



## Ostrander Point Wind Energy Park Draft REA Report and Public Open House Themed Response

The following has been prepared in response to the common questions/concerns raised by stakeholders during the review of the Draft Renewable Energy Approval (REA) reports and at the final Public Open House held on November 17, 2010. The purpose of this document is to advise all stakeholders who provided comments with a response to their question/concern along with other common questions/concerns raised by other stakeholders and the Project team response.

All comments received and the applicable responses have been documented within the Consultation Report as part of Gilead's final Renewable Energy Approval (REA) reports.

### Health and Safety

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#### ***Concerns about Human Health and Noise Produced by the Project***

An Environmental Noise Impact Assessment (ENIA) has been prepared for the Project in accordance with the rules established within O. Reg. 359/09. It was concluded within the ENIA that the noise to be produced by the Project is within the acceptable limits established by the Ministry of the Environment (MOE) at all noise receptors. In addition, the Project well exceeds the minimum 550 m setback from all receptors and is compliant with O. Reg. 359/09.

There is no requirement within Ontario to conduct assessments of potential levels of low frequency sound, however a review of the potential health impacts from low frequency sound has been provided within the Draft REA reports.

A detailed review of available information related to public health and safety has been provided within the Draft REA reports. Specifically the Draft Construction Plan Report and Draft Design and Operations Report discuss the potential health and safety impacts associated with the Project. We have concluded that with the implementation of appropriate construction and operations protocols, there is minimal increased or new risk to public health and safety from the Project. In addition, under O. Reg. 359/09, minimum setback requirements (in which this Project meets) were introduced specifically to ensure the protection of people and the environment from wind farm projects. As the Project is proposed according to O. Reg. 359/09 and it has been concluded there is minimal increased or new risk to public health and safety from the Project.

### Natural Environment

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***The Project is sited in a naturally sensitive area (IBA, migratory bird area, candidate ANSI, habitat with species of special concern, etc.). Projects should avoid these areas.***

The Natural Heritage Assessment/Environmental Impact Study (NHA/EIS) identifies and acknowledges the significance of the Important Bird Area (IBA), the South Bay Coastal Wetland, alvar vegetation, candidate Area of Natural and Scientific Interest (ANSI), the site's Level 4 Category of Concern, and other additional natural features. The NHA/EIS identifies and discusses the significance of the site for



migratory birds, and as a result of existing information and seasonal field surveys has identified an area of significant wildlife habitat in the form of seasonal concentration areas – stopover habitat for migratory landbirds. The potential effects to birds using this habitat and their mitigation are discussed in the NHA/EIS. The NHA/EIS report indicates that it is anticipated that bird mortality (per MW) would be similar to nearby facilities, and that experts believe the level of mortality at wind energy facilities during migration is not significant at the population level. With regards to species at risk, targeted field surveys, habitat assessment and mitigation for potential effects are being more comprehensively addressed by the MNR through their ongoing review under the *Endangered Species Act*.

A detailed assessment of the potential effects to all natural heritage features throughout all stages of the Project's life cycle has been completed and are available as part of the entire REA report package. The REA reports also detail specific monitoring and mitigation measures including operational controls to be utilized at the site to ensure potential impacts are minimized and/or eliminated during all stages of the Project. The Ministry of Natural Resources (MNR) has provided confirmation of the Draft NHA/EIS.

***Federal and provincial guidelines call for the avoidance of wind turbines in environmentally sensitive lands such as Ostrander Point. How can this project proceed?***

O. Reg. 359/09 and MNR guidance documents (Bats and Bat Habitats: Guidelines for Wind Power Projects and Birds and Bird Habitats: Guidelines for Wind Power Projects) do not prohibit development in environmentally sensitive lands such as Important Bird Areas.

The regulation and the provincial guidelines require the applicant to evaluate the significance of the project location for natural features (including significant wildlife habitat for bird species). The project may be sited within areas evaluated as significant provided negative impacts are identified and mitigation measures proposed.

Federal guidelines apply where the Canadian Environmental Assessment Act is triggered. The federal guidelines do not apply to the Ostrander Point Wind Energy Park. To projects where they do apply, a proposed wind site would be evaluated as very high sensitivity if it was located within an area recognized as nationally important for birds and would require baseline surveys completed over the course of a one year period.

***The Draft Reports do not take into account the cumulative effects of other projects on the natural heritage features.***

O. Reg. 359/09 requires an assessment of potential negative impacts for significant natural features within 120 m of the project location and does not require the assessment of cumulative effects. The NHA/EIS identifies mitigation measures to ensure no net negative impacts to the identified significant natural features. In addition, MNR has released guidelines that will apply to all wind projects that utilize a threshold approach to bird and bat mortality. Mitigation is required for any project that exceeds the mortality thresholds. MNR notes that a mortality level that is maintained below these thresholds for all wind projects is unlikely to affect population levels.



