



Committee of the Whole
April 10, 2014

wpd Canada, White Pines Wind Project, REA #012-1279 **Municipal Consultation Comments**

Executive Summary:

This report sets out the municipal comments to be forwarded to the Ontario Ministry of the Environment and wpd Canada on the revised Heritage Assessment Report dated June 2012 and revised October 15, 2013 prepared by Stantec Consulting on behalf of wpd Canada on the White Pines wind project located on lands in the Wards of Athol and South Marysburgh. The municipal consultation comments included in this report will be forwarded to the Ministry of the Environment and wpd Canada as supplementary comments to the municipal consultation comments forwarded by Council in September, 2012 through the adoption of the report of the Engineering, Development and Works Commission dated September 25, 2012.

Recommendations:

That the report of the Engineering, Development and Works Commission dated April 10, 2014 regarding wpd Canada, White Pines Wind Project, REA @012-1279 Municipal Consultation Comments be received;

THAT the County of Prince Edward considers the "White Pines Project Heritage Assessment Report" by Stantec Consulting Ltd. revised October 15, 2013 to be:

- **incomplete and deficient in the identification and assessment of the visual and construction impacts of the project on cultural heritage resources located within the study area of South Marysburgh and Athol wards; and**
- **lacking in appropriate mitigation measures for the identified impacts on cultural heritage resources located within the study area of South Marysburgh and Athol wards;**

THAT the Ontario Ministry of the Environment be requested to not approve the wpd Canada White Pines Wind Project, REA #012-1279, as filed;

THAT the Ontario Ministry of the Environment be advised that if they choose to approve the White Pines Wind Project, REA #012-1279, the County of Prince Edward requests that the Ontario Ministry of the Environment require wpd Canada to modify the White Pines Wind Project, REA #012-1279, to remove/relocate turbines T07, T09 and T11 to remove the impacts on adjacent cultural heritage resources as

documented in the *White Pines Project Heritage Assessment Report* by Stantec Consulting Ltd. revised October 15, 2013;

THAT the Ontario Ministry of the Environment be advised further that if they choose to approve the White Pines Wind Project, REA #012-1279, that the matters identified in Attachment # 14 to the April 10, 2014 report of the Engineering, Development and Works Commission be addressed prior to or as part of any Renewal Energy Approval for the White Pines Wind Project; and

THAT this Report comments in Attachment # 14 to the April 10, 2014 report of the Engineering, Development and Works Commission be forwarded to the Ontario Ministry of the Environment and to wpd Canada as the Municipal Consultation Comments and posted on the Environmental Registry in response to the White Pines Wind Project REA #012-1279.

Background:

wpd Canada Corporation "wpd" is proposing to develop, construct and operate a 29 wind turbine Class 4 wind facility called the White Pines Wind Project (the project) located on multiple parcels of land within Prince Edward County.

The project study area is approximately 105 square kilometres generally bounded by Brummell Road/Bond Road to the North; Lighthall Road to the West; Gravelly Bay Road to the East; and Lake Ontario to the South in the Wards of Athol and South Marysburgh. The draft Site Plan (Attachment #1) also identifies a northern study area which is intended to indicate the location of the interconnection line connecting the project to a substation to be built near the Picton Transformer Station. wpd was awarded an Ontario Feed-In-Tariff (FIT) contract with the Ontario Power Authority (OPA) in May, 2010.

Council at its meeting of September 25, 2012 considered a staff report outlining the municipal comments on the project (Attachments # 2 & 3) and adopted the following motions:

"That the report of the Engineering, Development and Works Commission dated September 25, 2012 regarding White Pines Wind Project Municipal Consultation Comments be received;

THAT the County of Prince Edward considers the "Final Report Heritage Assessment, White Pines Wind Project, South Marysburgh and Athol Townships, Prince Edward County, On" by Stantec Consulting Ltd. dated May 16, 2012 to be incomplete until a revised heritage assessment report(s) are received and therefore full and complete municipal consultation comments on this subject matter cannot be provided at this time;

THAT the comments in Attachment # 3 to the September 25, 2012 report of the Engineering, Development and Works Commission be forwarded to

the Ontario Ministry of the Environment and to wpd Canada as the interim Municipal Consultation Comments with the exception of municipal consultation comments on heritage matters in regard to the White Pines Wind Project; and

THAT the Ontario Ministry of the Environment is hereby requested to ensure that the revised Heritage Assessment Reports are completed for circulation to the municipality for assessment and that the matters identified in Attachment # 3 to the September 25, 2012 report of the Engineering, Development and Works Commission are addressed prior to any Renewal Energy Approval for the White Pines Wind Project."

As required by the Renewable Energy Approval (REA) process, Stantec Consulting Ltd., on behalf of wpd, prepared and submitted numerous draft project reports on the impacts of the project to the municipality in 2012 as part of the municipal consultation process. A summary of the reports files by wpd is included as Attachment # 4 to this report. These reports were the basis of the municipal consultation comments in the September 25, 2012 report to Council.

With regard to the Heritage Assessment Report dated May 16, 2012 staff noted that:

"nine protected properties, 29 significant built heritage resources and two significant cultural heritage landscapes were identified within the Study Area in the Heritage Assessment Report dated May 16, 2012. Potential negative impacts including impact on views and vibration damage were identified in the Report for three of the protected properties, six of the significant built heritage resources and one of the significant cultural heritage landscapes. Recommended mitigation measures including engineer vibration studies and monitoring during construction, placement of any above-grade collection line to preserve significant views of heritage buildings and landscapes and avoidance of tree removal were identified to address these negative impacts. Stantec Consulting Ltd. advise that they will be reviewing and revising the heritage assessment report after consultation with PEHAC so the County's review of the heritage assessment report is incomplete until revised report(s) are received."

After consultation with Planning staff and PEHAC, site visits to the study area with PEHAC and members of the heritage community, and review of additional information regarding heritage properties and cultural heritage landscapes, Stantec Consulting Ltd. prepared a revised White Pines Wind Project Heritage Assessment Report dated October 15, 2013.

Deputations made to the Committee of the Whole on February 27, 2014 and Council on March 11, 2014 by PEHAC and members of the heritage community are included as Attachments # 5,6 & 7.

On March 11, 2014, the Ministry of the Environment deemed their Renewable Energy Application (REA) complete and posted it on the Environmental Registry for the 60 day comment period (REA# 012-1279). Comments are required by May 10, 2014.

The purpose of this report is to also provide a summary of staff's review of the materials filed by wpd for their REA and identify those matters that have the potential to effect the operations, infrastructure and services operated by the Corporation of the County of Prince Edward.

Analysis/Comment:

The wpd project was previously circulated for public and municipal comments in 2012. The proponents held their last public consultation meeting on August 30, 2012 to receive input on the project from the community. Many of the wpd reports filed with the current REA are the same reports staff reviewed earlier in the September 25, 2012 report. Many of the staff's comments on these reports remain unchanged from those earlier comments and were addressed in our "Municipal Matters to be Addressed" (2012).

It appears that since 2012, the only changes to the wpd file have been revisions to two project reports: the Stage 1 and 2 Archaeological Assessment Reports, the Heritage Assessment Report (which was a requirement indicated in our previous consultation comments), the adoption of the "not a willing host" resolution by Council and wpd filing an application with the Ontario Energy Board (OEB) for "Leave to Construct" their Interconnection Line. This report will provide an update on these matters.

"Not a willing host" resolution

The following motion was adopted by Council on May 14, 2013 declaring the County as "not a willing host" for wind energy projects:

Motion 2013-271

Moved by Councillor Quaiff

Seconded by Councillor Lunn

"WHEREAS the Premier of Ontario has recently conveyed the Government's desire to limit Industrial Wind Turbine (IWT) Projects to communities that are willing hosts;

AND WHEREAS Council for the Corporation of the County of Prince Edward has taken a consistent position on the issue to IWTs

NOW THEREFORE be it resolved that the Council for the Corporation of the County of Prince Edward applauds the position taken by the Premier and the Government;

THAT, based on the consistent position of Council for the Corporation of the County of Prince Edward and the input received from the community regarding IWTs, the Province of Ontario and specifically the Ministry of Environment be now advised that the Corporation of the County of Prince Edward is not a 'willing host' for IWTs and

THAT this resolution be circulated to Premier Kathleen Wynne, as well as to the Minister of Environment, Minister of Energy, Minister of Rural Affairs."

OEB "Leave to Construct" Application

On September 18, 2013 wpd filed an application with the OEB (File EB-2013-0339) for Leave to Construct their interconnection line from the proposed wind energy project. wpd advises that as both a generator and a distributor of energy they are proposing to construct the required energy transmission lines from their project site to the Picton Hydro One Networks transformer station. The OEB will be conducting a hearing on this application and the County has been granted intervener status (Attachment # 8). The OEB has issued Procedural Order 1 (Attachment # 9, note that the dates have been revised) which staff will report on separately as needed.

Stage 2 Archaeological Assessment Report

wpd submitted a revised Stage 2 Archaeological Assessment Report to the Ministry of Tourism, Culture and Sport on December 19, 2013. This report includes a Stage 1 & 2 Transmission Line and Substation Archaeological Assessment and replaces the original report dated January 11, 2012 and the Ministry letter of acceptance of that report dated February 6, 2012. The consultant report noted that:

"No evidence of archaeological sites was encountered during the Stage 2 archaeological assessment. It is therefore recommended that clearance of archaeological conditions affecting the White Pines Wind Project be provided. A Letter of Review and Acceptance into the Provincial Register of Reports ... is requested."

The Ministry letter (Attachment # 10) was received on December 24, 2013 indicating that the revised report was entered into the Ontario Public Register of Archaeological Reports. Staff have no further comments to provide on this report.

Revised Heritage Assessment Report

The White Pines Wind Project Heritage Assessment Report dated June 2012 was revised October 15, 2013 as a result of concerns expressed by PEHAC and the heritage community and in discussions with Stantec Consulting Inc., who prepared the initial report. The revised report notes:

"As a result of this additional consultation, a more comprehensive understanding of local architectural styles and historical themes as they pertain to the study area was reached and are reflected in this Report. The site visit resulted in the addition of properties to the inventory of potential cultural heritage resources and an improved understanding and recording of views associated with previously assessed properties."

Each building or structure that was identified as being a cultural heritage resource which contributes to cultural value or interest was evaluated and direct or indirect impacts on these resources from the project were assessed. One hundred and three (103) individual resources and groupings of resources were recorded and evaluated by the consultants leading to the identification of 74 cultural heritage resources which meet the criteria for determining Cultural

Heritage Value or Interest (CHVI) under O.Reg.9/06 of the Heritage Act. The recommendations of the report identify:

- the potential for indirect impacts related to construction vibrations for 20 cultural heritage resources; and
- other potential project related impacts related to views for 21 cultural heritage resources.

The Report states:

"In order to mitigate any visual impacts, Turbine locations T07, T09 and T11 would have to be avoided." (i.e. "removed", author's note)

In addition to the materials submitted during deputations to the Committee of the Whole and Council Staff received "Comments on the Revised Heritage Assessment Report WPD Canada White Pines Wind Project by the Prince Edward Heritage Advisory Committee with Input from the Heritage Community dated March 5, 2014 and revised March 10, 2014" (Attachment # 11). The PEHAC comments provide an extensive review of the revised report and note:

"...the revised report remains in many parts incomplete and inaccurate, as a result of inadequate research, insufficient comparative analysis and limited conclusions, especially as regards heritage attributes, which makes it difficult to identify the impacts."

The Conclusions and Suggested Remedies of the PEHAC review are included as Attachment # 12. Specifically Conclusion 2 states:

"The MOE must require compliance with O.Reg359/09, its own guidelines, the Ontario Heritage Act and the Provincial Policy Statement, 2005 and 2014, and instruct wpd Canada to propose mitigation of the visual impacts identified for the 7 protected heritage resources at 104 Brewers Road, the Royal Road CHL and 41 Lighthall Road by the removal or relocation of Turbines T07, 09 and 11."

In addition PEHAC requested that the implications of the visual impacts from Turbine T09 and the assessment of all other cultural heritage resources be applied consistently throughout the entire study area.

The Mayor and Council received a letter dated March 25, 2014 (Attachment # 13) from Mr. Khlaire Parre, Director of Renewable Energy Approvals of wpd Canada in response to the deputations to Committee of the Whole and Council and concerns regarding the preparation of the report and accompanying visualization. He states:

"The report takes into account the impact on all heritage attributes of cultural heritage resources with the study area and the views selected were chosen because they are representative of the heritage attributes of identified heritage resources."

He concludes:

"We understand that municipal staff is reviewing the revised Heritage Report, and is preparing a response to the Environmental Registry (EBR)

posting for Council's consideration. In deliberating on your response, we believe it is important to consider all the information contained within it."

Staff Comments

The Executive Summary of the revised Heritage Assessment Report notes that:

"A total of 103 potential cultural heritage resources were identified through desktop research, a windshield survey and consultation with the public."

Of these 103, 74 were determined to:

"meet the criteria outlined and designated cultural heritage resources (CHRs). In addition to the heritage resources identified, 12 properties were determined to be protected under the Ontario Heritage Act."

The number of cultural heritage resources identified in the revised report is significantly larger than the 9 protected properties, 29 significant built heritage resources and 2 significant cultural heritage landscapes identified in the 2012 heritage assessment report and is reflective of the value of consultation and site visits with community members with expertise in heritage.

The Provincial Policy Statement (PPS) requires the conservation of significant built heritage and significant cultural heritage landscapes. Policy 2.6.3 of the 2014 PPS directs:

"Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

It is the intent of the County Official Plan to preserve historic buildings, streetscapes, areas, scenic routes, museums, archaeological sites... and other heritage assets throughout the County, noting that:

"Conservation of heritage resources is important not only for tourism and economic development, but also as a means of promoting and enhancing social and community development by exposing visitors and residents to the rich history and sense of place of the County." (Part 111- Section 4.4.1)

The revised Heritage Assessment Report identifies potential direct (visual) impact on 20 cultural heritage resources and indirect (vibration due to construction) impacts on 21 cultural heritage resources within the study area. A key concern raised by PEHAC and the heritage community relate to the methodology and lack of consistent approach used by the consultants to identify impacts on all heritage resources within the study area.

It is documented by the consultants that there will be impacts on the County's cultural heritage resources within the study area. The purpose of the revised Heritage Assessment Report is to document the heritage resources within the study area and identify possible impacts and recommended mitigation measures. With regard to visual impact on the 20 cultural heritage resources, the report's authors do not offer any mitigation measures to address the identified impacts.

The report states:

"In order to mitigate any visual impacts, Turbine locations T07, T09 and T11 would have to be avoided. Turbine locations T07, T09, and T11 have been decided based upon consideration of availability of land and natural environment, noise and property line setbacks, as defined in Ontario Regulation 359/09. Moving the turbines is not possible, due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project."

Staff note that as a result of the consultation and additional information provided to the consultants the documentation and assessment of the cultural heritage resources within the study area and potential project impacts on these resources appears to have improved significantly in depth and scope in the revised report. However the response of the consultants to this additional information and consultation has not resulted in a single change or modification to the project to avoid or mitigate negative visual impacts on these documented resources.

On the balance of all of the information presented, staff are of the opinion that the revised Heritage Assessment Report fails to appropriately address the visual impacts of the turbines on the cultural heritage resources within the study area.

Strategic Plan/Priority Implications:

The recommendations of this report will contribute to the Strategic Plan objectives of managing growth and its impacts.

Financial Implications:

None identified for the recommendations of this report.

Policy Implications:

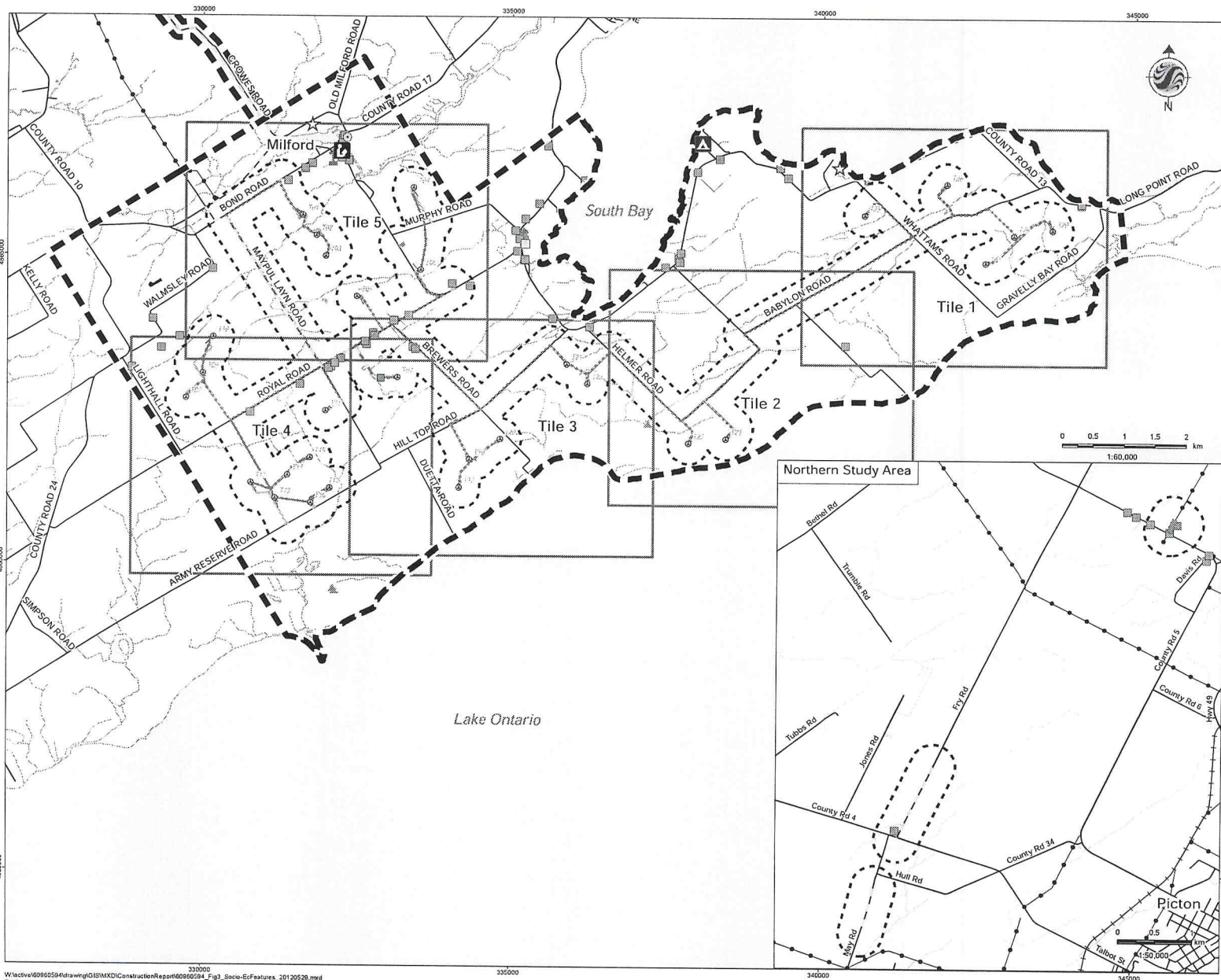
None identified for the recommendations of this report.

Notice/Consultation:

PEHAC was provided a copy of this report.

