

From: BoardSec
Sent: April 28, 2014 9:55 AM
To: [REDACTED]
Subject: FW: EB-2013-0442

From: Anne Johnston [REDACTED]
Sent: April-26-14 2:15 PM
To: BoardSec
Cc: ManversWind Concern; Heather Stauble; Laurie Scott
Subject: EB-2013-0442

The Board
Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1B4
To the Board:
RE: EB-2013-0442

I am a resident in the project area for the proposed Sumac Ridge Wind project. I am requesting that the application for a license by wpd be denied. This email is also in support of those requesting Intervenor Status and legal costs.

The Sumac Ridge wind project is currently in the midst of an ERT and is adjourned at wpd's request. This adjournment was requested by wpd, yet again, so that they may respond to changes made to the REA by the Director of the Ministry of the Environment.

Their request of the City of Kawartha Lakes last year was before any approval was granted by the Ministry of the Environment. Wpd then sent a press release to the media and threatened through the media, not Council, that they would be taking the City to the Ontario Energy Board and seeking costs, which I understand is not allowed under the Ontario Energy Board rules. A Notice of Appeal was filed in connection with the Sumac Ridge Appeal December 24, 2013.

Wpd then advised the ERT that they were conducting a Municipal Environmental Assessment on behalf of the Municipality. This was not the case. In fact, wpd had been expressly told by the Municipality that they did not have their consent to initiate a Municipal EA. Furthermore, wpd is not a municipality.

Wpd then placed ads in the newspaper which suggested to the public that the municipality was conducting an EA to upgrade the roads with no mention of the connection to the wind projects. Of the eight options that wpd claims to be considering under the EA, seven are new options and not identified in the REA applications made to the MOE. The application to the Ontario Energy Board shows further changes to the proposed access roads and transmission corridors and once again, there are differences between what was provided to the Ministry of the Environment, Ministry of Transportation, the ERT and the City of Kawartha Lakes.

Wpd has repeatedly requested adjournments and accommodations at the time and expense of the public in order to make their case. They have not been clear and transparent with the public, MOE, MTO, the ERT or the OEB on their plans for access roads and have continually changed their plans. An application for road use agreements and transmission corridors in light of the

differing information provided to different approval bodies and the appeal currently underway is premature and should be denied.

The project is located on the Oak Ridges Moraine and subject to Section 41. of the Oak Ridges Moraine Conservation Plan which requires that the need be demonstrated and that there be no reasonable alternative. Wpd has not done this.

Wpd has requested access to Wild Turkey Rd which is located on the Oak Rides Moraine. It is an unopened road allowance. The road allowance is currently used by the public as a trail and leads to Fleetwood Conservation Area. Wild Turkey Rd is located on the Oak Ridges Moraine. It is located very close to and on significant landforms, slopes, watercourses and the headwaters of Fleetwood Creek. Opening up this road is not permitted under the Oak Ridges Moraine Conservation Plan.

The use of this road allowance as an access road would require major upgrading, the removal of all vegetation along the road allowance and would place an obligation on the municipality to maintain it. There is no need to open the road as access can be accomplished by constructing private access roads on private land.

The City of Kawartha Lakes has been very clear that they have no interest in opening up Wild Turkey Road. The City of Kawartha Lakes have no need for the road and do not wish to create a further obligation to maintain it.

The request for access to Wild Turkey Rd is so that a transmission line can be run across from Turbine 5 to Turbine 4. This can be accomplished by running a line across Wild Turkey Road from Turbine 4 to 5 and does not require the opening up of the entire road allowance.

Wpd has also requested access to Gray Rd. Various reports state differ in what is proposed: permanent, temporary access road, overhead, underground wires on the north side, on the south side. The proposed Road Use Agreement with the City of Kawartha Lakes seeks access for a road as well as a transmission line.

Gray Rd is currently a trail and is not maintained. The trail is very hilly, wooded, runs through wetlands connected to the Pigeon River headwaters, seeps, is near an area of species at risk and will require significant removal of woodlands, upgrading and will have to deal with significant hydrological issues.

There are alternatives to Gray Rd as an access road or transmission corridor that could be run through the lands belonging to the participating landowners. An alternate route through participating landowners properties would avoid wetlands, species at risk, removal of woodlands and alteration of the road allowance.

The municipality has no need to open or upgrade Gray Rd road allowance. It serves no benefit to the municipality and the community is interested in maintaining it as a trail. Access routes and transmission corridors should be sought on the lands of participating landowners.

The area is located in an area of marginal wind. It is entirely likely that the company will make more money not producing energy than generating energy. Wind production must be backed up by an alternate source of energy, so we know there is an alternative form of energy production. It is not reliable or affordable.

There is a strong public interest in this application. This project is strongly opposed by the Community, The City of Kawartha Lakes, First Nations, The City of Peterborough, The Peterborough Airport, Hiawatha and Curve Lake First Nations, STORM Coalition, The Cham Shan Buddhist Temple.

There were 2874 Comments posted on the Environmental Registry from local residents, people in Toronto and other locations on the Oak Ridges Moraine. There were over 40 requests for Party, Participant or Presenter status. There were over 700 people at the last public meeting held by wpd.

The plans put forward by wpd have differed in various applications and reports. There are different plans:

- * Draft REA Project Descriptions
- * Final REA Project Descriptions
- * Draft Construction Plans
- * Final Construction Plans
- * Request to MTO to move an access road - status of application unknown
- * Permission from MTO for entrances or changes to Access Roads - status unknown
- * 8 options different included in an MCEA initiated without the City of Kawartha Lakes' approval - 7 of which are new options that have not been shown to the Ministry of the Environment or the Environmental Review Tribunal
- * OEB Application - different road access and transmission plans yet again
- * Comments and responses reported by wpd in REA Consultation Report and Appendices
- * No road use agreements with the City of Kawartha Lakes at this time

Wpd has not been consistent, transparent or forthcoming with their information. They have provided different plans to different agencies. Their changing plans and requirements for public input for these dummy plans have amounted to an unnecessary cause of anxiety.

Wpd actions have caused a great deal of angst, confusion and expense to the general public, the City of Kawartha Lakes and other organizations, Ministries and agencies. Threats of legal action against the municipality and the residents on this project have amounted to intimidation. Their continual request for adjournments at the ERT are wasting people's time and money.

The need for of this for this project has not been demonstrated or supported. The reliability of generation from this project is questionable. wpd has not been forthcoming and in fact has attempted to intimidate the municipality through threats of legal actions. They have provided differing reports and plans to different agencies. Wpd is currently in the midst of an ERT process in which they are repeatedly requesting accommodations and adjournments.

Given the underhanded, misleading and intimidating manner in which Wpd has conducted themselves; the location on an environmentally protected area (ORM) that requires that the proponent "demonstrate the need" and that "there is no reasonable alternative"; the marginal wind in this area; the strong public interest in this project; the confusing and misleading plans and reports provided by wpd; the false consultations on the Municipal EA; the misleading reports of consultations with the municipality and residents to the ERT and OEB; and intimidating and frivolous way wpd has used the OEB and ERT process, I support the requests for intervenor status and costs. Furthermore, given the information provide above, wpd's request for approval by wpd should be denied.

Sincerely,

AMJohnston
Anne Johnston

A large black rectangular redaction box covering the signature area.