***Is Gilead prepared to shut down turbines during peak migrating seasons?***

The Project's Environmental Effects Monitoring Program has been designed in collaboration with the Ministry of Natural Resources (MNR) and an adaptive management program which allows mitigation measures to be implemented in the event that unanticipated potentially significant adverse environmental effects are observed. Based on the effects, the adaptive management program may involve operational controls such as periodic shutdown of select turbines and blade feathering at specific times of the year in accordance with MNR requirements.

***What criteria will be used in determining the future mitigation measures and the need for operational controls?***

Gilead has committed to follow a threshold approach to identify and mitigate potentially significant bird mortality, as outlined in the MNR's draft *Birds and Bird Habitats: Guidelines for Wind Power Projects*. Bird mortality is considered to be significant at 18 birds/turbine/year. The MNR indicates that turbine-related mortality below this threshold is unlikely to affect bird populations; if mortality is above this threshold, Gilead will engage the MNR to initiate an appropriate response plan, which may include periodic shut-down of select turbines or blade feathering at specific times of year. Details are provided in the Environmental Effects Monitoring Plan for the Project.

Gilead has also committed to follow a threshold approach to identify and mitigate potentially significant raptor mortality. Raptor mortality is considered to be significant at 0.2 raptors/turbine/year (or 2 raptors/wind power project if there are less than 10 turbines). The MNR indicates that turbine-related mortality below this threshold is unlikely to affect bird populations; if mortality is above this threshold, Gilead will engage the MNR to initiate an appropriate response plan, which may include periodic shut-down of select turbines or blade feathering at specific times of year. Details are also provided in the Environmental Effects Monitoring Plan for the Project.

***Why is bird mortality monitored for only three years when the project has a life span of 20 years?***

Bird mortality levels and trends will be apparent in the first three years of operation and thus is the basis for MNR's monitoring requirements. If provincial bird fatality thresholds are exceeded, mitigation will be required and additional years of mortality monitoring will be required to assess the effectiveness of mitigation measures. Mortality rates that are below thresholds are considered unlikely to affect bird populations.

## **Economics**

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***Property values will be negatively affected***

Based upon the data reviewed to date in other areas with established wind plants, no evidence of a material negative effect on property value as a result of the presence of wind plants was provided. As such, Gilead will not be compensating landowners for any changes (either positive or negative) to property values as a result of the Project. Studies used to support the conclusion have been provided on



the Project website ([www.gileadpower.com](http://www.gileadpower.com)) under the Reference Materials section. These references were also provided at the Public Open House.

***The Project will have a negative economic impact on the County including tourism***

The Project will contribute economically to the local economy within Prince Edward County. Gilead is expecting to pay approximately \$220,000 per year to the Crown in lease payments for the site. Gilead will also pay municipal taxes for the site which is expected to be approximately \$50,000 per year. In addition, it is estimated that over \$5 million in construction expenditures will accrue to persons and business in the local area. It has also been confirmed that the Project is located outside of the County's tourism corridor (including the Wine and Taste Trails) and is not anticipated to have an impact on the County's tourism industry.

***Who is responsible for road upgrades/repairs? Will tax rates increase as a result?***

Any damages/repairs including costs to local roads as a result of Project construction including the transportation of Project components will be the responsibility of Gilead. Gilead has also committed to develop a Traffic Management Plan with the County to specifically address local concerns related to the transport of Project components and impacts to County roads/traffic.

***Will Gilead compensate residents for increased electrical costs as a result of the Project?***

Electricity costs are determined by the Province of Ontario and are based on numerous factors and are not solely related to the Project. As such, Gilead will not be compensating residents for any changes (either increased or decreased) for changes to electricity rates.

## **Hydro One Distribution (Transmission) Line**

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***What is the transmission line route and who will pay to build the transmission line?***

During the course of the design stage of the Project, it has been indicated by Hydro One that Hydro One (not Gilead) will be responsible for the design, construction and operation of the distribution line that will connect the Project to the provincial grid. As such, the distribution line has been removed from the site plans shown in the Draft REA reports as Gilead is not responsible for any aspect related to the design of the distribution line. Hydro One has not yet indicated a preferred route for the distribution line. However, Gilead is required to pay for the construction of the distribution line and these costs will not be the responsibility of the County.