Other Options:

None Identified



Legend

- Study Area
- 300m Zone of Investigation
- Proposed Project Components**
 - Wind Turbine
 - Access Road
 - Collector Line
 - Interconnection Line
 - Construction Area
 - Turbine Laydown Area
 - Crane Laydown Area
 - Substation
 - Storage Area
- Existing Features**
 - Road
 - Railway
 - Transmission Line
 - Petroleum Well (Abandoned)
 - Conservation Area
 - Church
 - Fairgrounds
 - Library
 - Museum
 - RV Park
 - Heritage and Protected Properties
 - Contaminated Site
 - Waterbody (as per MNR base mapping)
 - Watercourse (as per MNR base mapping)

Notes

1. Coordinate System: UTM NAD 83 - Zone 18 (N).
2. Data Sources: Ontario Ministry of Natural Resources
 © Queens Printer Ontario, 2012; © Natural Resources Canada, 2011; © WPD Canada, 2011; © Prince Edward County, 2011
 Ontario Ministry of Environment © Queens Printer Ontario, 2012



Stantec

May 2012
160960594

Client/Project
**WPD CANADA CORP.
 WHITE PINES WIND PROJECT**

Figure No.
3.0

Title
Socio-Economic Features



Council September 25, 2012

Wpd Canada White Pines Wind Project Municipal Consultation Comments

Executive Summary:

This report sets out the municipal comments to be forwarded to the Ontario Ministry of the Environment and to wpd Canada on the White Pines wind project located on lands in the Wards of Athol and South Marysburgh. The municipal consultation comments on the Heritage Assessment report submitted by Stantec Consulting Ltd are incomplete at this time until wpd and Stantec Consulting Ltd. consults with Prince Edward Heritage Advisory Committee (PEHAC) and revised heritage reports are received.

Recommendation:

That the report of the Engineering, Development and Works Commission dated September 25, 2012 regarding White Pines Wind Project Municipal Consultation Comments be received;

THAT the County of Prince Edward considers the " Final Report Heritage Assessment, White Pines Wind Project, South Marysburgh and Athol Townships, Prince Edward County, On" by Stantec Consulting Ltd. dated May 16, 2012 to be incomplete until a revised heritage assessment report(s)are received and therefore full and complete municipal consultation comments on this subject matter cannot be provided at this time;

THAT the comments in Attachment # 3 to the September 25, 2012 report of the Engineering, Development and Works Commission be forwarded to the Ontario Ministry of the Environment and to wpd Canada as the interim Municipal Consultation Comments with the exception of municipal consultation comments on heritage matters in regard to the White Pines Wind Project; and

THAT the Ontario Ministry of the Environment is hereby requested to ensure that the revised Heritage Assessment Reports are completed for circulation to the municipality for assessment and that the matters identified in Attachment # 3 to the September 25, 2012 report of the Engineering, Development and Works Commission are addressed prior to any Renewal Energy Approval for the White Pines Wind Project.

Background:

The purpose of this report is to identify those matters recommended to the Wpd Canada that has the potential to effect the operations, infrastructure and services provided by the Corporation of the County of Prince Edward. Wpd Canada Corporation (wpd) is proposing to develop, construct and operate a 29 wind turbine Class 4 wind facility called the White Pines Wind Project (the project) located on multiple parcels of land within Prince Edward County.

The Project Study Area is approximately 105 square kilometres generally bounded by Brummell Road/Bond Road to the North; Lighthall Road to the West; Gravelly Bay Road to the East; and Lake Ontario to the South in the Wards of Athol and South Marysburgh. The draft Site Plan (Attachment #1) also identifies a northern study area which is intended to indicate the location of the interconnection line connecting the project to a substation to be built near the Picton Transformer Station.

The Ontario Green Energy and Green Economy Act was passed in May 2009 and decisions regarding renewable energy projects now rest with the Province of Ontario. The Project was awarded an Ontario Feed-In-Tariff (FIT) contract with the Ontario Power Authority (OPA) in May, 2010.

The Provincial approval process for renewable energy projects includes a requirement for both 'municipal consultation' and 'public consultation' in the initial stages of the approval process. The purpose of the municipal consultation is for "...consulting on matters relating to municipal or local infrastructure and servicing...". A copy of the draft Municipal Consultation form provided to the Municipality is included as Attachment #2 to this report.

Comments received by the Province will be considered as part of the Renewable Energy Approval (REA) process.

The following draft project reports have been submitted by Stantec Consulting Ltd. on behalf of wpd Canada:

- Project Description Report
- Construction Plan Report
- Design and Operations Report
- Decommissioning Plan Report

- Wind Turbine Specifications Report
- Natural Heritage Assessment and Environmental Impact Study
- Water Assessment and Water Body Report
- Heritage Assessment Report
- Protected Properties Assessment Report
- Noise Assessment Report
- Stage 1 and 2 Archaeological Assessment Reports

Analysis/Comment:

As proposed, the project will be a Class 4 wind facility consisting of:

- 29 Repower MM92-2.05 MW wind turbine generators with a total maximum installed nameplate capacity of up to 60 MW. The Project Description Report indicates: "*WPD has elected to assess and seek approval for some alternative Project configurations. The Renewable Energy Approval (REA) application considers 30 potential turbine sites (28 preferred turbine locations with two alternative sites). Final selection of the turbine site will be based on the results of consultation, detailed design and engineering work, as well as conditions experienced during construction.*";
- step-up transformers at each turbine;
- 2 transformer substations;
- turbine access roads;
- fenced storage area;
- electrical power line system required for interconnection to the Hydro One grid; and

- Collector system to transport the electricity to a substation located near Turbine 7 (T07) off Royal Road east of Dainard Road. An interconnection line will connect the substation to a substation to be built near the Picton Transformer Station. The actual location of the interconnection line is under negotiation between wpd Canada and Hydro One. The reports indicate that "*... wpd will be responsible for construction and operation of portions of the interconnection line*

along May and Fry Road; those portions of the line will be assessed as part of the current REA process."

- Construction for the project is proposed to begin approximately 6 - 12 months after REA approval. The construction activities are anticipated to be ongoing for 6-12 months from the start of construction with commercial operation planned to begin 6-9 months from start of construction. If the applicants submit their REA application in fall, 2012, and receive Provincial approval within 6 months, construction could begin in late 2013 to early 2014.
- Local economic benefits are identified as including "... *land lease payments to local landowners, municipal taxes, and local hiring, providing work for existing tradespersons and labourers.*"

The project information identifies that "*Potential Project effects include:*

- *Waste generation and emissions from construction, maintenance and decommissioning activities;*
- *Air emissions and dust generation from equipment and vehicles;*
- *Noise emissions from equipment and vehicles and aerodynamic noise from turbines;*
- *Hazardous materials, limited to fuels and lubricants for equipment*
- *Water-taking activities, depending on groundwater levels; and*
- *Potential effects to:*
 - *Cultural Heritage and Archaeological resources;*
 - *Natural Heritage resources;*
 - *Water Bodies and Aquatic resources;*
 - *Land Resources and Socio-Economic Resources;*
 - *Provincial and Local Infrastructure;*
 - *Waste Management and Contaminated Lands; and Public Health and Safety.*

These potential effects have been assessed in other reports prepared as part of the REA application."

Highlights from the Draft Project Description and accompanying reports indicate:

- a Traffic Management Plan, including details on anticipated truck traffic, timeline and operational plan for transporting the materials

to the individual turbine sites, will be developed during the detailed design phase once the construction contracts have been awarded prior to entering into the formal permit process with the County;

- intersection widening and structural upgrades may be required to accommodate the delivery of the turbine components along the transportation route. Final routes will be established in consultation with the County. The transport of construction related equipment will likely follow the same route as the component transportation to the site. Wpd will restore roads to their pre-construction conditions to the satisfaction of local authorities, as per agreements with the County;
- the project will have an Emergency Response and Communications Plan including key contact information to be developed in conjunction with local emergency services personnel. In addition a Communications and Complaint Response Protocol and Public Safety Plan will be developed by wpd and/or the contractor;
- nine protected properties, 29 significant built heritage resources and two significant cultural heritage landscapes were identified within the Study Area in the Heritage Assessment Report dated May 16, 2012. Potential negative impacts including impact on views and vibration damage were identified in the Report for three of the protected properties, six of the significant built heritage resources and one of the significant cultural heritage landscapes. Recommended mitigation measures including engineer vibration studies and monitoring during construction, placement of any above-grade collection line to preserve significant views of heritage buildings and landscapes and avoidance of tree removal were identified to address these negative impacts. Stantec Consulting Ltd. advise that they will be reviewing and revising the heritage assessment report after consultation with PEHAC so the County's review of the heritage assessment report is incomplete until revised report(s) are received.
- The Stage 1 Archaeological Assessment report identified the entire study area as having elevated archaeological potential. The Stage 2 Archaeological Assessment found "... *no evidence of archaeological sites was encountered during the Stage 2 Archaeological Assessment. A letter of Review and Acceptance into the Provincial Register of Reports ... was provided and by the ministry (MTC RIMS Number HD00676- February 6, 2012).*"
- The Draft Project Description Report Summary identifies the following natural heritage resources for the project: one Provincially Significant Wetland, 17 additional wetlands, three ANSI, one valley land, 18 woodlands, two other designated natural areas (Prince

Edward South Shore Important Bird Area and the Point Petre Provincial Wildlife Management Area, significant wildlife habitat, alvar-like vegetation communities and one butternut tree. The Natural Heritage Assessment and Environmental Impact Study Report outlines mitigation measures to reduce negative impacts. With regard to potential bird mortality the Design and Operation Report also indicates that An Environmental Effects Monitoring Plan will be developed for the Project. If bird mortality rates exceed the Ministry of Natural Resources threshold, a " ... *contingency and adaptive management plan will be implemented to reduce bird mortality and ensure that the mortality rates are maintained below the threshold level.*"

- Post-construction monitoring for bird, raptor and bat mortality will occur for three years after the start of operations;
- Table 2.3 Key Municipal Permits and Authorizations within the draft Project Description Report indicates that the following municipal permits/authorizations may be required:
 - Constructing, Demolition and Change of Use Permits and Inspections, County of Prince Edward Compliance with building codes
 - Entrance Permit, County of Prince Edward from county roads
 - Temporary Road Occupancy Permit, County of Prince Edward for moving oversized or heavy loads
 - Encroachment Agreement, County of Prince Edward Required for use of municipal road allowances for collector line siting
 - Demolition Permit, County of Prince Edward Required prior to the demolition of the Project
 - Large Load Permit, County of Prince Edward Transportation of heavy and/or large items on county roads
 - Road Occupancy And Access Permit, County of Prince Edward county roads
 - Road Condition Survey
 - Assessment of pre and post construction conditions of roads to be used for material delivery and construction equipment movement
 - Sign Permit, County of Prince Edward as necessary
 - Heritage Permit, County of Prince Edward Required for making alterations to a heritage property

In addition to those measures identified in the various Draft Reports that accompanied the Municipal Consultation Form, those matters outlined in Attachment #3 to this report have been identified by the Municipality as matters that need to be addressed prior to, or as a condition of, any Renewal Energy Approval for the project. The staff review of the

supporting documentation is limited since no funds have been allocated for peer review of the project reports. The municipality relies upon the review undertaken by provincial agencies such as Ministry of Natural Resources, Ministry of the Environment, and Ministry of Tourism and Culture with expertise in various specialties including environmental and heritage matters as part of the REA process.

The proponents held their final public consultation meeting at the Prince Edward County Collegiate Institute on August 30, 2012 to receive input on the project from the community.

Corporate Strategic Plan Implications:

The recommendations of this report will contribute the following Strategic Plan objectives:

- Manage growth and its impacts

Financial Implications:

There will be an increase to the local tax base since the value of the land and ancillary buildings will be taxed at the industrial tax rate.

The internal and external costs for the review of this, and other projects, is not part of the approved 2012 municipal budget. There will continue to be internal and external costs incurred by the Municipality associated with this, and other projects, throughout the respective review, approval and construction phases.

Policy Implications:

None identified.

Notice/Consultation:

Staff reviewed a draft version of this report.

Planning staff met with Janice Gibbins, Chair of the Prince Edward County Heritage Advisory Committee (PEHAC) on September 13, 2012 to discuss the concerns of the Committee with regard to the *Protected Properties Assessment and Heritage Assessment Reports* dated May, 2012 prepared by Stantec Consulting Ltd for wpd Canada as part of their REA submission. At that meeting, Janice Gibbins provided staff with e-mails and other information as Attachments #4 – 7 to this staff report for the consideration of Council including:

- E-mail from Paula Kulpa, Team Lead – Heritage Land Use Planning of the Ministry of Tourism, Culture and Sport dated September 6, 2012 indicating “...that the heritage assessment should be revise (sic) to reflect this information and address concerns raised through consultation related to impacts to cultural heritage resources.”
- E-mail from Liz Driver and Edwin Rouse dated September 9, 2012 expressing concern quoting Mark Knight, environmental planner for Stantec Consulting Ltd. that “ the heritage reports will be revised in order to respond to comments from the community and guidance from the Ministry of Tourism, Culture and Sport” and that “ consultation with PEHAC will continue in order to address additional resources or specific cultural landscapes of heritage value or interest which may need to be included in the assessment of impacts.”
- Excerpt from the Ministry of Culture Provincial Policy Statement Cultural Heritage and Archaeology Policies 2.6 Info Sheet # 5 outlining negative impacts on a cultural heritage resource.
- The concerns of PEHAC are outlined in detail in the e-mail from Janice Gibbins dated September 10, 2012 titled “Summary of Concerns about Stantec’s “ Protected Properties and Heritage Assessment Reports” for the White Pines Wind Project”. Janice states “ We find the Stantec heritage report to be incomplete, inaccurate and of insufficient depth of analysis to address the important matter of protecting the cultural assets of South Marysburgh and Athol. A more thorough report that reflected consultation with the local heritage community and current thinking about heritage, and that properly applied the concept of the cultural heritage landscape, would have produced more and stronger recommendations for mitigating the negative impacts of the project on the County’s heritage resources.”

Janice advised that PEHAC requests:

- that the Municipal Consultation comments be delayed until a revised heritage assessment report as per the direction expressed in the September 6, 2012 e-mail from Paula Kulpa of the Ministry of Tourism, Culture and Sport is received and reviewed by PEHAC; and
- that Stantec Consulting Ltd.(including Mark Knight, environmental planner for Stantec) consult with PEHAC.

At the September 6, 2012 meeting of PEHAC the following Motion was passed:

PEHAC -31-2012

Moved by Gord Gibbins

Seconded by Wendy Daxon

THAT as PEHAC is the provincially mandated body to advise Council on heritage matters, we request that Council not approve any staff report on the wpd White Pines Project Report until PEHAC has been consulted by wpd/Stantec and by County heritage staff preparing the report.

CARRIED

Planning staff have independently confirmed with Mark Knight of Stantec Consulting Ltd. that they will be reviewing the heritage assessment report and revising "as relevant" after consultation with PEHAC. He advised that wpd is beginning a process to address community concerns with the Heritage Assessment report. However given the timelines in the Green Energy and Green Economy Act, staff are of the opinion that interim comments should be provided to the MOE.

Other Options:

None Identified

Attachments:

1. Wpd White Pines Wind Project Site Plan
2. Provincial Municipal Consultation form
3. Municipal Matters to be Addressed
4. Paula Kulpa, Ministry of Tourism, Culture and Sport E-Mail
5. Liz Driver & Edwin Rouse E-Mail
6. Ministry of Culture Provincial Policy Statement Cultural Heritage and Archaeology Policies 2.6 Info Sheet # 5 Excerpt
7. PEHAC Summary of Concerns

Submitted by: Jo-Anne Egan,

Manager of Planning,
September 18, 2012

Commissioner Approval:

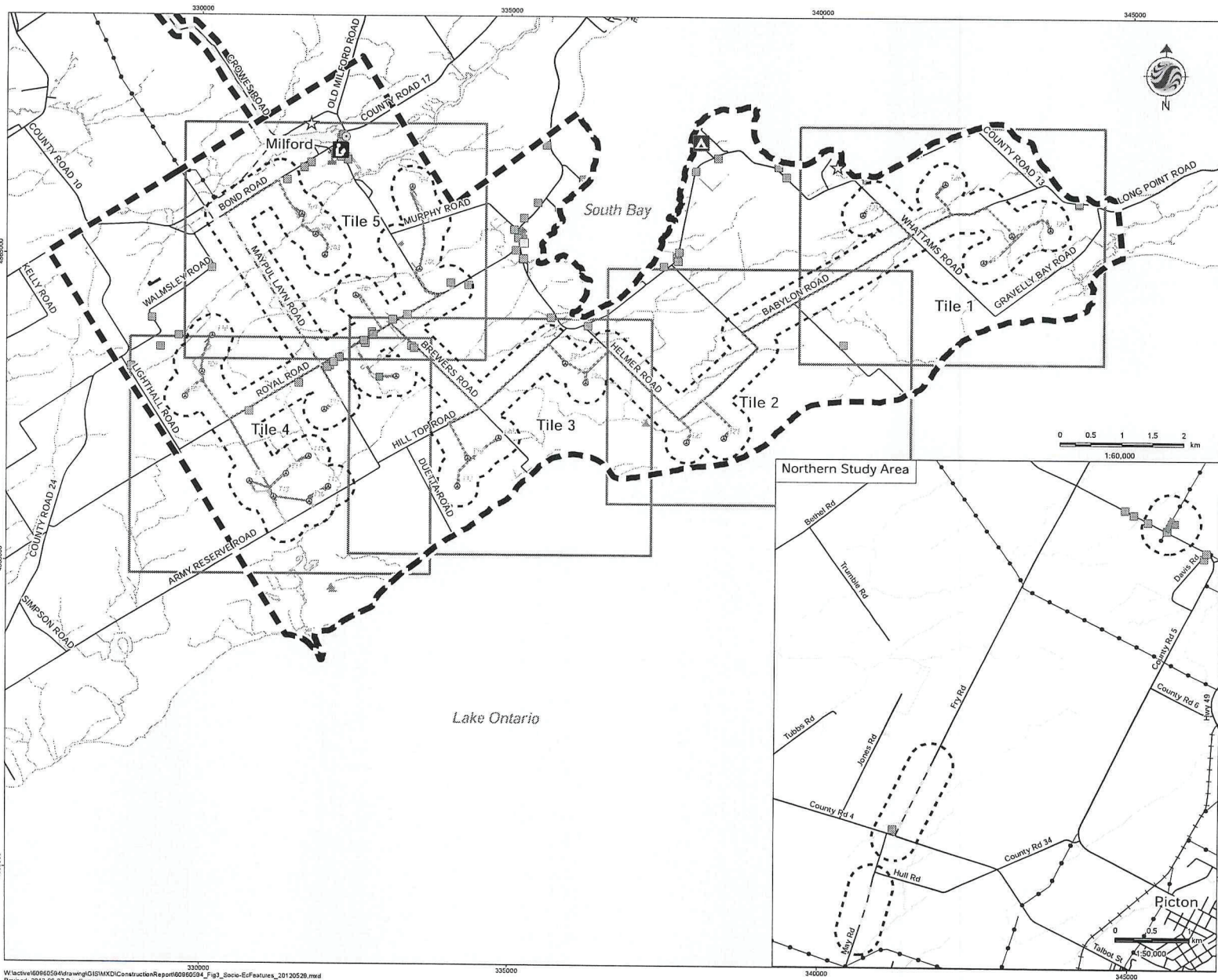


Robert McAuley, P.Eng, CBCO
Commissioner of Engineering
Development and Works
September 19, 2012

CAO Approval:



Merlin J. Dewing
Chief Administrative Officer
September 20, 2012



Legend

- Study Area
- 300m Zone of Investigation
- Proposed Project Components**
- Wind Turbine
- Access Road
- Collector Line
- Interconnection Line
- Construction Area
- Turbine Laydown Area
- Crane Laydown Area
- Substation
- Storage Area
- Existing Features**
- Road
- Railway
- Transmission Line
- Petroleum Well (Abandoned)
- Conservation Area
- Church
- Fairgrounds
- Library
- Museum
- RV Park
- Heritage and Protected Properties
- Contaminated Site
- Waterbody (as per MNR base mapping)
- Watercourse (as per MNR base mapping)

Notes

1. Coordinate System: UTM NAD 83 - Zone 18 (N).
2. Data Sources: Ontario Ministry of Natural Resources © Queens Printer Ontario, 2012; © Natural Resources Canada, 2011; © WPD Canada, 2011; © Prince Edward County, 2011, Ontario Ministry of Environment © Queens Printer Ontario, 2012



Stantec

May 2012
160960594

Client/Project
**WPD CANADA CORP.
WHITE PINES WIND PROJECT**

Figure No.
3.0

Title
Socio-Economic Features

wpd Canada
White Pines Wind Project
Municipal Consultation

Page 38 of 68
Sept 25, 2012
Council agenda
Addendum Info
Item 9.3

CORPORATION OF THE COUNTY OF PRINCE EDWARD

MATTERS TO BE ADDRESSED

Prior to, or as a condition of, any Renewable Energy Approval for the White Pines Wind Project, the project proponent (wpd Canada) must address to the satisfaction of the County of Prince Edward, the following matters:

1. Identify the following additional Municipal approvals, permits and authorizations:
 - a. Overweight/oversize load permits. An agreement between the Municipality and the proponent may be required to describe the approved route, terms of travel and the nature of the repairs etc. Heavy equipment movements on County Roads should be scheduled to avoid any reduced load period. Exemptions to travel during reduced load periods would not likely be granted for these activities.
 - b. Entrance location and construction permit.
 - c. Approval of the County for any pole alignment and works within the County road allowance.
- 2. **Require a pre-development agreement between the Municipality and the Proponent for the recovery of municipal costs associated with the project review, approval, construction, operation and decommissioning which will require the developer to post security in the form of \$200,000 standby letter of credit, for each turbine to ensure that the applicable turbine is properly removed when such turbine is no longer supplying electricity to the Ontario electricity grid.**
3. Require a Traffic Management Plan to be developed by the Proponent for review and approval by the Commissioner of Engineering, Development and Works.
4. Require an agreement between the Municipality and the Proponent for the identification of haul roads, the determination of their pre-construction condition, all widening and strengthening requirements, development of an approvals process for any municipal road improvements, assessment and allocation of damages to the road network, responsibility for repairing damages and the deposit with the Municipality of sufficient security to cover the cost of any damages. Municipal roads will be used for the transport of the turbine components to the site and other construction traffic. It is anticipated that some road widening and strengthening will be required. The Municipality will require assistance with the inspection and assessment

of the haul roads, review and maintenance of the road network during construction and final repair of the road network.

