



## 4. MUNICIPAL CONSULTATION

### 4.1 Municipal Consultation Forms

The project location is within the following local municipalities in Dufferin County:

- Melancthon Township
- Township of Amaranth
- Mulmur Township
- Town of Shelburne
- Town of Mono.

The Clerk of each of the five municipalities in the study area and Dufferin County was sent a Municipal Consultation Form as directed under O. Reg 359/09 along with the municipal draft REA Report package release on February 24, 2012. A copy of the letter and completed forms are in **Appendix D**. DWP received four Municipal Consultation Forms. The forms received were from the Townships of Melancthon, Mulmur, Amaranth and the Town of Mono. Municipal consultation forms are still outstanding from the Town of Shelburne and Dufferin County. The Town of Shelburne sent a detailed letter regarding the revisions they would like to see in the final REA reports. This letter (see **Appendix D**) was reviewed and considered in the preparation of the final REA document package. .

### 4.2 Other Correspondence with Municipalities

**Table 16** outlines the pertinent correspondence with all municipalities under the REA consultation process. See **Appendix D** for copies of all correspondence and other referenced material.

**Table 16: Summary of Meetings/Contact with Municipalities**

Municipality	Date of Contact	Topic
Melancthon	August 2010	Sent Notice of Project and PIC#1 – September 2010
Melancthon, Mulmur, Amaranth, Mono, Dufferin County	August 2011	Sent Notice of Project and PIC#1 – September 2011
Melancthon	November 28, 2011	Meeting between DWP and Melancthon Council and Staff
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	February 22, 2012	Sent Municipal Draft REA Release (2 copies + DVD copy) and Municipal Consultation Form
Amaranth	February 24, 2012	Receipt of Draft REA Package and Tariff of Fees to Review
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	March 2012	Sent Notice of PIC#1 (230 kV Power Line) – April 2012
Melancthon	April 12, 2012	Meeting between DWP and Melancthon Mayor, Council and Township Staff
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	April 13, 2012	Letter to Municipalities outlining delay in Public REA Release
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	April 23, 2012	Sent Notice of Site Plan and delivered 2 Draft Site Plans to Municipal office
Melancthon	May 3, 2012	Email correspondence requesting more copies of Draft REA
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	May 9, 2012	PIC#1 – 230kV Power Line Summary Report sent to each municipality. The summary report outlined the nature of the PICs and the comments received.
Dufferin County	May 10, 2012	Council Presentation re: Utility Easement for Rail Corridor
Mulmur	May 16, 2012	Mulmur Cost Recovery By-law
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	May 22, 2012	Notice of PIC 2 and Notice Public Release of Draft REA
Shelburne	May 29, 2012	Draft REA report Comments
Melancthon	June 3, 2012	Sent a map showing the changes to the project layout between the Municipal draft release and the Public draft REA release.
Melancthon	June 5, 2012	Melancthon sent a Drainage Map to Dillon and correspondence relating to the Municipal Bus Tour of the wind farm site.
Mulmur	June 13	Email sent from Township regarding Visual Impact Assessment
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	June 14, 2012	Sent a letter to Dufferin County Regarding the proposed form of easement along the rail corridor.
Mulmur	June 14, 2012	Report to Council endorsed by resolution

**Table 16: Summary of Meetings/Contact with Municipalities**

Municipality	Date of Contact	Topic
Melancthon	June 15/22, 2012	Melancthon requests a question and answer type of PIC instead of a walk through event. Request granted.
Mono	June 15, 2012	Sent Planning Report to be Considered by Council
Mulmur	June 23, 2012	Council Presentation (Noise, Visual Impact)
Shelburne	June 25, 2012	Council Presentation (EMF)
Melancthon	July 4, 2012	Correspondence relating to the end of the Municipal Consultation Period.
Melancthon	July 5, 2012	DWP and its' consultants took the Mayor, Council and Township staff on a bus tour of the wind farm site. Agenda and handouts were provided.
Melancthon	July 13/20, 2012	Meeting request
Melancthon, Mulmur, Amaranth, Mono, Shelburne Dufferin County	July 17, 2012	Letter to all Municipalities regarding a change in format for the PICs and a reminder about the end of the Municipal Consultation Period under REA
Mulmur	July 17, 2012	Meeting arrangement to discuss Visual Impact
Mulmur	July 19, 2012	Municipal Consultation Form and Comments under REA
Melancthon	July 20, 2012	Municipal Consultation Form and Comments under REA
Mono	July 23, 2012	Municipal Consultation Form and Comments under REA
Amaranth	July 24, 2012	Correspondence relating to the Municipal Consultation Form
Amaranth	July 25, 2012	Municipal Consultation Form received
Mono	August 1, 2012	Letter regarding lack of notification for adjacent landowners from POI for 69 kV power line.
Melancthon	August 5, 2012	Sent copy of MNR Confirmation Letter
Mono	August 9, 2012	Letter to Mono re: lack of notification for adjacent landowners