## **Traffic and Road Impacts**

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***Traffic Management Plan/Road Impacts***

Gilead has committed to discussing details of an agreement between the Municipality and Gilead related to Project haul roads including pre-construction surveys, upgrade requirements, potential road damages and costs associated with restoration and repair of any potentially damaged roads. The discussions related to the Traffic Management Plan will also include potential mitigation



measures/strategies to alleviate concerns related to traffic delays and access related issues to the south east shore of PEC via County Road 13. Any costs associated with road improvements required specifically for the Project will be paid for by Gilead.

Gilead will not compensate residents for any disruptions/delays to traffic patterns.

## Decommissioning

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***Who is responsible for decommissioning? Gilead should be required to establish a fund/bond to guarantee removal in the event of bankruptcy.***

Gilead is responsible for the decommissioning of the Project including the cost of component removal. Gilead has committed to returning the site to a safe and clean condition after decommissioning of the Project in accordance with Ministry of Natural Resources requirements.

O. Reg. 359/09 does not require the proponent to provide a fund/bond for the decommissioning of the Project in the event of bankruptcy. Gilead plans to construct over 700MW of renewable energy over the next 10 years in order to assist the Province to achieve its provincial policy objectives under the Green Energy and Economy Act. Gilead is a company that is well financed and able to complete the development of renewable energy projects across Ontario.

## Public Consultation

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***The Open House did not meet the requirements of proper public consultation...***

### ***Gilead did not meet the requirements of O. Reg. 359/09***

Gilead has met all of the consultation requirements outlined in O. Reg. 359/09. For example, Gilead distributed notices of the location and time of at least two public meetings in accordance with Section 15. (1)(b) of O. Reg. 359/09. In addition, Gilead has held three Public Open Houses/Meetings which exceeds the minimum of two public meetings as required in Section 16. (1) of O. Reg. 359/09.

### ***Gilead did not seek the advice and opinion of the people at the open house***

The intent of the Public Open House was to provide a summary of the findings of the Draft REA reports and to seek the input from stakeholders and address any questions or concerns related to the Draft REA reports or the Project in general. Over 100 comments were received in writing (either via email or questionnaire) in addition to the comments expressed in person. This clearly demonstrates that Gilead sought the input of stakeholders and has taken the input into consideration in the preparation of the Final REA reports. In addition, Gilead has been soliciting and addressing stakeholder input over the last four years regarding the Project which has been documented within the Consultation Report.



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***The layout was intruding and was designed to move people to the perimeter of the room resulting in “one on one” discussions. I did not have the opportunity to hear as a whole the public responses.***

The layout of the Public Open House was similar to the layout at the previous two Public Open Houses and was designed to allow stakeholders to review display boards in a chronological order while having the opportunity to directly ask questions of study team members at each display board. Gilead believes “one on one” discussions are a valuable tool for obtaining stakeholder input and addressing the concerns of each stakeholder who sought information from the study team. In addition, this document has been prepared to reply to stakeholder concerns and inform stakeholders of additional common questions and answers that were provided throughout the Public Open House.

***Security guards were present and their purpose is unknown***

As indicated at the Public Open House (on two separate display boards), there was a maximum capacity for the building. Local security was present to monitor the capacity of the Public Open House and ensure that the health and safety of all attendees was maintained throughout the evening.

***There was no balance regarding the information provided and the community was not provided with the evidence regarding risks to health. The display and distribution of selectively biased, inaccurate, incomplete and/or misleading information does not constitute consultation as defined in the Green Energy and Economy Act.***

The information provided via the display boards and reference material was a summary of the information provided within the Draft REA reports. The Draft REA reports were available more than 60 days prior to the Open House and were also provided at the Open House to allow stakeholders an opportunity to review the entire scope of the Project and associated potential effects. Thus, stakeholders were provided with all of the information gathered for the Project including a detailed review of the potential effects to public health and safety within the Draft REA reports. The display boards and additional reference materials were simply summarizing tools and were used to display the key results of the Draft REA reports.

***Display boards presented inadequate information such as the opportunity for an appeal process, the lack of requirement under the GEA Regulations for low frequency sound, infrasound, and shadow flicker.***

As previously stated, the information provided via the display boards and reference material was a summary of the information provided within the Draft REA reports. The Draft REA reports were available more than 60 days prior to the Open House and were also provided at the Open House to provide stakeholders with an opportunity to review the entire scope of the Project including potential effects and the proposed schedule. Thus, stakeholders were provided with



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all of the information gathered for the Project including a detailed review of the potential effects to public health and safety as described within the Draft REA reports.

***The impression that the maximum sound level is 40 dBA and information that the MOE guidelines allow noise levels up to 51dB with increased wind speed was left out.***

A display board providing a summary of the Environmental Noise Impact Assessment (ENIA) was presented at the Open House. It included a map from the ENIA showing the most commonly referenced sound level limit of 40 dBA. The ENIA was provided at the Open House for any stakeholder to review which includes an analysis of potential noise levels at various wind speeds. Study team members were also available to answer any questions from stakeholders regarding the ENIA and MOE noise guidelines.