5. All municipal year round and seasonal roads and road right-of-way associated with construction, operation and decommissioning phases of the project need to be clearly identified. There are a number of roads within the Municipality that are not maintained by the Municipality on a year-round basis. The associated short-term and long-term impacts and mitigation measures need to be identified by the Proponent for those roads not maintained on a year-round basis and such roads will need to be improved, at the Proponent's expense, sufficient for year-round access.
6. Require an Emergency Response Plan to be developed by the Proponent in collaboration with the Fire Chief that takes into consideration such matters as the volunteer base of the Fire Department with respect to any medical first response or fire call, especially during the construction phase; acknowledges the Municipal limit of service to ground level assistance only for all core services specified by Prince Edward County By-law No. 1641-2005; provides a detailed a detailed protocol to streamline Municipal personnel action whenever they are required on site; provides key 24-7 contact information to be utilized during any mishap; and actively maintains the contact information beginning at the start of the construction phase and continuing for the duration of the project until final decommissioning.
7. That Hydro One be advised that Council previously passed a motion requesting the use of a designated unopened road allowance and not Maypul Lane to connect to the Milford substation site and that the Prince Edward County motion is honoured.
8. That the Province develop a regulation requiring annual payment to the municipality from renewable energy projects in the amount of \$7,500. per megawatt plus profit sharing based upon 4 % of output plus annual cost of living, exclusive of regular taxes and recovery of costs.
9. That the Province require the decommissioning plan to also address and include plans for repowering to provide ongoing operations of the subject site.
10. That the Province create a rehabilitation security fund similar to the Aggregate Resources Act to recover the decommissioning of the site should the owner be delinquent.
11. That the Province require identification of and mitigation measures to address the impact on the County's economy, particularly tourism-dependent business sector (e.g. retail, hospitality) during the construction phase.

12. That wpd Canada be requested to give consideration to the potential impact to ground water supply resulting from the project.
13. That the Province and wpd Canada provide mitigation measures for the ongoing and unresolved adequacy of the proposed setbacks of industrial wind turbines from the residents of the area to avoid negative human health impacts and significantly reduced quality of life due to noise emissions of the wind turbines.



in Canada

- Project List Summary
- Fairview
 - General Information
 - Renewable Energy Approval (REA) documentation
 - Key Community Issues
- Whitflagton
 - General Information
 - Renewable Energy Approval (REA) Documentation
- Springwood
 - General Information
 - Renewable Energy Approval (REA) Documentation
- Suncor Ridge
 - General Information
 - Renewable Energy Approval (REA) Documentation
 - Key Community Issues
- White Pines**
 - General Information
 - Renewable Energy Approval (REA) documentation**
 - Key Community Issues
- Mapier
 - General Information
 - Renewable Energy Approval (REA) Documentation
- Around the world

Projects [in Canada](#) [White Pines](#) [Renewable Energy Approval \(REA\) documentation](#)

White Pines – Renewable Energy Approval (REA) Documentation

Project Contact

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2233 Argentinia Rd., Suite 102
Mississauga, Ontario
L5N 2X7

Tel: (905) 813-8400
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REA SUBMISSION DOCUMENTATION: DEEMED COMPLETE

The White Pines Wind Project is a 59.45 megawatt (MW) wind project located in Prince Edward County, Ontario. The Renewable Energy Approval (REA) Application for the White Pines Wind Project has been deemed complete by the Ministry of the Environment (MOE), and has been posted to the Environmental Registry of Ontario's Environmental Bill of Rights (EBR Registry Number: O12-1279). All project reports comprising the REA application, including the Consultation Report, have been posted here and are our most current documents.

Report Summary				
Report Summaries	Jun 2012	8,394 KB	Download	
Project Reports				
Project Description Report	Jun 2012	14,166 KB	Download	
Construction Plan Report	Jun 2012	14,165 KB	Download	
Design and Operations Report + Appendices Design and Operations Report	Jun 2012	2,808 KB	Download	
Decommissioning Plan Report	Jun 2012	764 KB	Download	
Environmental and Heritage Reports				
Natural Heritage Assessment and Environmental Impact Study Report + Report Appendices	May 2012	1,254 KB	Download	
Natural Heritage Assessment and Environmental Impact Study: Addendum	Jun 2012	4,011 KB	Download	
Heritage Assessment Report* + Heritage Assessment Report Appendices	Oct 2013	4,402 KB	Download	
Stage 1 Archaeological Assessment Report	Aug 2011	4,030 KB	Download	
Stage 2 Archaeological Assessment Report* » Images	Dec 2013	5,564 KB	Download	
» Ministry of Tourism, Culture, and Sport Acceptance Letter	Dec 2013	212 KB	Download	
Water Assessment and Water Body Report	Jun 2012	13,531 KB	Download	
Consultation Report				
Consultation Report* + Consultation Report Appendices	Sep 2012	1,613 KB	Download	
Other Reports				
Wind Turbine Specifications Report	Jun 2012	714 KB	Download	
REPower Wind Turbine Brochure	Jun 2012	992 KB	Download	
REPower renamed Senvion as of January 20, 2014	Oct 2013	69 KB	Download	

*Updated January, 2014

REA SUBMISSION ADDENDUM FOR INTERCONNECTION LINE (IL)

Since the submission of the Renewable Energy Approval (REA) Application for the Project, it has been determined that wpd will be responsible for construction and operation of the 28 km Interconnection Line (IL) for the Project. There have been no changes to the Draft REA Reports that were submitted as part of the REA Application. However, addenda have been developed to identify any changes to the Project assessment, and were submitted to the Ministry of the Environment on August 6, 2013. The following Project modification addenda have been made available for your review, and are our most current documents:

Interconnection Line (IL) Addendum Reports			
IL Effects Assessment Report	May 2013	9,458 KB	Download
IL Stage 1 and Stage 2 Archaeological Assessment Report	Dec 2012	8,325 KB	Download
» Ministry of Tourism, Culture, and Sport Confirmation Letter	Jan 2013	36 KB	Download
*IL Heritage Assessment Report + Assessment Report Appendices	Jul 2013	2,635 KB	Download
IL Water Assessment and Water Body Report	Mar 2013	13,425 KB	Download
IL Natural Heritage Assessment and Environmental Impact Study + Appendices	May 2013	736 KB	Download

*Updated on October 4, 2013

OTHER SUPPORTING DOCUMENTATION

Project Notices			
Notice of Draft Site Plan and Proposal to Engage	Mar 2011	498 KB	Download
Notice of Draft Site Plan and Notice of First Public Meeting	Mar 2012	537 KB	Download
Notice of Draft Site Plan and Notice of Second Public Meeting	May 2012	638 KB	Download
Notice of Public Meeting for Interconnection Line Modification	Mar 2013	127 KB	Download
Public Meeting Information Panels			
Panels for First Public Meeting	Mar 2012	2,992 KB	Download
Panels for Second Public Meeting	Aug 2012	2,021 KB	Download
Panels for Interconnection Line Meeting	Apr 2013	1,085 KB	Download

Note: Documents have been web optimized and may have been divided into separate files to improve accessibility.

Sitemap

Deputation to Committee of the Whole, 27 February 2014

By Liz Driver

- On 13 February, wpd officially notified PEHAC that it had released the Revised Heritage Report for the White Pines Project. This signals a **new phase in the County's response to the Project.**
- You will remember that on 25 September 2012 Council passed a Motion deferring municipal comments on heritage until the Municipality received a complete, revised Heritage Report.
- Since then, PEHAC and the heritage community have worked diligently to bring information to Stantec to ensure a proper assessment of potential negative impacts on County heritage. Two important events were the 19 October 2012 consultation meeting with Stantec and the 2-day field trip in February 2013 to gather data for visualizations.
- Unfortunately, wpd would only agree to 12 visualizations of their choice. Finally, after a year, we can see the results of the consultation process in the Revised Report. As before, the Revised Report identifies potential damage to structures from vibrations due to construction and truck traffic, and damage to roadside vegetation. However, I would like to draw your attention to one key paragraph in the Ministry of Tourism, Culture and Sport's Comment Letter. This is the Letter where the government summarizes the Report's conclusions and signs off. The findings are extraordinary and controversial, and I believe they should provoke a strong response from Council:

The letter states:

- 3 turbines will cause negative visual impacts on 21 cultural heritage resources, including several Protected Properties;
- the only way to mitigate is avoidance/removal of the turbines; however, ...
- it is not possible to mitigate because doing so will affect economic viability of project.

“Other potential Project-related impacts related to views were also identified with respect to 21 cultural heritage resources, including: 104 Brewers Road; The Royal Road/Maypul Layn Road Streetscape and associated resources; and Henry House. □**In order to mitigate any visual impacts, Turbine locations T07, T09, and T11 would have to be avoided.** Turbine locations T07, T09, and T11 have been decided based on consideration of availability of land, and natural environment, noise, and property line setbacks, as defined in Ontario Regulation 359/09. **Moving the turbines is not possible, due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project.** Moving Project turbines to other locations in the County is also not possible, due to potential interference with Department of National Defence (DND) radar systems, as identified through consultations with DND.”

Why are these findings so extraordinary?

- For Ontario, it is rare, possibly even the first time, that a heritage impact assessment recognizes negative visual impacts of turbines and concludes that the only mitigation is to move or remove the turbines. At the same time, it is astonishing that MTCS would express satisfaction with a report that recognizes harm to 21 heritage resources, including several properties protected by municipal by-law under the Ontario Heritage Act, then accept that mitigation is not possible. MTCS is, in effect, condoning wpd breaking PEC’s designation by-laws!
- About Methodology, the Report states that “Layout of Project components was undertaken separately from this study with the understanding that negative impacts on cultural heritage resources identified by this study might require mitigative measures, up to and including the relocation of Project infrastructure.” (emphasis added). Yet, wpd clearly failed to allow for heritage impacts in the project planning stage, despite the fact that it has long been aware of the rich heritage resources in the Project area (project announced in 2007, main HIA field trip in 2010).
- The project began with an established layout of 29 turbines and there has not been a single adjustment for heritage!

- Using “economic viability” of the project as a reason for not mitigating visual impacts is an excuse for harm after the fact. The government should be holding wpd to account for its responsibility to prevent harm to the County’s heritage -- harm that its own consultant has identified.
- If the government will not require the proponent to prevent impacts in this heritage-rich area, then nowhere in Ontario is safe from the damage to heritage by wind energy projects.

How Stantec’s visualizations minimize the impression of impacts

- Visualizatons are a tool for understanding visual impact, but no visualization can convey the real experience. Nevertheless, every visualization should be selected and created to show the impact as realistically as possible.

1. Cropping off the top of the photograph so that only the tower shows, with no blades

Vantage Point 9, Rose-Frost House, T11 cut off at hub level.

- Although these photographs are wide and therefore look large, they are not very high. This diminishes the impression on the printed page. Stantec should have printed only one photograph per page, keeping the full sky for an impression of a real experienc
- Vantage Point 10, Long Dog Winery Vineyard, T7 appears as a thick pole, no blades

2. Not showing the full frontal sweep of the blades, just slim silhouette of blades from side

Vantage Point 10, Long Dog Winery, 6 turbines minimized this way, imagine 6 turbines facing the winery visitor!

3. Selecting viewpoints where turbine hidden behind a tree or bush (when other viewpoints available)

Vantage Point 1: Mount Tabor, T3 behind tree to right of church

Vantage Point 4: St Philips Church, T3 behind bush

Selecting photographs where the ground and sky are a similar grey/silvery tone because of poor weather conditions, then inserting a turbine without distinguishing light, instead of retaking the photograph with a blue sky

Vantage Point 7, Henry House, top blades disappear

Not labelling all or any turbines

Vantage Point 8: Gibbins' log house and barn, 6 turbines in full view without identifying numbers

Video of wpd Canada's Turbines Planned for Historic Prince Edward County, based on visualizations in the White Pines Revised Heritage Report

- The video shows the blades moving, giving a more dynamic experience of the expected effect
- The video includes a visualization of Mount Tabor, from Scott's Mill Road, and how the turbines will negatively impact this Milford landmark and community gathering place. Mount Tabor's heritage value is defined in the designation by-law as "highly picturesque on its height above the mill pond"

Conclusion

- It is extraordinary that MTCS has signed off on a Revised Heritage Report that identifies negative visual impacts of 3 turbines on 21 heritage resources, including several Protected Properties, but does not require wpd to mitigate the damage by moving or removing the turbines
- The Municipality's strongest position is with regard to negative impacts on the Protected Properties, and Council should vigorously object to MTCS + MOE condoning wpd damaging the heritage attributes protected by County by-laws.
- The Municipality should also object to the project's negative impacts on any other heritage resources that PEHAC identifies after its review of the report.
- As PEHAC, staff and Council work on a response to the Revised Report, Council should know that it has the support of Heritage Canada the National Trust and the Architectural Conservancy of Ontario, which together have formed a Working Group to monitor the heritage process for both White Pines and the Amherst Island wind project. HCNT, in particular, is concerned about the White Pines process, watching closely, will review the report and make a statement.

FINALLY ...

- The Municipality should send its municipal comments to MOE as soon as possible, especially in light of this week's breaking news that wpd is filing for a judicial review of MOE's failure to deem the application complete. A response brought forward now will have great impact.

Revised Heritage Report

White Pines Wind Project

- Extraordinary + controversial
- Response important!

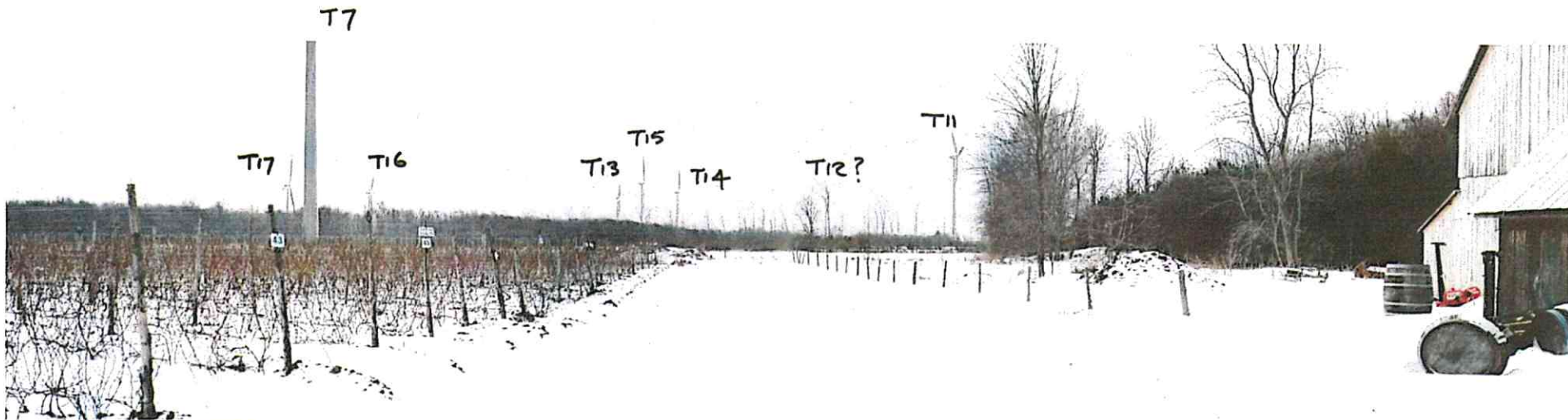
MTCS Comment Letter for Revised Heritage Report

“Other potential Project-related impacts related to views were also identified with respect to 21 cultural heritage resources, including: 104 Brewers Road; The Royal Road/Maypul Layn Road Streetscape and associated resources; and Henry House. □ **In order to mitigate any visual impacts, Turbine locations T07, T09, and T11 would have to be avoided.** Turbine locations T07, T09, and T11 have been decided based on consideration of availability of land, and natural environment, noise, and property line setbacks, as defined in Ontario Regulation 359/09. **Moving the turbines is not possible, due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project.**”

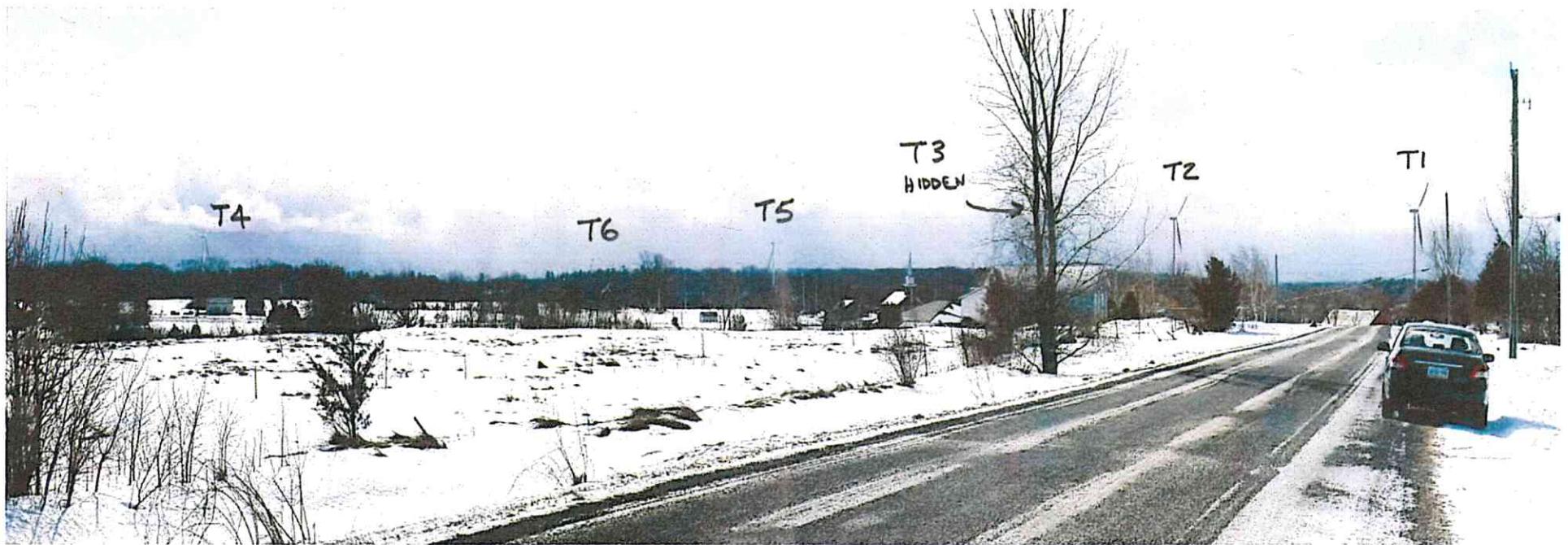
BLADES CUT OFF



Vantage Point 9: Looking South-East From Royal Road to Rose-Frost House, 940 Royal Road



