



association to protect AMHERST ISLAND

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November 1, 2013

Ms. Doris Dumais
Director - Approvals Access and Service Integration Branch
Ministry of Environment
12A Flr
2 St Clair Ave W
Toronto, ON M4V 1L5

Dear Ms. Dumais

RE: Top Ten Reasons Windlectric REA Application is Incomplete - Amherst Island

Loyalist Township Council on October 15, 2013 passed the attached resolution which reads in part:

THEREFORE BE IT RESOLVED THAT Loyalist Township officially considers many of the alternative energy project REA applications to be incomplete, and as such;

Loyalist Township states that it does not support any project with incomplete information, and;

Formally requests, in the strongest terms possible, that the Ministry of Environment, being responsible for the approval of REAs, also deems such applications incomplete, and require that the proponent resubmit with all appropriate studies and consultation completed.

This summarizes why the Windlectric REA Application should be rejected as incomplete:

1. Municipal Consultation Report - Project is Premature, Lacks Detail

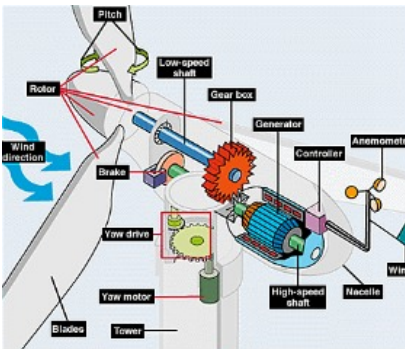
In a report approved by Loyalist Township Council on April 2, 2013, Murray J Beckel MCIP, Director of Planning and Development for Loyalist Township pointed out the many deficiencies and omissions in the Windlectric Inc proposal. The report advised that "the consultants' reports lack detail and an approval of **the project is premature** until the full scope of the project including an appropriate level of detail is supplied enabling a proper assessment of impact on municipal infrastructure, the natural environment, cultural heritage, and land use compatibility".

2. Natural Heritage - Omission of Blanding's Turtle



While not common, Blanding's Turtles reside in many locations on Amherst Island. Windlectric's consultants failed to do appropriate fieldwork as required by MNR and **failed to identify and inventory this important species at risk**. Construction of 35 km of access roads and movement of heavy equipment will fragment and destroy habitat and cause irreversible harm. Blanding's turtle sightings have been documented and submitted as part of APAL's critique of the Natural Heritage report.

3. Decommissioning - No Place to Dispose of Turbines



Windlectric submitted an incomplete Decommissioning Plan that **fails to set out how turbines will be disposed of in Ontario**. No Ontario regulated landfill will accept turbines with their toxic cocktail of chemicals and magnets. Certainly, the Amherst Island landfill will not accept turbine parts. The submission fails to describe how the turbines will be transported from the Island and how decommissioning will be guaranteed by the proponent

4. Cultural Heritage - Omission of 100 Heritage Properties



Over 100 heritage properties, many with stone and rubble foundations that will be impacted by construction, movement of heavy equipment, and vibration from turbine operation were omitted from Windlectric's cultural heritage submission. A proper heritage inventory and assessment are essential.

5. Cultural Heritage - Omission of Dry Stone Walls



Similarly Windlectric failed to inventory and assess the impact of many dry stone walls throughout the Island, nine of which are designated under the Ontario Heritage Act. As Amherst Island roads were designed as carriageways not suitable for movement of today's heavy equipment, the construction of wind turbines will cause irreversible harm to important heritage resources. The Island's dry stone walls simply must be inventoried, assessed and protected.