### 4.3 Consideration of Municipal Comments

Each of the five local municipalities that were/are being consulted for the project submitted comments on the project and draft REA. DWP has committed to providing full detailed responses to every comment received through the Municipal Consultation Form and Draft REA Comment Reports. The following tables outline the specific question or comment on the draft REA and the response from DWP. A description is provided as to how the project was changed and the rationale as to why changes were not made. Please see **Appendix D** for the original reports from each municipality and the Municipal Consultation Forms. Some comments relate directly to the detailed design of project infrastructure, in such cases, DWP will follow up with the municipality when the project progresses to that stage.

DWP is committed to continuing consultation activities with each municipality throughout all phases of the project. Future consultation commitments can be found in **Section 11**.

#### 4.3.1 Township of Melancthon

On July 20, 2012, the Township of Melancthon provided detailed comments on the draft REA reports. Melancthon's Letter also includes their general concerns with the impact of wind farms on municipalities and the Renewable Energy Approvals Process. The Township recognizes that the issues presented are beyond the scope of the Dufferin Wind Power Project, so they are not formally addressed below.

A meeting was scheduled for July 24, 2012, between representatives of DWP and the Township to discuss the concerns and comments made by the Township. This meeting was postponed at the request of the Township. DWP will be following up with Melancthon to reschedule this meeting to go over their comments and how best to address them.