Vantage Point 10: Looking SSW From 104 Brewers Road Across Long Dog Winery Vineyard



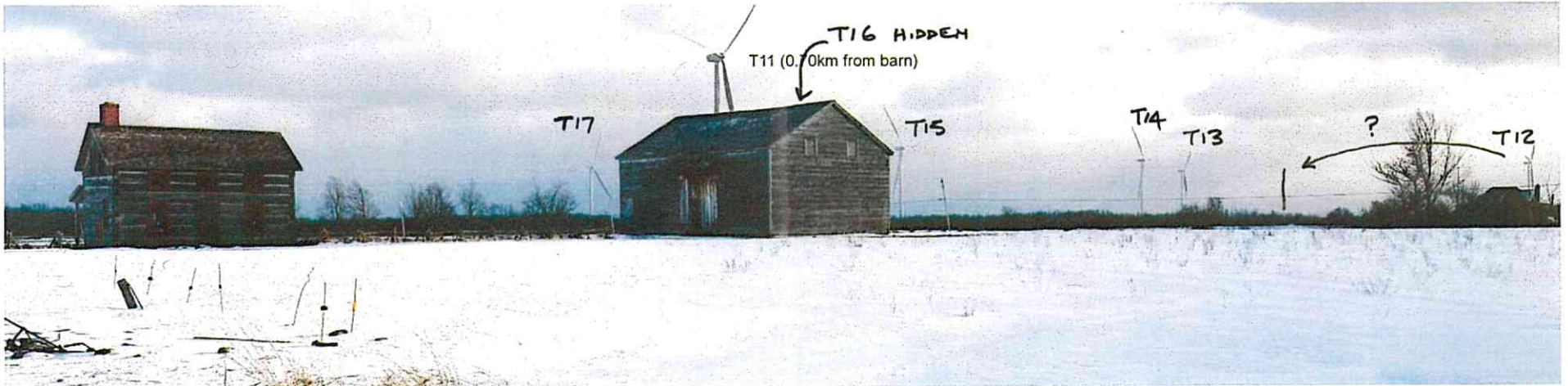
Vantage Point 1: Looking South From Near Junction of Old Milford Road and Scotts Mill Road



Vantage Point 4: Looking South-West from St. Philips Church, Milford



Vantage Point 7: Looking ESE From 510 Highway 24 Towards Henry House on Lighthall Road



Vantage Point 8: Looking SSW From Royal Road Across Gibbin's Property, Toward Dainard Road

Liz Driver's deputation to Prince Edward Council Meeting, 11 March 2014

Re: Revised Heritage Report for White Pines Wind Project

- At Council's 27 Feb COW, I reported the extraordinary and controversial findings of wpd Canada's revised heritage report:
 - 3 turbines (T7, 9, 11) will have negative visual impacts on 21 cultural heritage resources, including several properties protected by municipal by-law
 - the only way to mitigate the negative visual impacts is to relocate or eliminate these 3 turbines; however, ...
 - wpd claims, and MTCS accepts, that it is not possible to mitigate because doing so will affect the economic viability of the project due to other considerations (availability of land, and natural environment, noise, and property line setbacks)
- These findings in the revised report signal a new stage of response from the Municipality, and I believe that the response should be strong and it must be timely to have any chance of influencing government.
- We are all aware (especially Councillor Quaiff, who has been involved with the Wainfleet Group of municipalities) that government/MOE having been pushing wind projects through, with little regard for municipal concerns.
- The Green Energy Act is a draconian piece of legislation, which removes traditional and long-standing municipal control of planning. Despite the huge municipal backlash through the "unwilling host" movement, the government is not administering the Act with any kind of even-handedness between proponents and municipal authorities, often going to court with wind company against citizens and municipalities.
- Nevertheless, there are signs that the government is sensitive to municipal actions.
- In spring last year I filed a Freedom of Information request for all documents to do with White Pines heritage reporting. The documents have been revealing. You will be interested to know that the **MTCS was tracking and commenting to the MOE on Council's discussion of the original heritage report. The MTCS was perturbed by the Municipality exercising its right to consider heritage matters**, especially as they relate to Protected Properties, by considering the advice of the County's Heritage Advisory Committee, constituted under the Ontario Heritage Act. For example:
- On 26 September 2012, the day after Council passed a Motion deferring municipal comments on the heritage report until the Municipality received a complete, revised

Heritage Report, and upon MTCS receiving PEHAC's email that its concerns were "fundamental and broad and not a 'quick fix,'" Paula Kulpa of MTCS wrote to the MOE: **"You will see that the municipal Council has passed a motion regarding [the heritage assessment report for White Pines].** I looked on PEC's website and the minutes from this Council meeting have not been posted yet, but I was able to access the agenda and download a deputation submitted by Gord Gibbons [sic] and a staff report (which you may have already received) that relate to White Pines: [gives link] Here is the text related to the White Pines item: [quotes motion]. **I'm available to discuss this file further if you wish."**

- In government, the invitation to a conversation and absence of follow-up correspondence, usually mean that staff do not want a record of the conversation to surface later.
- Then, just before PEHAC's consultation meeting with Stantec, when Paula Kulpa of MTCS wrote MOE on 16 October 2012: "I'm not sure where things are at with [sic] in terms of your review with the White Pines Wind Farm application. However, **I thought that I would share this with you.** This coming Friday the heritage consultants are meeting with the Prince Edward Heritage Advisory Committee to discuss the heritage assessment report and what work should be undertaken to revise it in order to address the concerns raised. **As per my email from September 26, they want the revised report to be submitted to Council. It is not clear to me if the expectation is that the report be approved by their Council before being resubmitted to the ministry. I have some concerns with what kind of precedent that sets."**
- Of course, the government would prefer Council to be silent! But silence will achieve nothing, and Council has every right to express its approval or disapproval of the revised heritage report.
- It's important to convey municipal comments on the revised heritage report as soon as possible – if possible before posting to EBR, or as soon thereafter. The farther along the project is in the REA process, the more difficult it becomes to ensure that wpd makes the necessary changes to prevent negative impacts to the County's heritage.
- It's been 20 months since the first report. In this period, it was difficult for Council to do much, although PEHAC and the heritage community have been engaged with MTCS through most of this period.
- To delay municipal response would be a sign of tacit acceptance.

- Staff now has PEHAC's carefully considered response to the report, which, as Janice Gibbins will explain, includes input from PEC's heritage community and from federal and provincial heritage organizations.
- My husband, Edwin Rowse, is unable to attend this evening's meeting, but speaking on his behalf, we trust that Council will ensure that there is an efficient process for staff review of PEHAC's report, and for the subsequent submission of municipal comments on the White Pines revised heritage report to the MOE.

Thank you.

Liz Driver's deputation to Prince Edward Council Meeting, 11 March 2014

LIST OF 21 HERITAGE RESOURCES

**with "obstruction of views" (negative visual impacts) caused by Turbines 7, 9 and 11
in Table 3 of White Pines Revised Heritage Assessment Report**

1. Henry House, Lighthall
2. 104 Brewers Road, house and grounds
3. Dulmage-Farrington-Marshall Driveshed, 104 Brewers
4. 757 Royal
5. 896 Royal
6. 919 Royal
7. Rose-Frost Farm Complex, 940 Royal
8. 1038 Royal
9. 1071 Royal
10. 1078 Royal
11. 1106 Royal
12. 1112 Royal
13. Royal Street Cheese Factory
14. 1177 Royal
15. 1210 Royal
16. 1247 Royal
17. 1327 Royal
18. 1375 Royal
19. 45 Maypul Layn Road
20. 114 Maypul Layn Road
21. Royal Road Streetscape

WHITE PINES HERITAGE ASSESSMENT
PRESENTATION TO PEC COW, FEBRUARY 27, 2014
BY EDWIN ROWSE

Good afternoon, Chairman, Mayor Mertens and Councillors

My name is Edwin Rowse, I am an architect specializing in heritage conservation work

Thank you for this opportunity to address you as a member of South Marysburgh heritage community

To fit into 10 minutes, this critique of the White Pines Heritage Assessment Report is necessarily very high level.

I will concentrate on the contents of the report, rather than on the shortcomings of the process

Description of Project and Layout on map

- I want to use the map of the project area to orient the committee to the geography of South Marysburgh; such as Long Point, South Bay, Milford and point out the turbine and infrastructure layout
- The yellow dots are Cultural Heritage Resources (CHRs), buildings plus 6 Heritage Cultural Landscapes (HCL's), identified by the report and shown in purple
- Called Streetscapes to downsize their importance; boundaries very artificial, not halting at natural view stops such as hedgerows, rises in the land
- 2 km radius shown around 3 of 29 turbines, as an illustration of the zone within which they dominate

This report, required under the Green Energy Act (O. Reg 359/09 of the GEA), sets out the heritage assessment process as follows, and should be read together with the Ontario Heritage Act (2005):

- Research and identify Built Heritage Resources (BHRs) and Cultural Heritage Landscapes (CHLs), protected and unprotected, within the study area
- Define and describe their cultural heritage value in terms of the evaluation process set out in O. Reg. 9/06 to identify properties of Cultural Heritage Value or Interest (CHVI)
- Identify and describe, if any, the heritage attributes that embody and protect the cultural heritage values of BHRs and CHLs
- Relate the heritage attributes to the proposed project layout of turbines and infrastructure and identify negative impacts
- Provide an analysis of mitigation measures and recommendations to avoid, remove or otherwise lessen the identified negative impacts

Key Comments about Report

1. Liz has spoken about the most crucial finding of negative visual impacts on five protected properties on Brewer Road, in the Royal Road cultural landscape and on Lighthall Road, which is unprecedented to our knowledge in Ontario

There is a direct link between the information provided by the heritage community for Royal Road in a sample Heritage Impact Statement (HIA) and the finding of impacts in this heritage-rich area.

2. The report does not demonstrate why negative visual impacts were not found to the attributes of the other protected properties in the project area, many of which share very similar cultural heritage values to the 21 heritage resources in Item 1 above.
3. Similarly the report does not demonstrate why negative visual impacts were not found to the attributes of the other identified CHRs in the project area, many of which share very similar cultural heritage values to the heritage resources in Item 1 and 2 above.
4. For many of these other identified CHRs, both built resources and CHLs/streetscapes, it fails to adequately describe the characteristics, values and heritage attributes of so that the negative visual impacts of turbines can be measured.
5. The report was submitted before the visualizations were completed and they chose just 12 which meant they never did visualizations so that the impacts could be measured on all the other resources.
6. The Report used the sample analysis and information provided by the heritage community but developed it no further as the Ministry of Tourism, Culture and Sport required.

***“Any information the public has brought forward identifying either known or potential heritage resources, or providing information relevant to the background research supporting the evaluation of heritage resources, needs to be considered and included in the report”
(MTCS)***

7. The impact of the Interconnection Line is absent from report, related to road geometry changes, lost hedgerows etc, but these impacts at the small scale as damaging as the turbine on the landscape scale
8. In summary, the assessment has added more information, it has found impacts from 3 turbines, but overall in it has not applied the same level of analysis to the whole project area. This means that the turbine layout was designed without reference to the full heritage constraints

Detailed comments on the report

These concern the background analysis that leads to the critique of the report and involve judgments made using various heritage conservation concepts and theories

Visualizations

Liz has shown these impacts

Temporary and Reversible

Throughout the impact assessment Stantec describes turbines as temporary and reversible as a reason

for no mitigation. In heritage terms this is a complete misunderstanding of the term reversible.

I would be happy to answer questions on this point but be assured that I will be submitting a thorough critique on this point to the Ministry (MOE and MTCS).

Shadow flicker

With turbines, the negative impact of shadowing in the MTCS guideline becomes the issue of shadow flicker, where the blades, turning against a background sun, cast moving shadows. Neither the original or the revised report deals with this issue to meet the negative impact criteria of the O. Re359/09.

In Conclusion

We have tried to provide objective and reasonable comment as a heritage community despite wpd Canada's refusal to continue the necessary consultation on the visualizations.

The heritage community not being ultra picky in saying that the report is still incomplete; the bar has been set higher by all the information that the community has provided, but we are not looking for perfection, rather a proper study of the whole Project Area, not just part of it.

The finding of impacts marks a new stage in the process and highlights an urgent need for strong comments from the municipality to the MOE

The pressure is on to move the project from the screening process where public comment is possible to posting on the EBR, which occurs behind closed doors

Two images to finish

This image is of a designated viewscape at 940 Royal Road

The small pre-industrial farm fields are bordered by hedgerows and lines of trees up to 18 m tall. The barn, the tallest building on the farm at 12m to the roof ridge, is just out of the picture on the right.

This image shows the proposed industrial wind turbine, 8 times taller than anything else

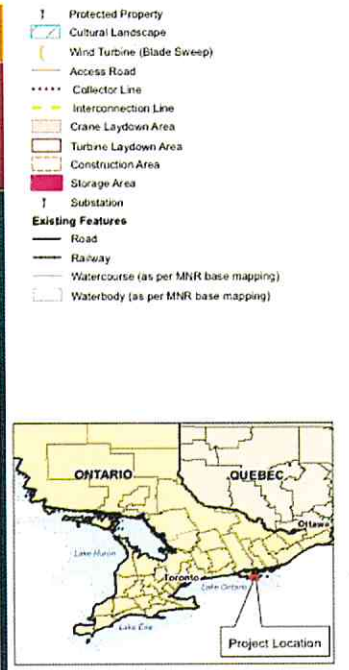
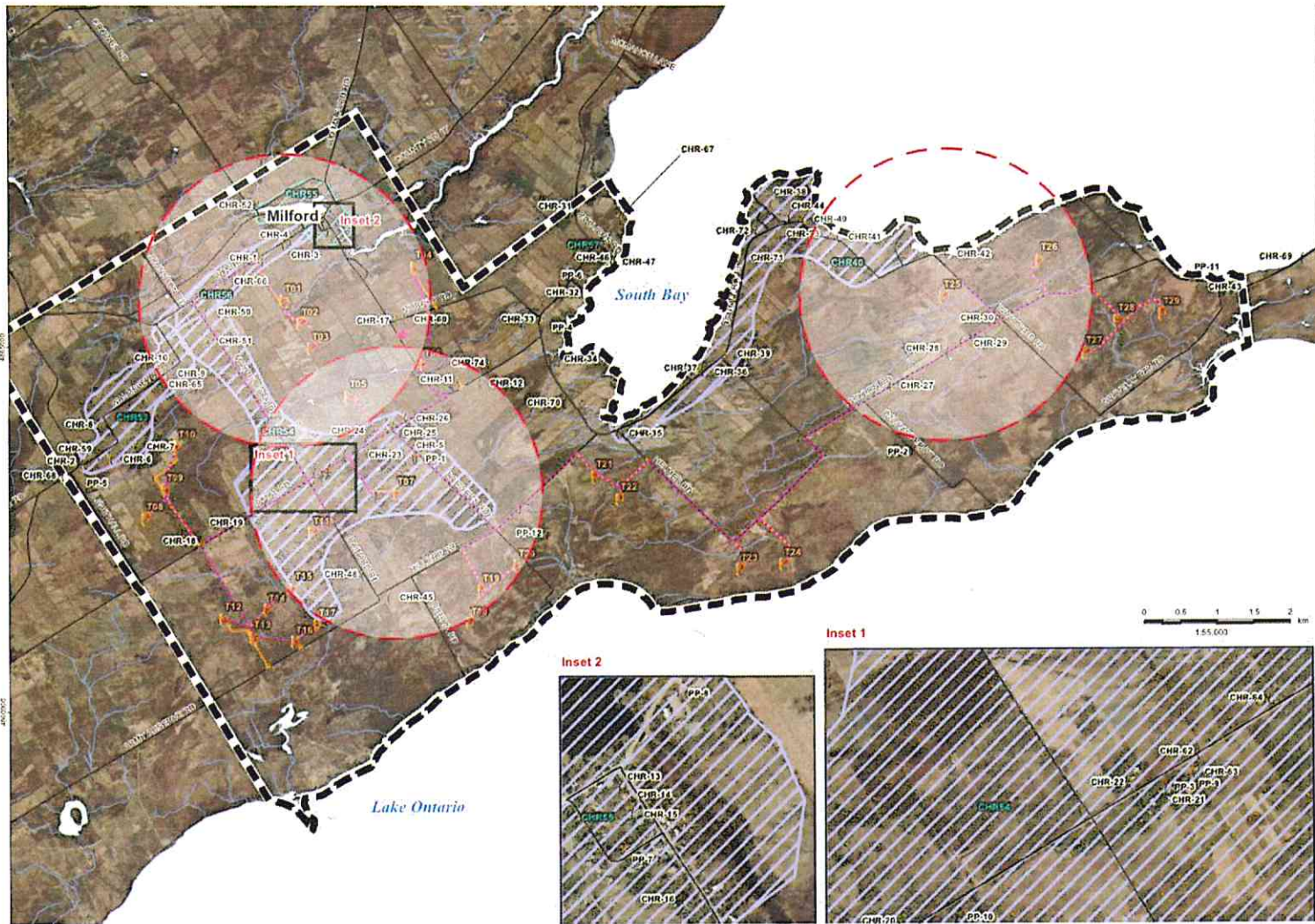
It is not question of whether one likes or does not like the appearance of the turbine

It is undoubtedly a machine of refined aerodynamic design but is not appropriate in the small-scale, historic rural landscape that draws people to South Marysburgh

The 29 turbines across the project area will have a similar devastating impact on the sense of place and history wherever they are located.

I would like to close with a quotation from a British national planning document that seems to me to express how the White Pines project in South Marysburgh should be assessed.

"All development proposals requiring planning permission must meet a series of core land-use planning principles, including to, '...conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (Paragraph 12, National Planning Policy Framework (UK)"



Notes

1. Coordinate System: UTM NAD 83 - Zone 18 (N)
2. Data Sources: Ontario Ministry of Natural Resources Canada, 2011; © Queens Printer Ontario, 2011; © Natural Resources Canada, 2011; © WPD Canada, 2011; © Prince Edward County, 2011
3. Imagery Source: © First Base Solutions, 2012
Imagery Date: 2008



October, 2013
160960594

Client/Project
WPD CANADA CORP.
WHITE PINES WIND PROJECT

Figure No.
6.0





ONTARIO ENERGY BOARD NOTICE

wpd White Pines Wind Incorporated has applied to the Ontario Energy Board to build a high-voltage transmission line.

Learn More

wpd White Pines Wind Incorporated is asking the Ontario Energy Board (“OEB”) for permission to construct approximately 28 km of 69 kV underground electricity transmission line and associated facilities. The line would connect the company’s White Pines wind renewable energy development project in Prince Edward County to the provincial power grid.

wpd White Pines Wind Incorporated has also filed with the OEB forms of agreements it offers to landowners to use their land for routing or construction of the proposed line and associated facilities.

A map of the proposed route for the transmission line is printed below.

wpd White Pines Wind Incorporated’s application to the OEB concerns construction of the proposed transmission line only. It does not concern the construction or operation of the White Pines renewable wind energy development project itself.

The OEB is an independent and impartial public agency. It will hold a public hearing to consider wpd White Pines Wind Incorporated’s request. During this hearing, the OEB will consider evidence and arguments by wpd White Pines Wind Incorporated and by individuals, municipalities and others whose interests would be affected.

The OEB hearing will consider specific issues required by law.

The *Ontario Energy Board Act* specifies the issues the OEB is to consider in making its decision. If you wish to participate in the OEB hearing, it is important for you to understand what these issues are.

As required by the *Ontario Energy Board Act* the OEB will consider three issues:

- The interests of consumers with respect to prices and the reliability and quality of electricity service;
- In a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources; and
- The form of agreement that wpd White Pines Wind Incorporated offers to landowners affected by the route or location of the transmission line.