6. Cultural Heritage - Omission of Cemeteries

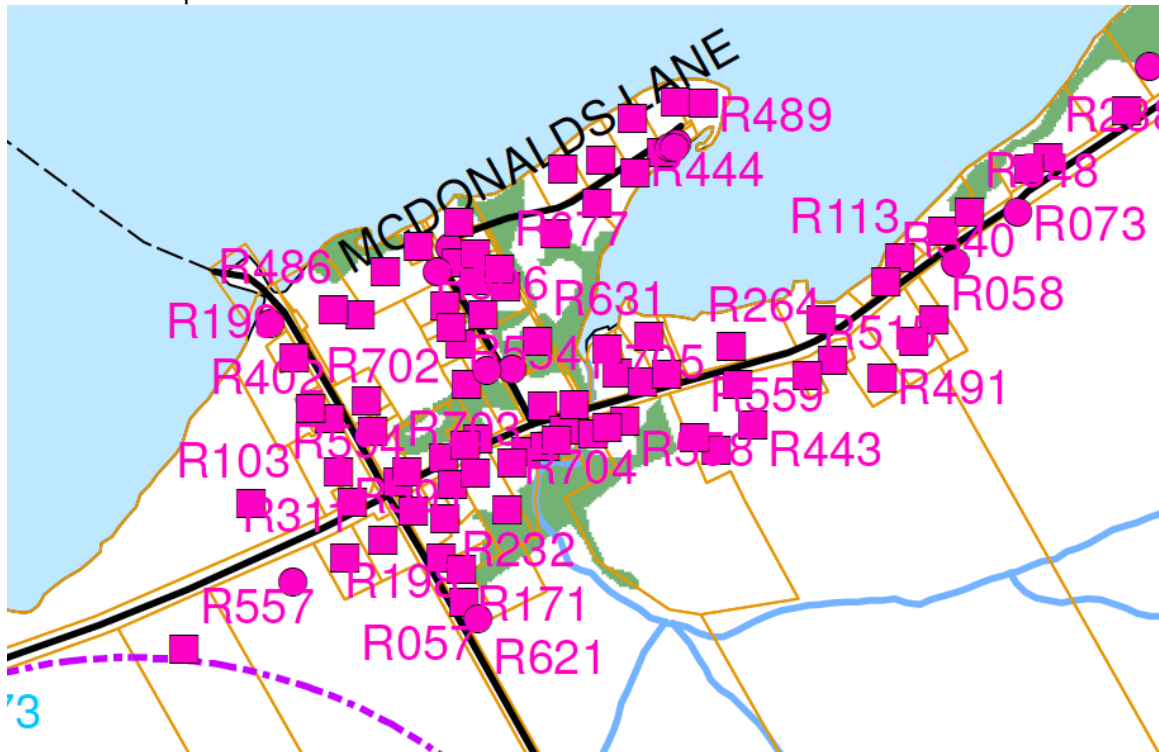
A number of cemeteries and family plots were omitted from the Cultural Heritage submission by Windlectric. The Superintendent of Cemeteries will be drawing these to your attention in the near future.

This is a list from the Ontario Cemetery Finding Aid publically available at <http://ocfa.islandnet.com>:

TOWNSHIP: Amherst Island (now part of Loyalist)
KG 2413 1 Amherst Island Roman Catholic
KG 9074 2 Fleming Farm
KG 2413 2 Glenwood
KG 9074 3 Morrow Farm
KG 2413 3 Pentland
KG 9074 4 Wemp Cairn

7. Noise Maps - Lack of clear and concise information

The information provided by Windlectric and its consultants, Hatch, is insufficient for Islanders to identify their receptor number, to understand the impact of noise on their property, and to validate the distance from nearby turbines. As almost 80% of property locations are predicted to be close to the 40 decibel noise limit prescribed by MOE, it is imperative that clear and accurate information be provided.



While not part of the REA process, the information provided by Windlectric/Hatch concerning shadow flicker is equally incomplete and deficient and causes one to question all of the information provided by the proponent. For example, more than 100 properties are predicted to have more shadow flicker in cloudy conditions (Denmark standard) than when the sun is shining. The map contours do not show the property listed with the highest amount of shadow flicker in the highest shadow zone.

8. Authorized Signing Officers - Lack of authority to bind

OPA entered into a Fit 1 contract with Windlectric Inc., a company with only two Directors, no employees, no independent oversight, no track record constructing or operating turbines, and no public financial information. Consequently, it is imperative that all applications and commitments be signed by the one of two Directors with authority to bind the company. None of the documents made available to APAL have been signed by Ian Roberston or David Bronicheski, the only two individuals with authority to bind the company.

9. Groundwater - No mention of Groundwater

This is an extract from the Municipal Consultation Form submitted by Loyalist Township referenced earlier:

Gourndwater:

Regarding groundwater, the construction plan has no mention of groundwater. Besides the comment made earlier in this report by reference to AECOM, what the writer finds problematic is that three (3) ground water studies have found some or all of this area to have a high vulnerability to contamination. These studies include the Loyalist Township Groundwater Study, 2001; the Western Cataraqui Region Groundwater Study, 2007; and the Cataraqui Source Area's Assessment Report Water Characterization Report 2011.

The proponent notes the potential for spills and makes the point that any spills will be addressed quickly but the study fails to recognize the high vulnerability to groundwater contamination, particularly the existence of rock fissures/karstic formations.