**Table 17** outlines the "Comment Relating to the Application" that was made by the Township and details DWP's response to each comment and how that comment was integrated into the design and plan for the project. If the comment was considered but not included in the design and plan of the project, the reason is given. The original document, which includes the Municipal Consultation Form, is included in **Appendix D**.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
<b>Project Description Report</b>		
Table 1 Page 7	Table 1 Page 7 incorrectly shows that the Township of Melancthon as being the authority for issuance of Building Permits. In fact, the County of Dufferin fulfills this role.	DWP has noted the County's role in the issuance of building permits within the updated reports.
	The Township of Melancthon has received proposals for five wind farms. There are ongoing concerns about the overcrowding of road allowances with multiple power lines and with the unsightly appearance of above ground installations. As mentioned before, it is the requirement of the Council to have hydro lines buried. This has been the practice with the last two developments in the Township. As with the last project, there could be some room for discussion for lines above ground in non-populated areas. Council would discuss this in more detail once final placements of the turbines have been provided. We reserve the right to comment and have input later on this matter.	The Project's entire collection system ("feeder lines") will be installed underground based on the Township's request. However, it is not economically feasible or practical to bury the entire length of the power line that will interconnect the project to the provincial grid. The two options for this power line are to locate it within the public road right-of-way or along a private easement that local landowners have granted.
	It is noted that the project substation is located within a "non-significant" woodlot that will be largely clear cut of trees. The Township is concerned with unnecessary tree removal on such a large scale. It would be preferable to have the substation placed in association with a properly designed operations and maintenance building. The report should also indicate what plans are being made for the existing house in this location.	DWP wishes to be responsive to as many of the Township's concerns as possible and has moved the location of the project substation outside of the proposed woodlot and adjacent to the Operations and Maintenance facility to the south. The project's reports and maps have been updated to reflect this.
Section 4.4 - "Turbine and the project substations will be located entirely on private land."	O. Reg 359/09, Table 1, Paragraph 10.6 specifically requires the Project Description Report to set out the ownership of land on which the project location is to be situated. This appears to be addressed in Section 4.4 of your Project Description Report with the sentence "Turbine and the project substations will be located entirely on private land." In our opinion, the requirements of the Regulation are more specific, and the names of the private landowners that hold title should be provided. While the property owner names are shown in the Design and Operations Report, those plans do not show property boundaries which makes it difficult to review impact on neighbours, etc.	The final REA submission to the MOE lists all of the lease holders for the project.
Section 5.6	In Section 5.6 it is noted that a Visual Impact Assessment is being undertaken. A copy should be provided to the Township when it becomes available.	DWP will notify the Township when the visual impact assessment for the Niagara Escarpment is ready and also send a copy for Township review. This is not part of the REA submission package.
	Several drawings in the Appendices show details of transmission poles and contain a note, indicating that "Snow Accumulation" is expected to be 600 mm. In our experience, this number is too low, particularly when poles will be located in areas where snow is cleared from roadways and piled in the vicinity of the pole locations. It is not uncommon for snowmobiles or children to be on top of the snow banks and we would like to receive your assurance that all safety requirements will be met under these conditions for minimum separation distances to power lines.	DWP is currently initiating the detailed design for both power line options and will take this into consideration during the final design. DWP will re-submit transmission pole drawings to the Township when they are prepared.
	It is completely wasteful to include copies of Appendix C, which is the Technical Specifications for Turbines, rather than simply referring to the Specification Report which is a separate document containing identical information.	Noted. Technical specifications have been removed from Appendix C and Appendix C now provides general information on the turbine types for individuals who would like to see general characteristics only. A reference to the Wind Turbine Specification Report has been made for those who would like more in depth technical and acoustic information regarding the wind turbine models.
<b>Construction Plan Report</b>		
Section 4.3	Item 1 of Table 1 of Ontario Regulation 359/09 requires the Construction Plan Report to set out a description of "The location and timing of any construction or installation activities for the duration of the construction or installation", followed by "Any negative environmental effects that may result from construction or installation activities...". It was our expectation that the Construction Plan Report would be much more specific about establishing the necessary scheduling to carry out the project. Many of the Natural Environment studies made specific recommendations about the importance of timing, so the Construction Plan Report should be used to consolidate these recommendations, provide direction, and ensure they are followed. Instead, there is a scant 10 lines of generalities contained in Section 4.3, making such statements as "All construction adjacent to wet areas will be undertaken outside of the amphibian breeding season April 15 to June 15, wherever possible". How is "wet areas" defined? What if it is "wet" in April but dry in May, like normal? Who enforces this? What is meant by "Wherever possible?" Does that mean it is ok to disturb breeding areas if the project schedule gets behind? We expect a much more detailed effort. As an example "All construction activity on the site of Turbine 43 is prohibited between April 15 and June 15." We believe the intent of this recommendation relates to works that are located within 120 m of a Wetland. There should be a map of all such locations indicating that construction in the areas identified as being within 120 m of a wetland may not be undertaken between April 15 and June 15.	The Environmental Impact Study (EIS) Report should be referenced for such information. In our opinion, the Construction Plan Report should not re-iterate all the information that can be found in the EIS Report.  The information requested will be compiled as part of detailed design and will be incorporated in the Environmental Management and Protection Plan (EMPP) that will be prepared for the Construction Contractor prior to Construction. The EMPP will define the best management practices for constructing the wind power project.