The OEB hearing is not the only approval process required before a line is built.

For example, most transmission lines are subject to the Ministry of the Environment’s Renewable Energy Approval process. The Board’s review will only address the three factors outlined above and will not address other factors, such as environmental, health, aesthetics or property value impacts.

BE INFORMED

You have the right to information regarding wpd White Pines Wind Incorporated’s application. You can:

- Read wpd White Pines Wind Incorporated’s application on the OEB’s website (See below under “Learn More”)
- Sign up to be an observer, who will automatically receive documents for the hearing.

HAVE YOUR SAY

If you would be affected by the proposed transmission line, you may want to take a more active role in the hearing. You can:

- Send the OEB a letter with your comments, which will be considered during the hearing; or
- Ask the OEB for permission to be an active participant in the hearing (an intervenor). Intervenors can provide evidence, argue their positions and submit relevant questions to be answered by Wpd White Pines Wind Incorporated (interrogatories). To be an intervenor, a party must be affected by the transmission line in a way that relates directly to the issues the OEB will consider. If you wish to be an intervenor, the OEB must receive your request by **[insert actual date 10 calendar days from publication]**.

LEARN MORE

To read the documents concerning this hearing please go to the OEB website www.ontarioenergyboard.ca/, click on “Consumers” and enter file number **EB-2013-0339** in the “Find an Application” box. You can also phone Robert Caputo at **1-888-632-6273** extension 632 with any questions.

Oral and Written Hearings

There are two types of OEB hearings - oral and written. The Board intends to use a written hearing for this case unless there is a good reason why an oral hearing is necessary. If you believe an oral hearing is necessary, you must provide written reasons to the OEB by **[insert actual date 10 calendar days from publication]**.

Privacy

If you write a letter with your comments, your name and the content of your letter will be put on the OEB’s public record and the OEB website. However, your personal telephone number, address and email address will be removed. If you are a business, all your information will be public. If you apply to become an intervenor, all your information will be public.

This application was filed under sections 92 and 97 of the Ontario Energy Board Act, 1998 S.O. 1998, c.15, Schedule B.

P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4
Attention: Board Secretary
Filings: <http://www.pes.ontarioenergyboard.ca/eservice>
E-mail: boardsec@ontarioenergyboard.ca

Fax: 416-440-7656



Location Map

wprd White Pines Wind Incorporated Proposed 69kV Transmission Line

Connection
to HONI Circuit X22

PICTON
PRINCE EDWARD COUNTY


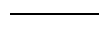


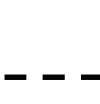
WEST LAKE

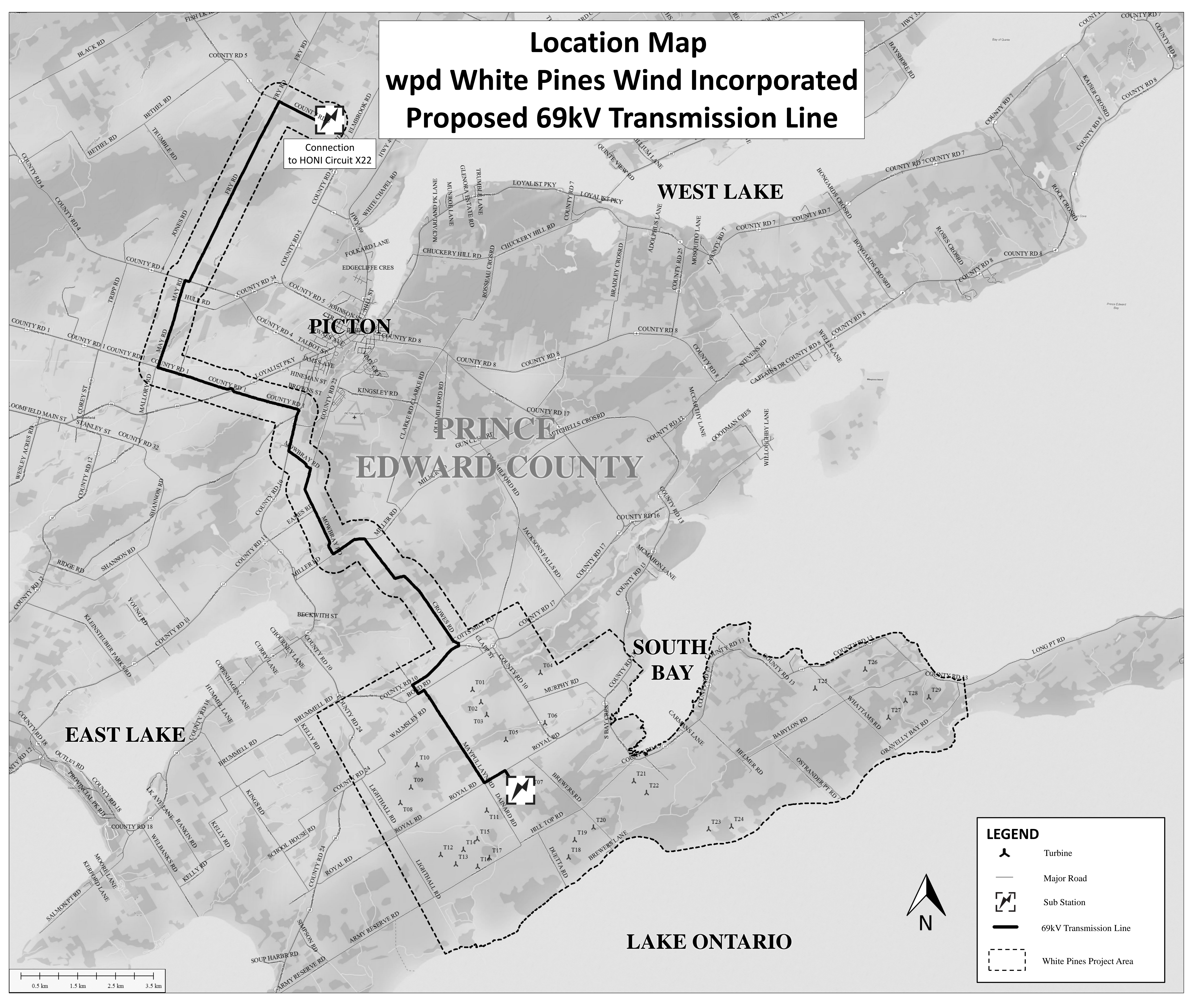
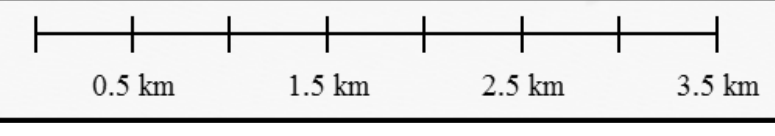
SOUTH BAY

EAST LAKE

LAKE ONTARIO

LEGEND

-  Turbine
-  Major Road
-  Sub Station
-  69kV Transmission Line
-  White Pines Project Area





EB-2013-0339

IN THE MATTER OF the *Ontario Energy Board Act*,
1998, S.O. 1998, c.15, Schedule B;

AND IN THE MATTER OF an application by wpd White
Pines Wind Incorporated for an order or orders pursuant
to section 92 of the *Ontario Energy Board Act*, 1998
granting leave to construct transmission facilities in
Prince Edward County.

PROCEDURAL ORDER NO. 1

March 6, 2014

wpd White Pines Wind Incorporated (the "Applicant") has filed an application with the Ontario Energy Board (the "Board"), dated September 18, 2013, under section 92, 96 and 97 of the *Ontario Energy Board Act*, 1998 ("the Act").

The Applicant has applied for an order of the Board granting leave to construct an electricity transmission line and associated facilities which will connect a 59.45 MW wind-powered electricity generation facility to the Ontario transmission system. The Board has assigned file number EB-2013-0339 to this application.

The Board issued a Notice of Application and Written Hearing on October 9, 2013. The Notice was published and served by the Applicant as directed by the Board.

Scope of the Board's Jurisdiction

The Board will only approve this application if it finds the electricity transmission line to be in the public interest. In making this determination, subsection 96(2) of the Act limits the scope of what the Board shall consider, namely:

1. The interests of consumers with respect to prices and the reliability and quality of electricity service.

2. Where applicable and in a manner consistent with the policies of the Government of Ontario, the promotion of the use of renewable energy sources.

The Act does not provide the Board with the jurisdiction to address issues relating to the Applicant's wind generation facility itself, nor to environmental issues.

Further, the Act states that leave to construct shall not be granted until the applicant satisfies the Board that it has offered or will offer to each owner of land affected by the approved route or location an agreement in a form approved by the Board.

Participation in the Proceeding and Cost Eligibility

The following parties requested intervenor status in this proceeding:

- Victoria Rose
- County of Prince Edward
- Alliance to Protect Prince Edward County ("APPEC")
- Al S. Warunkiw
- Gordon Gibbons

Section 23 of the Board's Rules of Practice and Procedure deals with Intervenor Status. Paragraph 23.02 states as follows:

The person applying for intervenor status must satisfy the Board that he or she has a substantial interest and intends to participate actively and responsibly in the proceeding by submitting evidence, argument or interrogatories, or by crossexamining a witness

The Board's findings with respects to these requests for intervenor status are outlined below:

Victoria Rose

Ms. Rose submitted that she lives in close proximity to a proposed electrical substation associated with this project and has a number of concerns including:

- setback from her property to the substation
- dirty electricity
- electromagnetic frequencies
- emissions including noise

- impacts of the electrical substation on the quality of her life, her residence and her property values.

The Board finds that Ms. Rose's expressed concerns are not within the scope of the Board's jurisdiction as outlined above.

Ms. Rose's request for intervenor status is therefore denied.

County of Prince Edward

The County of Prince Edward (the "County") stated in its request for intervenor status that it is the road authority having jurisdiction related to the application. Given that the proposed transmission line would be within the municipal road allowance, the municipality owns land that will be directly affected by the application. The Board therefore grants the County intervenor status.

APPEC, Al S. Warunikiw and Gordon Gibbons

The interests indicated by these parties include the following:

- incomplete and/or inaccurate documentation regarding the route of the transmission line;
- incomplete and/or inaccurate documentation regarding the construction of the transmission line and whether or not the said line can/will be able to be constructed underground along its length;
- a lack of documentation regarding mitigation efforts to reduce and/or eliminate the effects of electric and magnetic fields from the proposed transmission line;
- incomplete documentation regarding the ongoing maintenance and deconstruction of the transmission line at the end of its expected utility;
- easements required from landowners along the proposed route of the transmission line;
- the land acquisition agreement that forms part of this Application;
- the lack of consultation with neighbouring property owners, including Mr. Gibbons, and the potentially serious impact on residences and other buildings, some of which have heritage designation, along the proposed route of the transmission line including those not subject to easements;

-
- the lack of consultation with neighbouring property owners, including Mr. Warunkiw, and the potentially serious impact on residences and other buildings, specifically the house and garage on Mr. Warunkiw's property, along the proposed route of the transmission line including those not subject to easements;
 - concerns regarding the potential impacts on the well on Mr. Warunkiw's property, which is located 10 m from the proposed route;
 - the proximity of the substation to residential dwellings; and
 - the accuracy of the location of the 69 kV power line as depicted in the Application.
 - incomplete documentation regarding the transmission route raises significant questions regarding, amongst others the exact easements that may be required, the answers to which will have a direct bearing on the quality and reliability of the electricity service provided

The Board considers that some of the above interests are likely to fall within the Board's jurisdiction as outlined above.

With respect to its jurisdiction under section 96 as outlined above, the Board notes that its mandate is to consider specifically the construction of the transmission facilities in that context. Its mandate does not encompass a consideration of prices, reliability, cost and provincial policies in relation to wind generation in general.

Based on the above considerations, the Board grants intervenor status to APPEC, Al S. Warunkiw and Gordon Gibbons.

List of Intervenors

A list of the intervenors, their representatives and contact information is attached as Appendix A to this procedural order.

Cost Award Eligibility

APPEC, Al S. Warunkiw and Gordon Gibbons have indicated that they will seek awards of costs for participation in this proceeding. The Board grants these parties cost award eligibility pursuant to the Board's Practice Direction on Cost Awards which can be found in the Board's website at www.ontarioenergyboard.ca.

These intervenors are advised to review the Practice Direction on Cost Awards for further information about which types of costs are eligible for recovery. For example, costs for counsel and consultants are generally recoverable, but costs for time spent directly by the intervenor are generally not recoverable.

Procedural Matters

In its Notice of Application and Written Hearing, the Board indicated that it intended to proceed by way of a written hearing unless any party satisfied the Board that there was a good reason for not proceeding by way of a written hearing. Several parties have requested an oral hearing. The Board will decide whether an oral hearing is required after the discovery phase of this proceeding.

The Board considers it necessary to make provision for the following matters related to this proceeding. The Board may issue further procedural orders from time to time.

THE BOARD ORDERS THAT:

1. Board staff and intervenors who wish information and material from the Applicant that is in addition to the evidence already filed with the Board, and that is relevant to the hearing, shall request it by written interrogatories filed with the Board and delivered to the Applicant on or before **March 19, 2014**. Where possible, the questions should specifically reference the evidence already filed.
2. The Applicant shall file with the Board and deliver to all intervenors a complete response to each of the interrogatories by **April 2, 2014**.
3. Board staff and intervenors shall, on or before **April 9, 2014**, indicate if it is their intention to file evidence. If any party indicates an intention to file evidence, the Board will issue further procedural orders revising the schedule that is set out below.

All filings to the Board must quote the file number, EB-2013-0339, be made through the Board's web portal at <https://www.pes.ontarioenergyboard.ca/eservice/>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at

www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the address below. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file 7 paper copies.

All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

ADDRESS

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

E-mail: Boardsec@ontarioenergyboard.ca

Tel: 1-888-632-6273 (toll free)

Fax: 416-440-7656

DATED at Toronto, March 6, 2014

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

APPENDIX "A"

APPLICANT & LIST OF INTERVENORS

Wpd White Pines Wind Incorporated

Leave to Construct Application

Board File No. EB-2013-0339

March 6, 2014

**wpd White Pines Wind Incorporated
EB-2013-0339**

APPLICANT & LIST OF INTERVENORS

March 6, 2014

APPLICANT

Rep. and Address for Service

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Incorporated**

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pduffy@stikeman.com

**wpd White Pines Wind Incorporated
EB-2013-0339**

APPLICANT & LIST OF INTERVENORS

March 6, 2014

INTERVENORS

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Fax: 416-703 9111
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**Alliance to Protect Prince
Edward County ("APPEC")**

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County of Prince Edward

Robert McAuley

Commissioner Engineering, Development and
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County of Prince Edward

Wayne Fairbrother

Templeman Menninga
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Suite 401

wpd White Pines Wind Incorporated
EB-2013-0339

APPLICANT & LIST OF INTERVENORS

March 6, 2014

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Graham Andrews

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Ministry of Tourism, Culture
And Sport
Culture Programs Unit
Programs and Services Branch
Culture Division
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Facsimile: 416/314-7175
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Ministère du Tourisme de la Culture
et du Sport
Unité des programmes culturels
Direction des programmes et des services
Division de culture
401, rue Bay, Bureau 1700
Toronto, ON, M7A 0A7
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Télécopieur: 416/314-7175
Email : Jim.Sherratt@ontario.ca



December 24, 2013

Mr. Nick Adams
Adams Heritage
3783 Maple Crest Court
Inverary, Ontario
K0H 1X0
Nickadam@rideau.net

RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Stage 2 Archaeological Assessment Proposed White Pines Wind Project and Stage 1 & 2 Transmission Line and Substation Prince Edward County, Ontario" Original report received January 11, 2012, Revised report filed by MTCS Toronto Office on December 19, 2013, MTCS Project Information Form Number P003-327-2011 & P003-329-2011, MTCS RIMS Number HD00696.

Dear Mr. Adams:

This office has reviewed the above-mentioned revised report and additional information provided, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18¹. This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 *Standards and Guidelines for Consultant Archaeologists* set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario².

The report replaces the original report dated January 11, 2012 and the letter of acceptance of that report dated February 6, 2012. It documents the assessment of the study area as shown on Figure 4 and 8-25 of the above titled revised report and recommends the following:

1. *Since no archaeological sites were identified on any of the properties affected by this project, it is recommended that the Ministry of Tourism, Culture and Sport provide a letter of concurrence indicating that its concerns for archaeological heritage as defined in the Ontario Heritage Act, R.S.O. 1990 c. 0.18 have been met.*
2. *That if during the process of development additional (deeply buried /undetected) archaeological remains be uncovered, the proponent should immediately notify the Archaeology Section of the Ontario Ministry of Tourism, Culture and Sport (416) 314-7132.*
3. *In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS, and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Services, (416) 326-8393.*

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been

entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jim Sherratt". The signature is written in a cursive style and is positioned above the printed name and title.

Jim Sherratt
Archaeology Team Lead

- c. Archaeology Licensing Office
Khlaire Parre, wpd Canada Corporation
Ramona Afante, Ministry of the Environment

¹ This letter constitutes the Ministry of Tourism, Culture and Sport's written comments where required pursuant to section 22 of O. Reg. 359/09, as amended (Renewable Energy Approvals under the Environmental Protection Act), regarding the archaeological assessment undertaken for the above-captioned project. Depending on the study area and scope of work of the archaeological assessment as detailed in the report, further archaeological assessment reports may be required to complete the archaeological assessment for the project under O. Reg. 359/09. In that event Ministry comments pursuant to section 22 of O. Reg. 359/09 will be required for any such additional reports.

² In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.

Jo-Anne Egan

From: Joy McLeod
Sent: March-10-14 2:54 PM
To: Jo-Anne Egan
Cc: edwinr@era.on.ca
Subject: Wind Turbine Documents from Edwin Rowse
Attachments: 1. PEHAC Review of Revised Heritage Assessment Report, 10 March 2014.pdf; 2. PEHAC Appendix 1, Comparative analysis for impact assessment, 10 March 2014.pdf; 3. PEHAC Appendix 2, Cultural Landscape Map w 2-km Turbine Radius, dominating views, 10 March 2014.pdf; 4. PEHAC Appendix 3, Screenshot of Mt Tabor with turbines 10 March 2014.png

Jo-Anne,

Edwin Rowse was here and has provided the attached final documents on wind turbines. These documents supersede all other documents you have on this file.

Joy McLeod
Customer Service Representative
Engineering Development & Works
Prince Edward County
2nd Floor, 280 Main Street
Picton Ont. K0K2T0
Phone - 613-476-2148 ext 340, Fax - 613-471-2051
jmcleod@pecounty.on.ca

This communication is intended for the addressee indicated above. The information contained in the email will be used for municipal purposes and will be managed in accordance with The Municipal Act and The Municipal Freedom of Information and Protection of Privacy Act. If you have received this in error, please notify us immediately.

**COMMENTS ON THE REVISED HERITAGE ASSESSMENT REPORT
WPD CANADA WHITE PINES WIND PROJECT**

**BY THE PRINCE EDWARD HERITAGE ADVISORY COMMITTEE WITH INPUT
FROM THE HERITAGE COMMUNITY**

March 5, 2014; revised March 10, 2014

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 - 3.4 Visualizations
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 - 3.6 "Temporary" Status
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 - 3.8 Project layout of the turbines
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 - 3.10 Critique of "streetscape"
 - 3.11 Report Appendix C: Relevant Correspondence
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 - PEHAC Appendix 1: Comparative Analysis for Impact Assessment
 - PEHAC Appendix 2: Cultural Landscape Map with 2 km Turbine Radius showing how turbines dominate views
 - PEHAC Appendix 3: Screenshot of Mount Tabor with turbines

1. INTRODUCTION

The revised Heritage Assessment Report received its Comment Letter from the Ministry of Tourism, Culture and Sport (MTCS) on October 16, 2013 but was not released for public review by wpd Canada until February 2014. The Prince Edward Heritage Advisory Committee (PEHAC) was officially notified on February 13, 2014.

