared

for the number of years specified in the Ministerial approval letter, and will be submitted by October 1 of each year (or as otherwise directed).

7.2.2 Reporting to Other Government Agencies

Reporting and follow-up of commitments made to meet regulatory requirements of other government agencies will be discussed with, and submitted to, the appropriate agencies.

7.2.3 Content of the Report

Annual reports will be brief in nature and would not contain unnecessary details unless where needed to demonstrate the status of a commitment. The annual report would indicate how effectively commitments are being met, discuss any preventative actions where commitments are at risk of not being met, describe any corrective action (as approved by appropriate government agency) where a commitment has not, or cannot be met, justify the reasons for any commitment that might not be or has not been met, and provide an assessment on whether the commitment is sufficiently addressing the intended environmental protection or mitigation objectives. The commitments register will be updated and included with each annual report.

8.0 REFERENCES

Canadian Environmental Assessment Act. 1999. Cumulative Effects Assessment Practitioners Guide, Cat. No. En106-44/1999E, ISBN: 0-660-17709-9

Canadian Standards Association. 1999. Preliminary Draft Standard: Environmental Assessment, produced for: The Working Group of the EIA Technical Committee, Draft #14, July 26.

KGS Group, 2013, Technical Proposal: Sunterra Saskatchewan Peat Harvesting Proposal: Usherville and Swan Plain, Prepared for Saskatchewan MOE-EAB.

Quinty, F. and L. Rochefort. 2003. Peatland Restoration Guide, 2nd edition. Canadian Sphagnum Peat Moss Association and New Brunswick Department of Natural Resources and Energy. Quebec, Quebec.

Saskatchewan Ministry of the Environment. 2012. Technical Proposal Guidelines, a Guide to Assessing Projects and Preparing Proposals under the Environmental Assessment Act. 28pp.

Saskatchewan Ministry of the Environment. 2012. Proponent's Guide: Consultation with First Nation and Métis in Saskatchewan Environmental Impact Assessment. 13pp.

APPENDIX A
DUTY TO CONSULT CONSULTATION PLAN

FIRST NATION AND MÉTIS DUTY TO CONSULT PLAN FOR THE SUNTERRA PEAT HARVESTING PROJECT – SASKATCHEWAN MINISTRY OF ENVIRONMENT

Scope

In order to assist the Crown to fulfill its First Nation and Métis Duty to Consult (DTC) obligations, certain procedural aspects of consultation have been assigned to Sunterra. This draft consultation plan is submitted to Saskatchewan MOE – EAB based upon directions prescribed by Saskatchewan MOE-EAB in the Ministerial Determination letter and Consultation Notification follow-up letter (received on January 28 and Feb 11, 2014 respectively) and by consulting the guidance document, Proponent's Guide: Consultation with Métis and First Nations in Saskatchewan Environmental Impact Assessment. Additionally, all DTC activities will be consistent with the Government of Saskatchewan's First Nation and Métis Consultation Policy Framework.

List of First Nation and Métis Communities

As outlined in MOE-EAB's letter of February 11, 2014 Consultation Notification follow-up letter, Sunterra will consult with the following communities as part of the EIA process:

- Coté First Nation;
- Fishing Lake First Nation;
- Keeseekoose First Nation;
- Key First Nation;
- Kinistin Saulteaux Nation;
- Okanese First Nation;
- Cowessess First Nation;
- Yellow Quill First Nation;
- Bjorkdale Métis Local #99;
- Hudson Bay Métis Local #114;
- Sturgis Métis Local #138; and
- Tisdale Métis Local #222

As part of the Technical Proposal process, public consultation letters were sent to stakeholders including Rural Municipalities, First Nation communities, Trapper Organizations, Snowmobile Clubs, and NGOs. Letters were sent to the following First Nation Communities: Coté First Nation, Fishing Lake First Nation, Keeseekoose First Nation, Key First Nation, Kinistin Saulteaux Nation, Okanese First Nation, Cowessess First Nation and Yellow Quill First Nation.

While no response was received from these communities, this initial consultation was not part of the DTC process. As part of the DTC, further efforts will be made to engage these communities and others in the consultation process.

Consultation Objectives

The objectives of the public consultation and engagement plan for the Project are to:

- Provide First Nation and Métis communities, the public, and other interested parties with timely and accurate information to facilitate a clear understanding of the Project.
- Gather and document comments, feedback and concerns regarding the Project from interested parties.
- Gather input from interested parties on the scoping of issues to be included in the EIS.
- Gather information on traditional land use within the Project area by Aboriginal people.
- Inform the public, stakeholders, First Nation and Métis communities, and other interested parties on how public input has informed planning, design and mitigation decisions.
- Consider the comments from the program in preparation of the EIS. The First Nation and Métis engagement undertaken during the EIA will support government efforts to satisfy Crown obligations for First Nation and Métis consultation and, where necessary, accommodation.
- Any indication of community acceptance, disapproval, or public interest in the Project will be documented in the EIS.

Description of Consultation Process and Methods

As outlined in the February 11, 2014 Consultation Notification follow-up letter and in discussion with the Saskatchewan MOE-EAB, Sunterra plans to conduct consultation with the 12 listed First Nations and Métis communities in the following manner:

- Letters will be sent to each of the 12 communities. These letters will describe the proposed project and will indicate that as part of the Crown's DTC, Sunterra has been requested by MOE-EAB to consult with their community to obtain input on potential Project effects to Treaty Rights. The letter will also state Sunterra would like to know how (if) their community wishes to be consulted, and that the letter will be followed up with phone calls or telephone conference with the Chief (and council) in order to receive feedback which will be used to initiate the consultation process.
- The letter will suggest that two common and effective options for consultation would be: (1) a PowerPoint presentation; or (2) an open-house with large story-board graphics describing the proposed project.
- Once feedback has been obtained from the 12 communities on their preferred manner of consultation, the consultations will be scheduled at a convenient time for the

communities, while organizing consultations in a manner that reduces the number of trips required by Sunterra and coordinates meetings as efficiently as possible.

Discussions between the proponent and potentially-affected First Nation and Métis communities will focus on:

- Areas of the community's traditional territory located within the regional study area.
- Treaty and Aboriginal rights and traditional uses, which arise in connection with the proposed development and the potential impacts on these rights and uses from the proposed development.
- Actions that could be taken or measures that could be used in the design and/or operation of the proposed development that would assist in avoiding or reducing potential impacts to Treaty or Aboriginal rights and traditional uses within a community's traditional territory.
- Any other environmental impacts of concern.

Record Maintenance and Reporting

Communication from all individuals, groups, organisations and community members will be recorded and compiled. The EIS will provide data on and summarise:

- All individuals, groups, organisations and communities that have been invited to engagement activities, and have attended;
- The nature, scope and content of engagement;
- Information received by Sunterra from the individuals, groups, organisations and communities, including but not limited to concerns, issues, questions, advice (ecosystem and other), traditional land and resource use, and current land and resource use;
- Responses to concerns, issues, questions and information provided to the Proponent; and
- As applicable, project changes made to accommodate concerns and issues raised, including potential impact to Treaty and Aboriginal rights.