Page 9	Page 9 directs the reader to Section 3.1 for details regarding Dust and Noise. The correct reference should be to Section 5.1.	Noted. This typo has been corrected in the final Report.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
Table 3	Table 3, is the Proposed Construction Schedule that shows several activities, including development of access roads, to be built in "spring 2013." We remind you that Township roads will be restricted to half loads during the spring season.	Noted. DWP is committed to consulting with the Township on all construction and road-related matters. DWP will consult with the Township in the development of a detailed Traffic Management Plan (TMP) prior to the start of construction that will include seasonal road restrictions.
Section 4.6	Section 4.6 of the Construction Plan Report indicates that "All trees, brush and root material will be chipped and buried on site with landowner approval." We are of the understanding that burials of tree brush and root material is not permitted by the Environmental Protection Act, unless the burial takes place within an approved landfill.	This section has been revised to state that chipped material will be hauled to an approved landfill facility.
Section 4.7.1	Section 4.7.1 describes survey and geotechnical investigations needed for site preparation, but excludes any Road's Condition Reports. Other wind farm developers in Melancthon have been required to inventory the Township roads that will be affected by the high volumes of cement and gravel trucks. Most of these turbine locations are in remote areas of the Township that have never been subjected to so many heavy loads.	As part of the pre-construction planning, Traffic Management Plan, and Community Agreement with the Township, DWP will perform a pre-construction road survey that will include videotaping, coring, and measurement of all Township approved haul routes and road use. This pre-construction survey will be submitted to the Township prior to the start of construction. A similar post-construction road survey will be submitted to the Township at the completion of construction so that it may compare pre-and post-construction road conditions. . DWP is committed to working with the Township to come to an agreement with respect to the Pre-construction Road Condition Survey and a Road User's Agreement and will work closely with the Township's Roads Supervisor. Section 4.7/1 has been revised to reflect this.
Table 2	Also in regard to the traffic impacts, We note that the current edition of the Construction Plan Report has deleted the estimated truck trips from Table 2. Based on the information in the previous edition of the report, the construction of the development would generate over 18,000 truck trips. We also note that the only plan showing the proposed full extent of construction related haul routes appears to be the plan provided during the recent tour of the project site. Among other things, that plan showed the 4th Line between County Roads 17 and 21 as a haul route. This is contrary to the Township's policy on haul routes and this route should be eliminated other than in the immediate vicinity of the adjacent turbine sites. Truck traffic should be confined to County Roads as much as possible. Also, a Traffic Management Plan should be prepared and finalized before any approval of this application.	When the haul routes are finalized, a Traffic Management Plan will be prepared in collaboration with the Township of Melancthon and other municipalities. A high level overview of estimated truck trips is provided in the final Construction Plan Report. The table was not removed from the Report. Table 2 can be found on Page 10 of the February 2012 draft and on Page 11 of the May 2012 draft. This table has been revised for the final submission of the REA Reports.
Section 4.7.2	Section 4.7.2 (Clearing) is another example of the vagueness that made this review difficult. "Clearing may also be required for portions of the site access roads, crane paths, collector lines and power line right of way". How can the municipality provide meaningful comments on that? It certainly can't be acceptable without some indication of the location and extent. This is intended to be a near final report, indicating all areas of "negative environmental effects that may result from construction or installation activities Within a 300 m radius of the activities" (Ontario Reg 359/O9). To fulfill the requirements of the regulation in our opinion, the proponent should prepare mapping that shows all areas that <u>may</u> be cleared as part of this project, so that we know the worst case scenario. It really would not be difficult to provide such a map. We cannot comment on ambiguities.	<p>A detailed map showing all areas to be cleared is subject to final design and engineering. The current site plan, project description report, natural heritage report, and construction plan report provide a detailed overview of the environmental features, ground cover, and construction methodology in the areas where construction is expected to take place.</p> <p>DWP is initiating the detailed design &amp; engineering work at this time and DWP will consult with the Township and discuss any clearing activities required for project components prior to the start of construction. With the exception of some woodlots and other bush area, minimal clearing is expected in the majority of the project area due to the fact the majority of project components will be installed in agricultural fields.</p> <p>As per the Township's request, DWP has committed to replant the same number of trees that require clearing for project components. This has been added to Section 3.4.2 (land clearing) of the Construction Plan Report.</p>