PEHAC's August 2012 letter to the MTCS found that the original Protected Properties Assessment report of June 2012 was "inaccurate, incomplete or misleading" in the Ministry's own language.

As a result, Council's resolution of September 25, 2012 states "that the County of Prince Edward considers the 'Final Report Heritage Assessment, White Pines Wind Project, South Marysburgh and Athol Townships, Prince Edward County, ON' by Stantec Consulting Inc. dated May 16, 2012 to be incomplete until a revised heritage report(s) are (sic) received and therefore municipal consultation comments on this subject matter cannot be provided at this time".

This revised report, prepared by Stantec Consulting Ltd. (Stantec) on behalf of wpd Canada, is in response to a requirement for further public consultation set out in MTCS's letter of September 6, 2012 to Liz Driver and Edwin Rowse and which began with a consultation meeting on October 19, 2012 attended by PEHAC, several members of the heritage community and two members of staff from Stantec.

The context for this review by PEHAC is the email of January 10, 2013 from Paula Kulpa of MTCS to Khlaire Parré of wpd Canada, advising wpd on how to meet the objectives of O. Reg. 359/09 for the revised assessment report. A summary of Ms. Kulpa's bulleted points is as follows (emphasis added):

"Any information the public has brought forward identifying either known or potential heritage resources, or providing information relevant to the background research supporting the evaluation of heritage resources needs to be considered and included in the report"

"Only impacts to heritage attributes ... need to be mitigated and therefore only those views that have been identified need to undergo impact assessment"

"If it can be demonstrated that a proposed project will not affect the attributes embodying the cultural value of a resource, it is generally understood that a finding of no impact is appropriate. However, the report needs to demonstrate how this conclusion was reached"

"If impacts occur, the report needs to recommend some form of mitigation"

"From MTCS's perspective what is important is that information, including visual aids such as maps, photographs and diagrams, is present in a clear and accessible way that adequately supports the findings of the report"

"The report will be reviewed against the previous version of the regulation"

The review that follows will show that:

- these objectives have not been adequately met;
- many of the recommendations do not meet the requirements of O. Reg. 359/09;

- the revised report remains in many parts incomplete and inaccurate, as a result of inadequate research, insufficient comparative analysis and limited conclusions, especially as regards heritage attributes, which makes it difficult to identify the impacts.

In addition, the different structures and formats of the report sections make the information inaccessible, particularly when comparing cultural heritage value, attributes and impacts.

Conclusions and Suggested Remedies are presented in Section 4.

2. SUMMARY COMMENTS

The revised heritage assessment report is a much larger document than the first report of June 2012, expanding the assessment from 29 Built Heritage Resources (BHRs) and two Cultural Heritage Landscapes (CHLs) to 104 BHRs and 6 CHLs. To a large degree, it is only the properties in the Study Area for which the heritage community provided sample information and analysis on cultural heritage resources to Stantec Consulting at the consultation meeting on October 19, 2012 that are adequately assessed in the report regarding evaluation and identification of Cultural Heritage Values (CHVs) and attributes.

2.1 The fundamental high-level issues with the revised report:

1. The most important finding is that three turbines in the project layout will cause negative impacts to the attributes of five properties protected by municipal designation bylaws, at 104 Brewers Road, 940, 1078 and 1112 Royal Road and at 41 Lighthall Road.

However the report then concludes that mitigative changes are not possible, contrary to the requirements of the Provincial Policy Statement (PPS) 2005 (recently confirmed by PPS 2014) and O. Reg 359/09, because of the constraints of available land and of natural environment, noise, and property line setbacks, and because relocation or removal of these would impact the economic viability of the project.

The conclusion knowingly ignores PPS 2005 and 2014 requirement 6.2.1 that *“significant heritage resources shall be conserved”* and the resulting disregard for the Municipality’s designation bylaws undermines the whole basis of conclusions reached for all the heritage resources in the Project Area.

This fundamental conclusion that mitigation is not possible is endorsed by the MTCS in its comment letter of October 16, 2013, despite its previously quoted advice that *“If impacts do occur, the report needs to recommend some form of mitigation”* (MTCS).

2. The report is **incomplete** because it does not demonstrate clearly why negative visual impacts were not found to the heritage attributes of the other 7 protected properties in the project area, which share very similar cultural heritage values to the 5 protected properties in Item 1 above, and hence fails to provide protection for the values they encapsulate.

In fact, for neither Item 1 or 2, is the related information presented in ***“a clear and accessible way that adequately supports the findings of the report”*** (MTCS).

3. Similarly the report is **incomplete** because for the other 67 identified CHRs, both built resources and CHLs/streetscapes, it does not show adequate analysis of why no negative visual impacts on the attributes were found, although the MTCS had given clear guidance that all Cultural Heritage Resources (CHRs) should be fully analyzed whether currently protected or not protected.
4. Finally the report is **incomplete** because only 12 visualizations were prepared and of Stantec’s choice, after 32 vantage points were photographed at the site meeting on February 20/21, 2013 and it was agreed between Stantec’s representatives and attending members of the heritage community that the locations of 16 visualizations would be discussed and prioritized with community input subsequently.

The revised report was submitted on February 20, 2013 before the visualizations were completed (on the first day of the site meeting to gather data for the visualizations) and the choice of just 12 indicates that Stantec never intended to use the visualizations to measure the impacts on all the resources requiring visual simulation, and the lack is very obvious.

5. The Report used the sample analysis and information provided by the heritage community but developed it no further as the community requested and MTCS required.

“Any information the public has brought forward identifying either known or potential heritage resources, or providing information relevant to the background research supporting the evaluation of heritage resources, needs to be considered and included in the report” (MTCS).

6. In summary, the information in the assessment has been expanded, it has found impacts from 3 turbines, but overall it has not applied the same level of analysis to the whole project area. This means that the turbine layout was designed without reference to the full heritage constraints, and the assessment failed to identify the full extent of the Project’s negative impacts, and its recommendations fail to ensure the protection of each protected property’s heritage attributes as defined by municipal by-law under the *Ontario Heritage Act*

3. DETAILED COMMENTS

3.1 Report Methodology

The incompleteness and inaccuracy described in the summary comments stems partly from the way in which information was gathered in the field and how the report was re-organized, apparently when the number of heritage resources identified increased by nearly four times.

In the field, information for the original number of heritage features was gathered for the heritage assessment without a proper context. The fact that the *"Layout of Project components was undertaken separately from this study"* (Revised Heritage Assessment Report, page 2.1) means that originally the layout was not available to focus the descriptions of the built heritage resources or cultural heritage landscapes so that the analysis could start in the field. The project area is so large that photographs as a memory prompter cannot replace firsthand visual analysis in an area of such rich heritage resources.

Similarly, the location of information in the report does not facilitate easy comparison and analysis (by Stantec, MTCS reviewers or PEHAC). For instance, Cultural Heritage Values (CHVs) and heritage attributes are developed in Appendix A, but Table 3: Summary of Impact Assessment (the summary is in fact the only analysis) is part of Section 7 and in a totally different format. The result of this, and the lack of thorough analysis, is to make the logical links between cultural heritage values, attributes, contexts and impacts tenuous and very difficult to make.

For that reason, PEHAC developed a sample comparative table to juxtapose the information from Table 3 and Appendix A, to assist in linking the comments. The table is attached as PEHAC Appendix 1.

The report's methodology and with it the consequent incomplete analysis relate to Item 1 in the Summary Comments and are fundamental to the report's contradictory claim that no changes can be made to the project layout because of the impact on economic viability. This claim runs counter to the statement in 2.1 of the Heritage Assessment Report namely that *"Layout of Project components was undertaken separately from this study with the understanding that negative impacts on cultural heritage resources identified by this study might require mitigative measures, up to and including the relocation of Project structure"*.

This in turn is contradicted by Section 3.3, which states: *"information collected during the initial phase of research as provided in Section 4.0 was taken into account while determining the Project Location as it is currently presented."*

At the October 19, 2012 meeting Stantec stated that at the time of the heritage site work in the summer of 2010, they did not know where the turbines were going to be located. Thus if, on the balance of statements, the turbine layout was designed without

reference to the full heritage constraints, and the possibility of mitigation was accepted, then wpd Canada cannot now claim that *“Moving the turbines is not possible, due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project”*.

The project design methodology contemplated possible changes, but did not specify when the negative impacts would need to be identified. At the very least wpd has had since October 2012 to revise the layout and find alternative locations. The lack of even the slightest change in the layout suggests that heritage was never given its fair weighting in the balance of all the issues affecting location.

3.2 Impact Assessment

The report states in 2.4.2 that the MTCS guidelines concerning Heritage Impact Assessments and Conservations Plans (MTCS, 2006a) were considered. However the seven potential negative impacts on heritage resources described in the guidelines, and used in Table 3, do not necessarily capture all the impacts associated with rural landscapes and MTCS encourages the development of further project-specific ones.

In Table 3: Summary of Impact Assessment, of the seven impacts “Obstruction” is the only one discussed as in *“views from these two outdoor gathering places will not be obstructed in a way that detracts from an understanding of the place, its cultural heritage values or its greater context”*. This sounds convincing, but is suitably vague to be applied frequently. At best, these are only partial assessments that do not “adequately support the findings of the report” in MTCS words.

The negative impacts of Alteration, Shadows and Direct and Indirect Obstruction in the guidelines are relevant to landscape impact assessment, especially if applied to comprehensive and detailed descriptions of specific CHLs, which are not provided in the report.

The issues of the structure and format of the report described above have also affected the conclusions reached in the impact assessment, and this is the cause of the issues set out in Items 2 and 3 of the Summary Comments.

The layout of Table 3 is a major cause of the problem. The grouping together of all CHRs on one street and the blanket analysis regarding Potential Negative Impacts, Comments and Recommended Mitigation means that the analysis is only partially applicable or useful to any one property and does not capture its specific character, and fails to achieve the goal stated in the report in 7.1.2 of identifying *“instances in which the addition of wind turbines will detract from heritage attributes or features from which the CHVI of specific cultural heritage resources are derived”*.

The numerous detailed problems with Table 3 are revealed in PEHAC Appendix 1:

- The language analyzing the impacts is frequently unhelpful: *“views from Bond Road will not be obstructed such that they lessen the understanding of the historic relationships of the ... farmsteads”*. But 360° views of the rural landscape will be dominated by turbines.
- Conclusions presented are not substantiated: *“In open areas, turbines would be more visible; however, their presence does not, in the opinion of this study, detract from an understanding of the cultural heritage values of the landscape as views between farmsteads, along the road corridor and across vast agricultural fields are not interrupted”*. Again, this relies on treating Walmsley Rd as an axial streetscape, whereas it can only be fully understood as a very distinctive CHL, where the road traces three right-angled turns around property boundaries. The unusual road pattern creates surprises and character-defining vistas as one emerges from sections of tree-lined road. The phrase *“in the opinion of this study”* is not supported by evidence and analysis of the impacts of Turbines T01, 02 and 03 and Turbines T08, 09 and 10.
- There are numerous examples where the analytical comments are selective, and not sufficiently comprehensive and specific, thus avoiding certain obvious conclusions: *“narrow building setbacks and low elevations will protect views related to significant cultural heritage values, such as those along main thoroughfares, between buildings, and towards the mill pond and Mt. Tabor”*; the comment is true for some axial views in Milford but does not apply to views toward Mt. Tabor *“highly picturesque on its height above the Mill Pond”* (as the designation text describes), as seen from points along Scott’s Mill Road, which the report includes within the Milford CHL, will have the silhouette of its steeple disfigured by T04 and T06 for several hundred metres of the road.
- Similarly: *Views of Mount Tabor from Old Milford Rd, facing southwest, may include turbines ... however, none of the turbines obstructs the silhouette of the steeple that defines Mount Tabor as a landmark”*. The comment tries to limit impact to views to the southwest. If a visualization had been prepared from across the mill pond, the iconic view of the church (as suggested by the heritage community), it would show major visual detracting, as the attached visualization prepared by the heritage community illustrates (Screenshot of Mount Tabor).
- Many analytical statements are not backed up with evidence: *“Vulnerable resources are widely set back from the road right of way where Project activities are planned and no visual impacts to cultural heritage values of identified CHRs are anticipated”*. There is no connection here between the statement and the conclusion and the conclusion is mistaken, for the iconic place in the South Bay

CHL is at the sharp turn in the road at Half Moon Winery where T24 will be visible behind the main vineyard.

- Frequently the term “reversible” is used mistakenly in Table 3 in relation to views: *“The impacts associated with views are considered reversible as the removal of turbines, and associated infrastructure, would result in the return to current conditions”*. The comment frequently justifies *“no further mitigation recommended”*, but that implies that a potential 40-year life of a turbine could be considered temporary, which causes very serious errors in evaluating impacts and in conventional planning terms is plainly absurd. Further discussion of this issue follows under “Reversibility”.

3.3 Determining Cultural Heritage Value or Interest

The stated intent of Section 4 of the report is to meet the requirements of S.23(1)(a)(i). In reality Section 4 again illustrates the lack of analysis, providing only a background history, and descriptions of the settlement patterns, agriculture and physical setting of the area. However to be a useful analytical tool, the information in Section 4 should characterize the evolved cultural landscapes and the views within them more thoroughly, including mapping to systematically define the layouts and spatial relationships, referred to in 4.2.3, of the identified CHLs and streetscapes.

Providing this analysis would have enlarged the scope of heritage attributes identified for each BHR in Appendix A. In particular this would have linked the relationships of groups of buildings described there, which remain entirely generic, to overall patterns of features in the broader landscape, as was shown in the sample CHL for Royal Road and is repeated in its record form in Appendix A.

Appendix A, where Cultural Heritage Value or Interest is assessed and heritage attributes are defined to protect the values, also has many issues:

- Frequently the CHV for a property is not translated into attributes that are specific enough to measure impacts, such as “Relationship between buildings, road and landscape”. This poorly defined CHV is used even for important designated properties such as the Dulmage-Farrington-Marshall driveshed where the richness and complexity of the farmstead and vineyards needs to be described accurately to derive strong heritage attributes.
- Given the rural agricultural historic landscape setting of the project, all CHRs need landscape attributes identified in order to understand the impact of turbines on these; in the report only 55 of 79 CHRs including CHLs have landscape attributes identified.
- In Section 6 of the report, in the Summary of Evaluations of CHVIs, 74 out of 103 properties assessed are noted as meeting the criteria for inclusion. Inadequately

researched and inaccurate information means the age and cultural significance of several other buildings was not recognized, including 4 older barns.

These properties need to be re-assessed as follows:

471 Bond Road	The height of the second floor gable window sills above the eave line suggests that this may be a log cabin
177 Brewers Road	The geometry of the core of this house suggests an old structure
832 Royal Road	Based on the pattern of known barns nearby, this is an unmodified winnowing barn of a typical South Marysburgh pattern, dating probably from the 1840s
1106 Royal Road	Though much modified on the exterior, the core of this house dates to the 1840s
Barn, Army Reserve Road	Similar comments to 832 Royal
2256 County Road 13	The gambrel roof suggests that this barn was enlarged; its mid-nineteenth-century date indicates that it may contain an older frame which provides information about the period
3942 County Road 10	This small house may contain as much design/physical value as many others included as CHRs, but evidence was not gathered to make the case

There is a lack of comprehensive and rigorous analysis based on the guidance in the PPS of all identified CHRs in the Project Area, particularly for the CHLs/streetscapes at Walmsley Road (CHR-53), Long Point Road (CHR-40), Royal Road (CHR-54), The Hamlet of Milford (CHR-55), Bond Road (CHR-56) and Port Milford (CHR-57), to describe their characteristics and values, and connect these to the heritage attributes, in order to justify the conclusions about impacts presented in the summary tables.

The fundamental message at the October 19, 2012 meeting was that the sample descriptions and analysis for the Royal Road Cultural Heritage Landscape and built heritage resources within, provided by the heritage community, was intended "to illustrate the approach considered necessary to evaluate the impact of the industrial wind turbines" (Minutes of meeting, p 9) and that Stantec needed to apply this approach to the whole Project Area. Stantec has not followed through in the revised report.

The report format makes it very difficult to compare the Identified Attributes and Cultural Heritage Value and Interest assessment in the Record Forms with the Summary of Impact Assessments in Table 3 and the sequence and logic of the analysis becomes disconnected, as described above.

A sample comparative analysis of the information in the Record Forms and in Table 3 of the 6 CHLs, 3 selected protected properties and 3 selected CHRs, attached as PEHAC Appendix 1, was prepared as part of these comments. It reveals the disconnected logic and uncoordinated analysis. There are, for example, cultural heritage values identified that are not linked to identified attributes in the same record form (193 Murphy Road), attributes which are not mentioned in the assessed impacts (Long Point Road CHR 40) and conclusions that the steeple of a landmark building (Mount Tabor) will not be indirectly obstructed by turbines behind its silhouette without providing a visualization from the iconic views along Scott's Mill Road.

The cumulative effect of these various errors, generalizations and so on, as described above in Summary Item 2, and summarized in PEHAC Appendix 1, is to limit the identification of cultural heritage values and attributes, and hence produce findings of no visual impacts on the 7 protected properties not on Brewers or Lighthall Roads, or within the Royal Road CHL. To the extent that the report does not identify the values and attributes of these 7 other protected properties, it does not meet the requirements of O. Reg. 359/09.

The heritage assessments of 79 CHRs with CHV, in Table 3, are similarly circumscribed by the limited analysis and coordination, resulting in impacts not being found and mitigation not being proposed.

O. Reg 359/09 requires full, not partial, assessments of the impacts of all 29 turbines proposed on all protected properties and properties with cultural heritage value in South Marysburgh. Not to do so is to be in serious contravention of the regulation and the MOE should require that this component of the report be corrected.

3.4 Visualizations

"Only impacts to heritage attributes ... need to be mitigated and therefore only those views that have been identified need to undergo impact assessment"
(MTCS)

At the site visits on February 20 and 21, 2013, the heritage community identified 50 views needed to cover all identified CHRs. For reasons of extreme cold, visualization photographs were taken of 32 views, which still covered all CHRs. Subsequently Stantec reduced the visualizations to 12, effectively determining unilaterally that views identified as heritage attributes were limited to the view cones shown in the 12 maps of vantage points.

Not even for these 12 views has clear analysis been presented that they have undergone proper impact assessment, although the visualizations illustrate how important this tool is for assessment. For the other 20 views, no explanation is provided why these were excluded and how a conclusion of no impacts was reached.

The lack of analytical commentary on the visualizations also avoids recognizing the project's visual impact on the identified cultural heritage landscape attributes and illustrates how the report does not meet the intent of O. Reg 359/09 to mitigate such impacts.

The report is therefore incomplete in its limited use of visualization as a tool and in not meeting the MTCS's guideline.

In the 12 visualizations of views provided, various manipulations were made to minimize the full impact of the 150 m high turbines, such as showing the blades in the plane of rotation, rather than front on, or selecting photographs with a grey sky where the turbines blend into the image surface. It is especially surprising that the following such obvious attempts at concealment were made:

- Vantage Point 9: The image of 940 Royal Road is so heavily cropped above the roof line that the visual presence and impact of T11 is all but lost;
- Vantage Point 10: The image of the Long Dog vineyard is cropped horizontally to eliminate the dominant impact of T07, which is very near, at 450 m approximately. T07 appears as an anonymous shaft with no blades showing and the eye is drawn to the more distant turbines T 11, and T12 – 17.

Where turbines were concealed by the camera angle behind trees or buildings, one would at least expect a note on the image to this effect.

However, as limited as the visualizations provided are, they do confirm the findings of the **Wind Turbine Visibility and Visual Impact Threshold Distances in Western Landscapes** study, by the Argonne National Laboratory, supported by the United States Department of the Interior Bureau of Land Management, that concluded that turbines with a hub height of 100m dominate their surrounding landscape for at least 2 kms. In the historic and small-scale landscape of South Marysburgh (topography, vegetation, cultural landscape and built heritage resources), this is clearly pronounced, as shown for instance in the visualizations from:

- Vantage Point 8: where Turbines T15 to T19 at 1.9 to 2.1 kms stand dominant against the skyline;
- Vantage Point 10: where Turbines T07 and T15 to T19 at 1.9 to 2.1 kms fill the skyline at the end of the farm track to the vineyard; the skyward

silhouette from the vineyard would be even more dominated by turbines than illustrated.