The proponent should be required to review and reference these documents, and to specifically articulate how and if the concerns can be mitigated further than already discussed.

The proponent should also be required to do some groundwater assessment and monitoring to ensure that wells in the area are not affected, particularly as many wells are shallow.

Section 4.6 of the Design and Operations Report states that no groundwater or surface water supplies will be used by the facility, except perhaps well water for washroom purposes. The concern is that no mention is made in any study regarding water needs for the batching plant. i.e. the source being either surface or groundwater source, and the volume needed. What is the water source and how is the site being controlled when mixing is occurring?

10. Emergency Services and Roads Use



The documents provide no assurance to Islanders that their safety will not be at risk as an Island with narrow roads presents unique challenges for emergency services and roads use. The Precautionary Principle should apply and the proponent should be required to demonstrate in a comprehensive risk assessment that the volunteer first response team will be able to assemble from all corners of the Island in the event of an emergency, that roads will not be blocked, and that access to the ferry will not be limited during both construction and operation of the project..

In summary, the Windlectric REA application fails the “completeness” test. These are just the significant omissions. Other examples abound.

Named one of the Top Ten Endangered Places in Canada by the Heritage Canada Foundation due to the threat of wind turbines on both its cultural and natural heritage, Amherst Island is simply the wrong place for wind turbines.

Please do the right thing and reject the application by Windlectric as incomplete.

Thank you for your consideration.

Sincerely

Peter G. Large P. Eng.
President
Association to Protect Amherst Island

c.c..

Hon. Kathleen Wynne, Premier
Hon. Jim Bradley, Minister of the Environment
Mr. Paul Evans, Deputy Minister, MOE
Mr. Randy Hillier, MPP
Mayor Bill Lowry and Members of Council, Loyalist Township
Mr. M. Beckel, Director of Planning and Development, Loyalist Township

NOTICE OF MOTION

2013.25.38 - Notice of Motion re: Energy Renewal Applications

Moved by Deputy Mayor Bresee and seconded by Councillor Porter that:

WHEREAS Loyalist Township has been selected by the Ontario Power Authority and several developers as the location for seven (7) different alternative energy projects,

AND WHEREAS Loyalist Township has repeatedly expressed support of the governments overall policy of development of alternative energy sources for the protection of future generations environmental and power requirement concerns;

AND WHEREAS the Ontario government implemented the *Green Energy Act* to enable alternative energy development without the resistance of so called NIMBY opposition, and in doing so effectively negated the authority vested on municipalities through the *Planning Act* to express local development concerns,

AND WHEREAS, Loyalist Township has previously expressed significant concern through the Environmental Review process as an active participant in the REA review,

AND WHEREAS these concerns include but are not limited to;

1. Sufficient study of Wildlife impacts in a nature reserve area that is immediately adjacent to the industrial wind and solar farms, and that the residents of Loyalist Township worked very hard and invested very deeply in preserving this area for species protection, specifically of raptors;
2. Sufficient study of heritage and cultural preservation impacts as it relates to the many heritage homes and features throughout the Township;
3. Sufficient understanding and visual impact of alternative energy features on homes, communities and the landscape of the Township and the need for greater setbacks, buffering and landscaping;
4. Sufficient planning around the massive traffic, noise, dust and debris related to the development process on mainland and island communities, including the road congestion and in the case of Amherst Island affecting daily access to the ferry and including emergency consideration when roads and ferry services may be blocked, and;
5. Sufficient planning for the decommissioning and financial responsibilities throughout the lifespan of these projects, ensuring that this burden never falls on the residential taxpayers of Loyalist Township,

AND WHEREAS many local and external residents have voiced concerns over a number of issues that Loyalist Township does not have the resources to comment on, but fully believes that the residents' concerns need to be addressed to their satisfaction;

THEREFORE BE IT RESOLVED THAT Loyalist Township officially considers many of the alternative energy project REA applications to be incomplete, and as such;

Loyalist Township states that it does not support any project with incomplete information, and; Formally requests, in the strongest terms possible, that the Ministry of Energy, being responsible for the approval of REAs, also deems such applications incomplete, and require that the proponent resubmit with all appropriate studies and consultation completed.

Councillor Ashley requested a Recorded Vote.

RECORDED VOTE

	<u>Yays</u>	<u>Nays</u>
Deputy Mayor Breese	x	
Councillor Porter	x	
Councillor Ashley		x
Councillor Daniliunas	x	
Councillor Hegadorn (absent)		
Councillor Ibey		x
Mayor Lowry	x	
Motion carried.		