Section 4.8.5	Section 4.8.5 discusses the substations/transformer. It says that the transformer will sit in a concrete containment system to capture any oil leaks, and of course snow and rain water also be captured by the container as well, because it is open to the sky. The report provides an inadequate description of how the rain water will be tested for contaminants and pumped out to maintain adequate capacity for emergency use. Frequency of inspecting and testing is not addressed, nor is the testing protocol. And since leakage is not expected, any contamination may signify a greater problem but no plans are laid out for such an occurrence.	Additional details regarding the design and operation of the of transformer spill containment system have been provided in the Construction Plan Report. DWP expects the MOE to review the adequacy of the proposed system as part of the REA approval process.
Section 4.8.7	Section 4.8.7 indicates that "the power line will be an overhead line and require 8 - 10 m of space within the municipal road right of way". Given that the municipal right of way is typically 20 m in total width, it is a concern to devote such a large proportion to an enterprise that does not provide any municipal function. Because the Construction Plan Report does not address temporary road closures for the Construction, we assume there will be none.	There are existing poles for this power line route except in one location in the Township of Melancthon. The right of way is already being taken up by the existing hydro line structures. Temporary road closures will be addressed in the Traffic Management Plan that DWP will prepare once the detailed design is completed. DWP will consult with the Township on the final power line route.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
Section 4.9.1	Section 4.9.1 notes "any hazardous waste produced on site would be trucked to the County of Dufferin Transfer and Recycling Facility". But no indication is provided anywhere else of what may possibly be classified as hazardous waste. It would be proper for the proponent to provide a list of any materials or activity that could possibly lead to the generation of hazardous waste. We would also like to clarify that the County of Dufferin does not have a Transfer and Recycling Facility.	The County of Dufferin Transfer and Recycling Facility is located at 473051 Dufferin Road 11, Orangeville. When consulting with the Facility it was found out that this Facility could not handle construction scale quantities of waste. This section of the report has been revised to say that a private hauler (DWP has identified several licensed haulers within the area) would be hired to dispose of all wastes (including hazardous wastes) and truck them to a licensed Transfer and Recycling Facility.
Section 5.1.1	Section 5.1.1 provides another example of the off handed manner used to address potential issues. The potential effects of dust are reduced to six lines, most importantly described in the penultimate sentence "As the construction areas are generally well removed from receptors, air quality related effects are expected to be minimal and would be temporary". Presumably, the author does not feel that Wetlands or Wildlife can be defined as "receptors". We feel that dust does in fact meet the definition in Ont. Reg 359/09 of "any negative environmental effects that may result from construction or installation activities Within a 300 metre radius of the activities". As such, it is required to be addressed more thoroughly in the Construction Plan Report. We also note that the Design and Construction Report gives consideration to the effect of dust on Wildlife habitat in the post construction state, so it stands to reason that it should also be considered in the construction stage itself.	The EIS Report addresses the effects of dust on wetlands and wildlife. To reduce duplication we have not repeated the information in the Construction Plan Report. DWP has added a reference to the EIS to clarify this for the reader.
Section 5.1.2	Section 5.1.2 tells us "during the construction period, the contractor will implement standard practices to minimize air emissions ..." This does not provide any assurance at all. Firstly we have been witness to "standard practices" and are not convinced that the standard is adequate, and secondly, the proponent is not providing any quality control measures to consider what may happen if the contractor fails. It is usual to engage independent parties to review the activities of contractors. "Minimize operation and idling of gas powered equipment and vehicles, in particular, during smog advisories - this is to be strictly monitored". Really? What does it mean to minimize the operation of gas powered equipment? Will your contract specify that the alternative engines be used? Are diesel engines preferred? How is it strictly monitored? By whom? Will extra inspectors be hired during smog advisories?	DWP's will engage a third party consultant to act as the Environmental Compliance Monitor (ECM). The ECM will report directly to DWP's Construction Manager. It will be the responsibility of the Construction Manager to ensure that all standard construction best management practices are used for the duration of the construction phase (i.e. minimize operation and idling of heavy machinery).
Section 5.1.3	5.1.3 "The Construction Contractor's Project Manager will also act as the Construction Monitor and will be responsible for implementing noise compliance on the construction site". We would prefer for the guardian of compliance to be an independent party from the contractor. This seems to be the intent of the final sentence of 5.1.2, so the role of the Construction Monitor versus the Environmental Compliance Monitor needs to be defined.	Noted. This statement has been revised to say that a third party consultant will act as the ECM who will monitor and audit the Construction Contractor to ensure all REA commitments are being met.
Section 5.3.2	5.3.2 "A Horizontal Directional Drilling contingency plan will be put in place prior to construction that will include a construction monitoring plan. Environmental protection measures will be considered for reducing potential adverse impacts on the natural environment. The contingency plan to be developed between DWP and the drilling contractor will include contingency measures to be taken if potential problems arise resulting from adverse conditions or crossing method failures." We have a number of concerns with this section. Firstly, it is our opinion that Ont. Reg 359/09 expects this Construction Plan Report to be a near final document and its contents used to give assurances to the public. Using the Construction Plan Report to simply defer the environmental protection measures is unacceptable. We also do not think that the contractor should be a co-author of the contingency measures. Once the contract is signed and payment terms are finalized, it is unlikely that the contractor will be unbiased in determining contingency measures. We believe that the Construction Plan Report should define the contingency measures, the public should have an opportunity to participate in their approval, and the contractor should simply abide by them.	A horizontal directional drilling contingency plan must be made during detailed design and planning in conjunction with the contractor as they are the experts in contingency measures with respect to directional drilling. DWP will draft such documentation, request input from the contractor, and then have the Owner's Engineering team review for completeness and assurance that best management practices will be used.  DWP is committed to further consultation. DWP invites Municipal input on the HDD Contingency Plan when it is prepared.