There also appear to be minor errors in the location of turbines in some visualizations:

- Vantage Point 1: the spread between T04 and T06 seems too large if the site lines are fixed in relation to features of the Black River; and T06 is in front of the trees at the brow of the hill; it would be located in the field behind
- Vantage Point 8: where T12 should appear closer to T13 and T14
- Vantage Point 10: where following the alignments from the viewpoint, T16 and T17 would be to the right of T07; and in the grouping T12 to T15 one of the turbines is missing;

The attached map (annotated Stantec Figure 6), Cultural Heritage Landscape Map with 2 km radius circles added around each turbine, illustrates how the 74 CHRs, including 6 CHLs, that are identified in the report, would be visually dominated by turbines, whatever the vantage point within the project area.

3.5 Reversibility

The frequent repetition in Table 3 of *"Note: The impacts associated with viewscales are considered reversible as the removal of the turbine, and associated infrastructure, would result in the return to current conditions"* is a misunderstanding and misuse of the concept of reversibility as used by English Heritage.

In 7.1.4. English Heritage is quoted as stating that as a best practice *"consideration should always be given to the reversibility of wind energy projects"*

In fact the term as used by English Heritage refers only to *"returning the decommissioned sites of wind turbines to greenfield status"* (Carol Pyrah, National Planning and Conservation Director, English Heritage in email to Edwin Rowse of February 12, 2014). She goes on to state that *"It would therefore be very unusual in the UK for the options for mitigation to be disregarded at the assessment stage, purely on grounds that the visual impacts of a wind farm after a long period of time are 'reversible'"*.

This misuse has been used to justify a finding of reduced impact and may also account for the fact that, apart from Royal Road and 31 Lighthall, no impacts on viewscales were identified for the other protected properties.

Yet there are clearly predictable and describable impacts as follows:

Mount Tabor: turbines T01 - T06 would be in the background of the viewscape and detract from the focus on the tower as a landmark above the quiet setting of the mill pond. A video visualization produced by the heritage community shows how visually disruptive from multiple viewpoints the turbines would be.

Bond Street Streetscape: the same argument for long views as Royal Road would apply, given that the height of turbines more than offset the small rise in the land south of the road, and the rise reduces substantially towards the intersection with Maypul Layne Road.

Dulmage Driveshed, Brewers Road: focus on the bucolic qualities of the vineyard will be constantly disrupted by the presence of moving turbines, close by for T07 and in a wide arc of the south-west sky, which is the main viewshed of the winery

Walmsley Road: the definition of the road by almost continuous trees in some places and the pastoral serenity of the open fields beyond at other points, is particularly marked as views change with the road direction and diagonal views open up, and would mean frequent if intermittent views of turbines.

Hamlet of Milford: The small rural village, largely linear, has views to landscape that would be dominated by T01 – T03; however streetscapes are not only linear and longitudinal. The visualization from Vantage Point 3 was proposed by the heritage community to understand the varied terrain of the Black River valley and whether T04 and 06 could be seen at all. The visualization shows that static longitudinal views can conceal turbines, but that is not the way the hamlet is experienced by a moving viewer.

3.6 Temporary Status

"As the turbines are temporary in nature, a record of pre-construction conditions is necessary to provide a baseline for decommissioning activities". As explained above a pre-construction report is essential for *"returning the decommissioned sites of wind turbines to greenfield status* (Carol Pyrah, English Heritage), but this has nothing to do

with the turbines being temporary, and in any case this is a misuse of the word where the installations may be in place for 40 years.

Further “temporary” is implicitly linked in the report to the concept of “reversibility”, justifying the unsupportable proposition in Section 7.2, Table 3, that *“Note: The impacts associated with viewscapes are reversible as the removal of the turbines, and associated infrastructure, would result in the return to current conditions”*.

English Heritage, commenting on this proposition at Edwin Rowse’s request, notes that *“the UK’s Environmental Impact Assessment Regulations 2011 require a description of the short, medium and long-term, permanent and temporary likely significant effects, together with a description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment (EIA Regs 2011, Schedule 4)”*.

3.7 Shadow flicker

The MTCS email of January 10, 2013 suggests *“when dealing with other types of potential impacts, such as impacts from vibrations and shadows, a suggested best practice would be to include a discussion in the report of how the consultant determined a threshold below which impacts are either not present or a distance outside which the impact won’t occur. The report would demonstrate how these findings were applied to each of the identified resources to determine if impacts will occur.”*

With turbines, the negative impact of shadowing becomes the issue of shadow flicker, where the blades are turning against a background sun. Neither the original nor the revised report deals with this issue. Again the report fails to meet the requirements of O.Reg 359/09.

3.8 Project layout of the turbines

The claim in the revised report is that the constraints of the availability of land, the natural environment, noise and property line setbacks mean that there is no other space within the study area for relocating turbines. No argument is advanced with reasoned and detailed evidence, and no map is produced, to show the impact of the constraints on the layout.

Although this report is required for the Renewable Energy Approval process under the Green Energy Act (O. Reg 359/09 of the GEA), the act sets out the heritage assessment in accordance with the conservation principles defined in the Ontario Heritage Act (2005) and strictly speaking the argument regarding other constraints is not legitimate since only the turbine layout and the location of heritage resources should be considered.

In any case, at a meeting in February 2008 with concerned residents, Ian MacRae (now President of wpd Canada) was alerted to the rich heritage resources in South Marysburgh. So at the outset of the heritage assessment in summer 2010, wpd Canada should have alerted Stantec to the fact that there were many resources to locate and identify. (Note: The 2008 meeting was with IPC, of which wpd Canada was then a minority shareholder, now majority shareholder.)

3.9 Economic viability

Economic viability should not be a factor considered in determining mitigative measures in a heritage assessment report required under the Ontario Heritage Act, and wpd Canada's own actions and statements deny the validity of their argument.

wpd Canada's claim that no changes can be made because of economic viability contradicts the statement in Section 2.1 of the Heritage Assessment Report namely that *"Layout of Project components was undertaken separately from this study with the understanding that negative impacts on cultural heritage resources identified by this study might require mitigative measures, up to and including the relocation of Project structure"*.

Due diligence requires wpd Canada to take mitigation of heritage impacts into account in its financial planning.

3.10 Critique of "streetscape"

In 8.0 Recommendations it is stated that *"In the case of the Royal Road/Maypul Layn Road Streetscape, it is recommended that any new transmission infrastructure be installed below-grade in order to preserve the character of the tree-lined streetscape linking the Maypul Layn dairy farms to the Royal Street Cheese Factory and nearby farmsteads."*

While generally agreeing with this proposal to bury new transmission infrastructure, provided there is no collateral damage to CHRs due to vibration or loss of trees, hedgerows and fences, we have a strong concern that cultural heritage landscapes (CHLs) have been reduced to "streetscapes" with the implication that protection can focus on this smaller context. Streetscapes are concerned with longitudinal views and the street periphery.

Nevertheless, the report identifies negative impacts by the turbines on the attributes of some cultural heritage views, albeit strangely limited to the impacts of T07, 09 and 11, and the streetscapes become part of the larger landscapes through views that extend past the trees and the hedgerows to the visual stops of woodland or distant hedgerows beyond farmed fields, as we have long contended.

3.11 Report Appendix C: Relevant Correspondence

The following documents are missing from the record contrary to the advice of MTCS:

1. Minutes of October 19, 2012
2. Tour route and comments for the visualization site visit of February 20 and 21, 2013

4. CONCLUSIONS AND SUGGESTED REMEDIES

Given that the lack of full information and analysis, as a result of the curtailed consultation process, has a cumulative impact on the incompleteness of the report, resulting in a partial assessment of the rich and continuous heritage of South Marysburgh, as described at the October 19, 2012 meeting, it is PEHAC's respectful submission that:

1. The revised Heritage Assessment Report fails to identify the full extent of the Project's negative impacts and its recommendations fail to ensure the protection of the built and cultural landscape resources of the heritage of South Marysburgh, including 12 properties protected by its municipal by-law under the *Ontario Heritage Act*
2. The MOE must require compliance with O.Reg 359/09, its own guidelines, the Ontario Heritage Act and the Provincial Policy Statement, 2005 and 2014, and instruct wpd Canada to propose mitigation of the visual impacts identified for the 7 protected heritage resources at 104 Brewers Road, the Royal Road CHL and 41 Lighthall Road by the removal or relocation of Turbines T07, 09 and 11
3. The implications of the finding of visual impacts from Turbine T09 be applied consistently for all CHRs sited 1.2 kms or less from turbines, thus requiring the removal or relocation of:
 - T04 and 06 away from the house at 193 Murphy Road (CHR-17)
 - T29 away from the Stryker Log House at 4572 Long Point Road (CHR-43)
 - T08, 09 and 10 away from the houses at 71, 94 and 130 Walmsley Road (CHR-6, 7 and 59) and the CHL at Walmsley Road (CHR-53)
 - T01 away from the houses at 310 and 442 Bond Road (CHR-1 and 66)
 - T04 away from Mount Tabor (PP-8) and from 193 and 413 Murphy Road (CHR-17 and 60)
4. The assessment of the other 74 CHRs be completed in accordance with the methods suggested in this critique, so that the same level of analysis can be applied to the whole project area and the full impact of the project on the

rich and continuous heritage of South Marysburgh can be assessed, including Turbines T15 and T17 abutting the Protected Cultural Heritage Landscape at 940 Royal Road.

5. This report, including the above conclusions and suggested remedies, be submitted to the Ministry of the Environment as part of the municipality's comments on this matter.

We trust that this critique, which concentrates on the substantive contents of the report and highlights the important conclusions that PEHAC has drawn about the revised Heritage Assessment report, will help to inform the Planning Department's staff report and Council's municipal comments that urgently need to be submitted to the Ministry of the Environment.

The profound failure of the Ontario Green Energy Act to provide a democratic, balanced and consultative planning process for proposed wind turbine development, as manifestly illustrated by the shortcomings of the Revised Heritage Assessment Report, underlines how little the process is apparently intended to protect the richness of our cultural heritage.

A quote from the National Planning Policy Framework for the United Kingdom, para. 12, asserts this deeper purpose: *"All development proposals requiring planning permission must meet a series of core land-use planning principles, including to, '...conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'"*.

PEHAC Appendix 1: Comparative Analysis for Impact Assessment

PEHAC Appendix 2: Cultural Heritage Landscape Map with 2-km Turbine Radius showing how turbines dominate views

PEHAC Appendix 3: Screenshot of Mount Tabor with turbines

WPD CANADA WHITE PINES WIND PROJECT
 PEHAC APPENDIX 1: SAMPLE COMPARATIVE ANALYSIS OF HERITAGE ATTRIBUTES, IMPACTS AND MITIGATIONS
 March 10, 2014

Cultural Heritage Landscape Analysis

CHR/PP No.	Address	Attributes Identified in the report	Impacts Identified in Table 3	Mitigation recommended in the report	PEHAC's Comments	Actual Impacts Identified by PEHAC
40	Long Point Rd	Architecture and association with agricultural landscape	Vulnerable resources widely setback from road where project activities planned and no visual impacts to CHVs of Identified CHRs are anticipated	None	Attributes not well enough described to define and measure the impacts adequately; "architecture" is too broad as a term to be an attribute; the concentration of 7 resources at the northern end are approx 2 kms from Turbine T25 and will be visually impacted.	The small scale, relatively flat landscape, centred on the vineyards of Moon Bay Winery, will be visually impacted by T25
53	Walmisley Rd streetscape	Tree lined streets, tree canopies, trees delineating fields and property boundaries, link with rise of agriculture and early settlement	in open areas turbines would be more visible but do not detract from an understanding of CHV of landscape as views between farmsteads, along roads and across vast agricultural fields are not interrupted	None	Attributes not described in sufficient detail to define and measure the impacts adequately; as the road jogs regularly and diagonal views open up frequently, many views between farmsteads and across fields, which are relatively small and contained by lines of trees, would be visually impacted by T06, T09 and T10. Visualization at Vantage Pt. 6 conveys a good static impression, but does not convey the dynamic views that the road provides. Vantage Pt. 5 north-eastwards where T03, 02, 03 and 04 dominate the view would apply from at least 500 m further west on Walmisley	The tree canopy will conceal views of turbines in places, but the spatially contained character of the street accentuates views across fields where the dominating size of the turbines will visually impact the scale and character of the rural landscape and adversely change the understanding of pre-industrial landscape character
54	Royal Rd streetscape	Tree canopies along roads; narrowly setback farm complexes including residential and agricultural buildings; high concentration of early 19th century building stock, particularly residential buildings constructed in 18th century vernacular styles; gently rolling agricultural fields separated by hedgerows and mature tree lines. Relationship of buildings to roads, fields, and each other. Designated CHL of 940 not mentioned specifically. One landscape attribute of 4 is referenced.	The visual impacts of T07 and T11 are clearly defined; T12 to T17 although visible are considered too distant to impact on CHVs; understanding of place, or wider context; impacts on viewscape are considered reversible	None recommended. In order to avoid any visual impacts on the Royal Rd streetscape and individual CHRs located with the cultural landscape, T07 and T11 would have to be avoided. Turbine T07 and T11 have been decided based on consideration of availability of land, and natural environment, noise and property line setbacks, as defined in O. Reg. 359/09. Moving the turbines is not possible due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project. Moving project turbines to other locations in the County is not possible, due to potential interference with DND radar systems, and identified through consultations with DND. Lots of detail provided about baseline record for decommissioning as the turbines are considered temporary in nature; ditto for lessening the impact of construction vibration	The reasons for not mitigating the impacts are in contravention of O. Reg 359/09 and the PPS 2005; only one of several landscape attributes of 940 Royal Road is included which means views to the south west are ignored, which avoids assessing the visual impact on the designated Cultural Heritage Landscape.	Impacts are sufficiently described to support the Report findings of significant visual impacts, especially as T07 is so close to the wineries at 104 Brewers and 1112 Royal Rd and T11 is within the area of the Cultural Heritage Landscape in open fields. In addition, T12 to T17 are shown by the visualization from Vantage Point 8 to be visible from multiple views from and to the CHL such as to be a major impact on the overall CHVs.
55	Millford Village	St. Phillips and Mt. Tabor identified as landmarks; unclear about style attribution and what resource now reflects economics and development of village	Turbines T01-06 will be visible from several vantage points; narrow setbacks will protect views along street, and towards mill pond and Mt. Tabor; views from gathering places at Mt. Tabor and St. Phillips will not be obstructed in a way that detracts from understanding of place, CHVs or greater context; views SW to Mt. Tabor may include turbines, but will not obstruct the silhouette of the steeple that defines MT as landmark	None	Axial street views in Millford will be the least impacted, as visualization at Vantage Pt. No. 3 shows, but experience of views is much more 360° dynamic and views out of the hamlet with landmarks in the frame will be visually impacted; the only visualization made of Mt. Tabor is from Old Millford Rd at a distance which supports the conclusion that views of the steeple would not be impacted. However the Millford hamlet CHL boundary extends beyond Scott's Mill Road north of the mill pond, and a video visualization from this vantage point, prepared by the heritage community, shows that for several hundred metres along the road the silhouette of the steeple will be severely visually obstructed by T-04 and 06. If visualizations had been treated as research tools for the study, this view would have been investigated	The two identified landmarks and their settings will be visually impacted and in the case of Mt. Tabor, a video visualization from across the mill pond, prepared to match the specifications and scaling of turbines in the report shows that in views around the mill pond the turbines will be dramatically disruptive and detracting to the heritage significance

56	Bond Road	Tree lined streets, tree canopies, trees delineating fields and property boundaries, link with rise of agriculture and early settlement	T01 - T03 visible from certain vantage points along Bond; however topography (rise of road) and intermittent tree canopy views from Bond will not be obstructed so as to lessen historic relationship of Bond to farmstead and eastward to Millford	None	Rise on S side is dominant for only a short length of Bond; oblique views from road will be dominated by turbines; no visualization was provided; views of Bond from Cty Rd 10 will be dominated by turbines, which is a typical example of the area wide impact on the landscape	The tree canopy and rise in the land will conceal views of turbines in places, but angled views across fields where the dominating size of the turbines will visually impact the scale and character of the rural landscape and adversely change the understanding of pre-industrial landscape character
57	Port Millford	Collection of buildings associated with Port Millford an marine history of area	Significant contextual and visual relationship with RM cultural landscape, associated with individual buildings and views to South Bay and Lake Ontario which will not be obstructed	None	T21 and T22 are approximately 4 kms away across water; the view would be similar to that from the Mathewson House	Given the general flatness of the land south of South Bay and the rise of the limestone plateaus on which the turbines are located, they will be more visually dominant in long views than distance would suggest

Protected Properties analysis

PP-1	104 Brewers Rd/Dulmage-Farrington-Marshall Driveshed	Wooden structure, on square plan, steep hipped roof, belvedere, decorative pedimented window and door trim. Focal point of farm, used as labourers' sleeping quarters, influential prominent families in local history, relationship between buildings, road and landscape	Visual modelling indicates several turbines will be visible in west from vineyards and outbuildings; visual intrusion minimal except for T07; T07 will impact views from driveshed as focal point of property; views to and from driveshed linked to CHV of structure and overall property. Impacts related to viewscape are considered reversible. NOTE: The justification for recommending no visual impact mitigation is not included here, although covered in the recommendations. The justification is included only in the Henry House entry in Table 3.	None recommended. In order to mitigate an visual impact T07 would have to be avoided. Turbine locations have been decided based on consideration of availability of land, and natural environment, noise and property line setbacks, as defined in O. Reg. 359/09. Moving the turbines is not possible due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project. Moving project turbines to other locations in the County is not possible, due to potential interference with DND radar systems, and identified through consultations with DND.	The reasons for not mitigating the impacts are in contravention of O. Reg 359/09 and the PPS 2005; the views from the Belvedere to the fields and Lake Ontario are omitted. Modelling indicates turbines on horizon will be very impactful of the sense of rural place, on CHV of "overall property", contrary to report; axis of farm tracks and buildings emphasize views to west; the necessary attributes for the Driveshed are largely captured; the impacts are considered more widely for the winery and farm buildings, though no landscape attributes are described; the visualization that would illustrate the visual impact from Vantage Point 10 reduces the turbine with the most significant visual impact to a small unidentifiable post which could be in the near foreground. The record form and assessment do not reference visual aspects in the bylaw: "The most conspicuous feature is the roof top belvedere which allows light into the attic and offers a view of Lake Ontario"	If the visualization from Vantage Point 10 is correct, the visual impact of T07 will overwhelm the sense of place, and of rural tranquility, of the vineyards and winery; it will not be possible to exclude this huge intrusion from perception of the site; the axis of the farmyard is from the gate and hedgerow at the east towards the west; the farm tracks either side of the driveshed face west and focus on the western horizon where 6 turbines will be very visible. Shadow flicker from the western sun behind turbine blades is likely to impact the designated attribute of light into the attic and blind the viewer from the designated attribute of the view of Lake Ontario
PP-2	191 Ostrander Rd	Original location facing Ostrander Point Rd; size and form; unusually late cedar log construction; unusual five-inch lap joints; chimney of County form prior to 1870; steep pitched roof, a County form; and six-over-six windows. Note: Six-over-six windows could not be confirmed but are assumed to be situated below protective window coverings	No negative project-related impacts are anticipated	No further mitigation recommended	The values stress the rarity of the building type and construction. The only landscape comment is to note that it is near the road. The land is flat and the vegetation locally open, low Juniper and Cedar woodland	The nearest project turbines, T24 and 25, are approximately 3 kms away. However in such a small scale landscape, they will contribute, together with the turbines of Ostrander Point, to visual impact that will overwhelm the sense of seclusion and historic survival of the cabin