***Gilead has not done enough to address the concerns of PEC residents***

Public consultation for the Project has been ongoing since December 2007 and involved the following methods/tools:

- Newspaper notices for Project commencement, modification, Public Open Houses, Draft Environmental Review Report release, on-site works, and Draft REA report release;
- Three Public Open Houses;
- Meetings with directly affected landowners and the Alliance to Protect Prince Edward County (APPEC);
- South Marysburgh Community Meeting to showcase the additional visual simulations and Project Layout;
- Newsletters providing Project updates and upcoming activities; and,
- A Project specific email, mail, fax, phone and website.

From the outset of the Project, Gilead has always sought feedback from the community and has incorporated this feedback into the Project design where applicable including but not limited to changes to the Project layout and additional analysis of distribution line routes. Gilead's significant level of public consultation will be summarized within the Consultation Report as part of the Final REA report.

## Other Comments

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### ***What are the turbine lighting plans?***

Aviation safety lighting and marking of the turbines is required by Transport Canada's Aerodrome Safety Branch as specified in the Canada Aviation Regulations and Standards. Aviation safety lights, which serve to increase night-time visibility of the turbines to aviators, are required at the top of turbines as part of the lighting requirements. Transport Canada standards state that wind farms will require a red obstruction lighting system consisting of fading on and off aviation red beacons. These are used for



night marking of wind turbines between the heights of 90 m and 150 m (including blade length) above ground level and spaced approximately 900 m apart. Final aviation lighting requirements will be in accordance with Transport Canada Regulations and Standards and will be confirmed prior to construction.

***What are the impacts to the water table as a result of the construction of the Project?***

As noted in Section 3.1 of the Construction Plan Report, there is potential for groundwater to be encountered during the installation of the turbine foundations, access roads, and underground collector lines. Groundwater seepage may likely have to be controlled during grubbing and stripping and during subsequent excavation and fill placement. As such, it is possible that some dewatering activities may be required when installing the tower foundations, access roads, and/or underground collector lines. However, it is extremely unlikely that quantities withdrawn will exceed the threshold for the MOE's requirement for a Temporary Permit To Take Water (i.e. >50,000 L per day) and will not negatively affect groundwater quality, quantity, or movement.

To establish baseline groundwater conditions, Gilead will contract a specialized firm to complete a water well survey prior to construction. If well water quality or quantity is disturbed as a result of construction, Gilead will provide a temporary potable water supply until corrective measures are taken and will comply with MOE Guideline B-9: Resolution of Groundwater Interference Problems.

***Why is the Project not located in northern Ontario away from people?***

Gilead will obtain a Commercial Wind Energy Lease from the MNR specifically for the use of Crown Land at the Ostrander Point site. The site has a proven wind resource due to its location along the Lake Ontario shoreline, has transmission capacity at the Milford DS, and is suitable for wind energy development based on the results of the REA reports and the willingness by MNR to provide a Commercial Wind Energy Lease for the site. Developments are also proposed by Gilead and other developers for Projects within northern Ontario, however not all wind power can be established in that region alone (due to various factors including transmission capacity).

***Why is Gilead not installing solar panels instead? They are less intrusive.***

Gilead has a Feed in Tariff contract with the Ontario Power Authority to produce up to 24 MW of power from wind energy and thus is not pursuing the use of solar panels at the site.

***It is inappropriate to propose an interpretation centre at Mariner's Museum. Is there potential to enhance the site as a learning/tourism/recreational area once the project is operational?***

The request was made by Prince Edward County Council for Gilead to create an interpretation centre at the Mariner's Museum and was not proposed by Gilead. Once the Project is in operation, Gilead is open to discussing with the Municipality the creation of an interpretation centre at the Project site. Given that this is a Municipal initiative and is outside of the scope of the Project as described in the REA reports, Gilead believes there would be a requirement for public input regarding the design and



development of the interpretation centre following discussions with the Municipality after Project operation has commenced. Further, based on public comment/opposition that has been received by Gilead regarding an interpretation centre at the Mariner's Museum, Gilead would not be in a position to support a centre at the Mariner's Museum and would recommend the centre to be located at the Project site.

***How visible will the turbines be from County Road 13?***

Within the Study Area, the visual characteristics are composed of generally flat and open landscapes. Thus, the wind turbines will be visible for some distance in the surrounding areas. However, visibility of the turbines will vary from receptor to receptor based upon the following factors: surficial patterns, topography, observer position, atmospheric conditions, and turbine lighting.