PP-3	1078 Royal Rd	Late Georgian/Neoclassical design of main house, with central door and sidelights, Gothic Revival gable window and stone chimneys. Timber-framed driveshed with removable ceiling to accommodate a variety of vehicles. Log House: large log construction, brick chimney, sash windows on upper and lower levels, interior 1820 mantel from Bath. Trumpour Barn: timber frame construction, stable, tack room and enormous swingbeam	Views related to the CHVs of Royal Rd streetscape and individual CHVs may be impacted by the Project (see Vantage Point 8). Turbine T11 has the potential to impact views between structures and properties along the linear village of Royal Rd and detract from an understanding of the visual and land use relationships of these adjoining properties. These views are not only related to the CHV of the overall cultural landscape, but more specifically, this view one of the heritage attributes of 1040 Royal Street, which is outlined in the designation by-law. Similarly T07 has the potential to impact views from public areas associated with the Royal Street Cheese Factory, a protected property (see Vantage Point 8). T12 to 17 were also visible in the distance but were not determined to obstruct the views in a way that detracts from an understanding of the place, its CHVs or its greater context. Potential for indirect impacts related to construction vibrations. Note: the impacts associated with viewscape are considered reversible as the removal of the turbines, and associated infrastructure, will result in a return to current conditions.	None recommended. In order to avoid any visual impacts on the Royal Rd streetscape and individual CHVs located with the cultural landscape, T07 and T11 would have to be avoided. Turbines T07 and T11 have been decided based on consideration of availability of land, and natural environment, noise and property line setbacks, as defined in O. Reg. 359/09. Moving the turbines is not possible due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project. Moving project turbines to other locations in the County is not possible, due to potential interference with DND radar systems, and identified through consultations with DND. Lots of detail provided about baseline record for decommissioning as the turbines are considered temporary in nature; ditto for lessening the impact of construction vibration	Because of the comments about impacts related to viewscape being reversible, no mitigation is recommended although the turbines could be in place for 40 years; this conclusion is based on a fundamental misunderstanding of an English Heritage use of the term "reversible" in relation to decommissioning and return a turbine site to a greenfield condition. With regard to 1078, the described impacts do not relate to the built resource attributes identified; nor the visual impacts specific to this property, its CHVs and its location relative to adjacent turbines	In practice, T07 and T11 will intrude on and dominate views into and from the property for all three protected buildings and impact viewscape so as to "detract from an understanding of the visual and land use relationships... and ... to the CHV of the overall cultural landscape"
PP-5	Henry House, 41 Lighthall	Gothic Revival influenced vernacular farmhouse built with stone. Wide low pitched front gable with arched window, wide front door with transom and sidelights, original door case and sash, original verandah	When viewed from Cty Rd 24, silhouette of house may be visually impacted by T09; this view is related to its CHV and contextual relationship with surrounding transportation routes. Impacts on viewscape considered reversible.	None recommended. In order to mitigate an visual impact T09 would have to be avoided. The location of T09 has been decided based on consideration of availability of land, and natural environment, noise and property line setbacks, as defined in O. Reg. 359/09. Moving the turbines is not possible due to these constraints, and avoidance/removal of the turbines will impact the economic viability of the project. Moving project turbines to other locations in the County is not possible, due to potential interference with DND radar systems, and identified through consultations with DND.	The reasons for not mitigating the impacts are in contravention of O. Reg 359/09 and the PPS 2005 and 2014.	Because the values were not captured in the Attributes, the dominating site and visual impact of T09, 1.19 km away in flat landscape and low background trees, is not identified as obstructing the understanding of the scale and character of the rural landscape and winery, as it should be.

PP-8	Mount Tabor, 2179 Cty Rd 17	Red brick Gothic Revival, Italianate and Classical Influenced vernacular design, Gothic Revival arched windows, Italianate influenced trim, brackets and steeple decoration, Classical architectural design. Steeple prominent in the landscape, religious affinity in the community.	Visual modelling was undertaken for several vantage points in Milford, including: from the fairgrounds associated with Mt. Tabor Church; from the yard behind St. Phillips Church; and from Cty Rd 10, in front of the Town Hall Bldg. Observations during the site visit and subsequent visual models indicate that T101-06 will be visible from several points within Milford, in particular from Mt. Tabor and St. Phillips. For the most part, narrow building setbacks and low elevations will protect views related to significant CHVs, such as those along main thoroughfares, between bldgs and towards the Mill Pond and Mt. Tabor. Views from public gathering places at both Mt. Tabor and St. Phillips were modelled to determine if nearby turbines will obstruct views. It is the opinion of this study that views from these outdoor gathering places will not be obstructed in a way that detracts from an understanding of the place, its CHVs or its greater context. Views of Mt. Tabor from Old Milford Rd, facing SW, may include turbines depending on the distance from the church; however, none of the turbines obstructs the silhouette of the steeple that defines Mt. Tabor as a landmark.	No further mitigation recommended.	Mt. Tabor's prominence means that it is seen from more than Old Milford Rd. No visual model is provided in the report from Scott's Mill Rd although T04 and T06 are clearly behind the building to the south east. Vantage Point 2 shows the looming impact of T04 on the fairground and riverine forest of the Black River valley. The record form for this property does not reference the attributes in the bylaw relating to visual assets: "Highly picturesque on its height above the mill pond". The steeple is a landmark and focal point of Milford."	A video visual model generated by the heritage community to investigate the impact from Scott's Mill Rd, shows both turbines visible behind the steeple in this iconic landmark view, and would be for several hundred metres along the road; this impacts the silhouette of the steeple in a manner that detracts from a sense of place, the CHVs and the contextual value of the church. Stantec took photographs from this vantage point on the north side of the mill pond (Peel residence), but did not prepare a visualisation. The views from the upper part of the fairground southward will be similarly impacted such as to detract in the same way as described above.
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PP-10: Rose/Frost Farm
Complex, 940 Royal
Rd

See Driver/Rowse comments on Revised Heritage Report as it pertains to 940 Royal Road, specifically the Comparative Analysis of Stantec's Record Form and the Designating By-law, which demonstrates how deviations from the by-law have implications for the assessment of impacts.

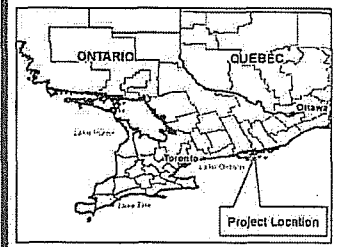
Built heritage resource analysis

17	193 Murphy Road	Relationship of residence to road and barn, vernacular residence	Nearby turbines visible from certain vantage points looking to and from these Murphy Rd CHVs, views of turbines will not obstruct significant visual relationships with CHVs of resources, particularly view to South Bay	None	Design or Physical Value of timber frame barns, 19th to early 20th century is not described in attributes; ditto for Contextual Value which describes barns and fields around house that support the agricultural character of surrounding landscape; further consultation with heritage community would have indicated Associative Value in that the farm has been occupied by the same family for 180 years	Because the values were not captured in attributes, as they should be, the dominating size and visual impact of T04 and T06, both less than 2 km away in flat landscape and limited trees on Murphy Rd, is not identified as obstructing the understanding of the scale and character of the rural landscape and adversely change the understanding of its pre-industrial character
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Legend

- Study Area
- Cultural Heritage Resource
- Protected Property
- Cultural Landscape
- Wind Turbine (Blade Sweep)
- Access Road
- Collector Line
- Interconnection Line
- Crane Laydown Area
- Turbine Laydown Area
- Construction Area
- Storage Area
- Substation
- Existing Features**
- Road
- Railway
- Watercourse (as per MNR base mapping)
- Waterbody (as per MNR base mapping)



Notes

1. Coordinate System: UTM NAD 83 - Zone 18 (N).
2. Data Sources: Ontario Ministry of Natural Resources
© Queens Printer Ontario, 2011; © Natural Resources Canada, 2011; © WPD Canada, 2011; © Prince Edward County, 2011.
3. Imagery Source: © First Base Solutions, 2012
Imagery Date: 2008



Stantec

October, 2013
100902504

Client/Project:
**WPD CANADA CORP.
WHITE PINES WIND PROJECT**

Figure No.
6.0

Title
**Identified Cultural
Heritage Resource**

3.11 Report Appendix C: Relevant Correspondence

The following documents are missing from the record contrary to the advice of MTCS:

1. Minutes of October 19, 2012
2. Tour route and comments for the visualization site visit of February 20 and 21, 2013

4. CONCLUSIONS AND SUGGESTED REMEDIES

Given that the lack of full information and analysis, as a result of the curtailed consultation process, has a cumulative impact on the incompleteness of the report, resulting in a partial assessment of the rich and continuous heritage of South Marysburgh, as described at the October 19, 2012 meeting, it is PEHAC's respectful submission that:

1. The revised Heritage Assessment Report fails to identify the full extent of the Project's negative impacts and its recommendations fail to ensure the protection of the built and cultural landscape resources of the heritage of South Marysburgh, including 12 properties protected by its municipal by-law under the *Ontario Heritage Act*
2. The MOE must require compliance with O.Reg 359/09, its own guidelines, the Ontario Heritage Act and the Provincial Policy Statement, 2005 and 2014, and instruct wpd Canada to propose mitigation of the visual impacts identified for the 7 protected heritage resources at 104 Brewers Road, the Royal Road CHL and 41 Lighthall Road by the removal or relocation of Turbines T07, 09 and 11
3. The implications of the finding of visual impacts from Turbine T09 be applied consistently for all CHRs sited 1.2 kms or less from turbines, thus requiring the removal or relocation of:
 - T04 and 06 away from the house at 193 Murphy Road (CHR-17)
 - T29 away from the Stryker Log House at 4572 Long Point Road (CHR-43)
 - T08, 09 and 10 away from the houses at 71, 94 and 130 Walmsley Road (CHR-6, 7 and 59) and the CHL at Walmsley Road (CHR-53)
 - T01 away from the houses at 310 and 442 Bond Road (CHR-1 and 66)
 - T04 away from Mount Tabor (PP-8) and from 193 and 413 Murphy Road (CHR-17 and 60)
4. The assessment of the other 74 CHRs be completed in accordance with the methods suggested in this critique, so that the same level of analysis can be applied to the whole project area and the full impact of the project on the

rich and continuous heritage of South Marysburgh can be assessed, including Turbines T15 and T17 abutting the Protected Cultural Heritage Landscape at 940 Royal Road.

5. This report, including the above conclusions and suggested remedies, be submitted to the Ministry of the Environment as part of the municipality's comments on this matter.

We trust that this critique, which concentrates on the substantive contents of the report and highlights the important conclusions that PEHAC has drawn about the revised Heritage Assessment report, will help to inform the Planning Department's staff report and Council's municipal comments that urgently need to be submitted to the Ministry of the Environment.

The profound failure of the Ontario Green Energy Act to provide a democratic, balanced and consultative planning process for proposed wind turbine development, as manifestly illustrated by the shortcomings of the Revised Heritage Assessment Report, underlines how little the process is apparently intended to protect the richness of our cultural heritage.

A quote from the National Planning Policy Framework for the United Kingdom, para. 12, asserts this deeper purpose: *"All development proposals requiring planning permission must meet a series of core land-use planning principles, including to, '...conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'"*.

PEHAC Appendix 1: Comparative Analysis for Impact Assessment

PEHAC Appendix 2: Cultural Heritage Landscape Map with 2-km Turbine Radius showing how turbines dominate views

PEHAC Appendix 3: Screenshot of Mount Tabor with turbines

March 25, 2014

Mayor & Council
The Corporation for the County of Prince Edward
Shire Hall - 332 Main Street
Picton, Ontario
K0K 2T0

Mayor and Members of Council:

Since the Revised Heritage Report for the White Pines project has been uploaded to the project website, Council has received deputations, either through the Committee of the Whole or through the regular council meeting, from representatives of the heritage community in Prince Edward County regarding the report.

It should be noted that presenters have made reference to the visualization/video made available on the website for the *South Marysburgh Mirror*. The impression is given that the images were taken from the White Pines Heritage Report, and altered/edited for the purposes of the presentation. However, Council should be aware that that is not the case: a comparison to the originals in the report clearly shows that these are different images. In fact, many of the criticisms levelled at the quality of the report's images are more appropriately directed at images contained within the video.

Concern has been expressed with the way in which the report was prepared, and that the requirements of O.Reg. 359/09 (regulations governing wind projects) have been disregarded in its preparation. O.Reg. 359/09 requires that an evaluation of potential cultural heritage resources be conducted using criteria set out under O.Reg. 9/06 of the Ontario Heritage Act (Criteria for Determining Cultural Heritage Value or Interest). A number of potential cultural heritage resources were identified during the investigative phase, and were evaluated against the criteria outlined in O.Reg. 9/06. Seventy four were determined to meet the criteria, categorized as cultural heritage resources, and assessed in preparing the report. Additionally, twelve properties were determined to be protected under the Ontario Heritage Act.

Concern was raised that, although the heritage committee identified a number of views covering all cultural heritage resources, only twelve were assessed in the report. The report takes into account the impact on all heritage attributes of cultural heritage resources with the study area and the views selected were chosen because they are representative of the heritage attributes of identified cultural heritage resources. From the report:

Stantec also participated in a site visit with PEHAC and members of the local heritage community in February, 2013 (as described in Section 2.3). During the course of the site visit a number of vantage points were identified as iconic, unique, representative, and which revealed environments, contexts and relationships. Where these views were determined to represent a heritage attribute of a cultural heritage resource, the impacts were assessed.

/2

A concern was raised that wpd tried to minimize the visual impact of the wind turbines by not showing the full frontal sweep of the blades, or by selecting viewpoints where turbines would be hidden behind trees or bushes. The viewpoints included in the report were suggested by members of the heritage community, and the wind turbine depictions reflect the actual view of the wind turbines from those locations. Blade profiles are accurately depicted from those locations, given the prevailing wind direction affecting a particular turbine.

A particular concern was mentioned regarding the potential impact on Mount Tabor. The report says the following:

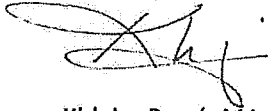
Visual modelling was undertaken for several vantage points in Milford, including: from the fairgrounds associated with Mount Tabor Church; from the yard behind St. Philips Church; and from County Road 10, in front of the Town Hall building (see Vantage Points 1 through 4). Observations during the site visit and subsequent visual models indicate that Turbines 01 through 06 will be visible from several vantage points within Milford, in particular from Mount Tabor and St. Philips. For the most part, narrow building setbacks and low elevation will protect views related to significant cultural heritage values, such as those along main thoroughfares, between buildings, and towards the Mill Pond and Mount Tabor. Views from public gathering places at both Mount Tabor and St. Philips were modelled to determine if nearby turbines will obstruct views (see Vantage Points 2 and 4). It is the opinion of this study that views from these two outdoor gathering places will not be obstructed in a way that detracts from an understanding of the place, its cultural heritage values or its greater context. Views of Mount Tabor from Old Milford Road, facing southwest, may include turbines depending on distance from the church; however, none of the turbines obstructs the silhouette of the steeple that defines Mount Tabor as a landmark.

A concern was raised with regard to the potential damage to structures from vibration due to construction and truck traffic; however, Council was not made aware of the report's analysis of this impact. Vibration was identified as an indirect impact for twenty cultural heritage resources. The report states that indirect damage as result of vibration is not expected, and recommends the following:

...in order to minimize the risk of damage it is recommended that construction activities be avoided within 60 m of identified cultural heritage resources. Where construction within 60 m cannot be avoided, it is recommended that maximum acceptable vibration levels, or peak particle velocity (PPV) levels, should be determined by a qualified engineer prior to any construction activities (pre-construction survey). Construction within the 60 m bufferzone should be monitored to ensure that acceptable PPV levels are not exceeded. All construction activities should cease if levels are exceeded until an acceptable solution can be identified. Equal care should be applied during decommissioning activities to safeguard heritage resource, particularly with regards to vibration levels adjacent to the resources.

We understand that municipal staff is reviewing the Revised Heritage Report, and is preparing a response to the Environmental Registry (EBR) posting for Council's consideration. In deliberating on your response to the report, we believe it is important to consider all the information contained within it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Khlaire Parré', written over a horizontal line.

Khlaire Parré, MA, PMP
Director of Renewable Energy Approvals

**wpd Canada
White Pines Wind Project
REA #012-1279**

CORPORATION OF THE COUNTY OF PRINCE EDWARD

MATTERS TO BE ADDRESSED, REVISED APRIL 10, 2014

Prior to, or as a condition of, the Renewable Energy Approval for the wpd Canada White Pines Wind Project, the project Proponent wpd Canada must address to the satisfaction of the County of Prince Edward, the following matters:

1. Identify the following additional Municipal approvals, permits and authorizations:
 - a. Overweight/oversize load permits. An agreement between the Municipality and the proponent is required to describe the approved route, terms of travel and the nature of road improvements or repairs etc. Heavy equipment movements on County Roads should be scheduled to avoid any reduced load period.
 - b. Property entrance locations and construction permits.
 - c. Approval of the County for any pole alignment and works within the County road allowance.
2. Require a pre-development agreement between the Municipality and the Proponent for the recovery of all municipal costs associated with the project, such as review, approval, construction inspection, operation and decommissioning.
3. Require a security in the form of \$200,000 standby letter of credit for each turbine to ensure that the applicable turbine is properly removed when such turbine is no longer supplying electricity to the Ontario electricity grid.
4. Require a Traffic Management Plan and Road Condition Assessment and Impact Report be developed by the Proponent for review and approval by the Commissioner of Engineering, Development and Works.
5. Require an agreement between the Municipality and the Proponent for the use of municipal roads including the identification of haul roads, the determination of their preconstruction condition, all widening and strengthening requirements, development of an approvals process for any municipal road improvements, assessment and allocation of damages to the road network, responsibility for repairing damages, the provision of insurance and the provision of sufficient security with the Municipality to ensure the repair of any damages.
6. There are a number of roads within the Municipality that are not maintained by the Municipality on a year-round basis. Any such roads proposed to be used by the Proponent will need to be improved, at the Proponent's expense, sufficient for year-round access.
7. The associated short-term and long-term impacts, mitigation measures and effects on asset lifespan for all roads proposed to be used by the Proponent needs to be identified by the Proponent.

8. Require an Emergency Response Plan to be developed by the Proponent in collaboration with the Fire Chief that takes into consideration such matters as the volunteer base of the Fire Department with respect to any medical first response or fire call, especially during the construction phase; acknowledges the Municipal limit of service to ground level assistance only for all core services specified by Prince Edward County By-law No. 1641-2005; provides a detailed a detailed protocol to streamline Municipal personnel action whenever they are required on site; provides key 24-7 contact information to be utilized during any mishap; and actively maintains the contact information beginning at the start of the construction phase and continuing for the duration of the project until final decommissioning.
9. Council has previously passed a motion requiring the use of other road allowances, and not Maypul Lane Road, for any energy interconnection between the Milford substation site and the Hydro One Networks Picton Transformer site. The Prince Edward County motion is to be honoured by the Proponent.
10. That the Province develop a regulation requiring annual payment to the municipality from renewable energy projects in the amount of \$7,500. per megawatt plus profit sharing based upon 4 % of output plus annual cost of living, exclusive of regular taxes and recovery of costs.
11. That the Province require the decommissioning plan to also address and include plans for repowering to provide ongoing operations of the subject site.
12. That the Province create a rehabilitation security fund similar to the Aggregate Resources Act to recover the decommissioning of the site should the owner be delinquent.
13. That the Province require identification of and mitigation measures to address the impact on the County's economy, particularly tourism dependent business sector (e.g. retail, hospitality) during the construction phase.
14. That wpd Canada be requested to give consideration to the potential impact to ground water supply resulting from the project.
15. That the Province and wpd Canada provide mitigation measures for the ongoing and unresolved adequacy of the proposed setbacks of industrial wind turbines from the residents of the area to avoid negative human health impacts and significantly reduced quality of life due to noise emissions of the wind turbines.
16. As wpd Canada be required to undertake pre and post construction inspection by a qualified engineer of the heritage buildings identified in the White Pines Heritage Assessment Report in order to confirm their capacity to withstand project-related vibrations and undertake continuous monitoring of these buildings during project construction.
17. That the Province and wpd Canada provide mitigation measures to avoid/remove negative visual impacts on adjacent cultural heritage resources from turbines T07, T09 and T11.