	Ontario Regulation 359/09 limits the contents of the Construction Plan Report to matters relating specifically to construction. This does not include archaeology or cultural matters, which are included in the requirements of the Design and Operations Report. That is where they should be, as they are design issues and not construction issues.	Archaeological Reports are discussed in the Construction Plan Report because it is during construction that any archaeological resources would be impacted. During the operations phase of the Project, there would likely be no impacts on Archaeological Resources.
	Conversely, the Construction Plan Report should include completed Work Permit Applications where water crossings are part of the project. However there were no such applications included.	DWP is currently consulting with the Grand River and Nottawasaga Valley Conservation Authorities and determining the required permitting. The Township will receive copies of all permits.
	The conclusion should not comment on the benefits of municipal taxation or increased employment opportunities or the virtues of renewable electricity or royalties to homeowners. Table 1 of Ontario Regulation 359/09 makes no reference to these matters in its description of a Construction Plan Report.	Noted. DWP believes there is a net benefit to the Community from the project and therefore has included this in the assessments. DWP has left these statements in the reports.
	There is a need for a plan referencing the total system of trucking haul routes, not just that relating to the delivery of the turbines. According to the previous edition of the Construction Plan Report, there would be 637 truck trips related to turbine deliveries out of a total of over 18,000 construction related truck trips, approximately 3.5 percent of all trips.	DWP will work with the Township to develop an acceptable Pre-Construction Road Survey and Traffic Management Plan and ensure compliance with these documents before, during, and after construction.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
<b>Design and Operations Report</b>		
	Because the <i>Green Energy Act</i> limits the authority of municipalities for projects that they host, the greatest direct interest of the Township of Melancthon may be for works within the municipal right of way. Their extent of description is as follows: "The underground collector system follows access roads and road allowances wherever possible and also transects participating landowner parcels to reduce the length of collector lines." We are pleased that the description includes the Word "underground". The Design Report includes some small scale Conceptual drawings indicating the locations of rights of way that are likely to be affected. There are also sketches contained on the individual site plans that give some indication of what side of the road allowance you hope to be located on, but the level of commitment to these designs was unclear. Certainly there was no investigation of existing buried utilities and we were unable to conduct a detailed review. The following points will need to be addressed in the future:	See responses below
	<ul style="list-style-type: none"> <li>We have concerns with multiple utilities competing for corridors within our road allowances. As a result we assign a restricted corridor to each utility and you will not have the freedom to vary from one offset to another. The locations where your cable can cross from one side of the right of way to the other will be held to a strict minimum.</li> </ul>	Private utility locates were undertaken for the entire Project site where underground collector lines would traverse municipal roads, as outlined in the Construction Plan Report and during our tour with Township Council. DWP has tried to reduce the number of municipal road crossings and has used participating landowner property as much as possible.
	<ul style="list-style-type: none"> <li>Some existing overhead power lines restrict the use of construction equipment beneath them. As a result there may not be available corridors beneath the overhead lines.</li> </ul>	Noted. As above, private utility locates have been undertaken and the results of these locates were considered in the design of the underground collector system.
	<ul style="list-style-type: none"> <li>There will be buried gas, telephone, and hydro lines in some areas that must be avoided.</li> </ul>	Noted. As above, private utility locates have been undertaken and the results of these locates were considered in the design of the underground collector system.
	<ul style="list-style-type: none"> <li>Where trees are significant you must use horizontal directional drilling to go underneath them.</li> </ul>	DWP has worked to avoid impacting trees wherever possible. Impacts will occur to non-significant tree lots on private property and this and any other tree impacts will be avoided and/or mitigated as much as possible.
	<ul style="list-style-type: none"> <li>Lighting - even though the report states that the flashing lights are required and are expected to flash simultaneously to minimize disturbance, there is nothing that says that the lights will point in an upward direction and therefore, Council insists on this requirement.</li> </ul>	Reports have been revised to read that wind turbine lighting will point in an upward direction subject to Transport Canada approval. DWP will also request that Transport Canada approve a reduced aviation lighting plan for the wind turbines in order to minimize the impact to the local community.
Appendix E	The February version of the Report that was provided to our team on April 25, 2012, contained Appendix E, Visual Assessment. It contained only a placeholder that said "forthcoming". Our reviewers have checked your website for this information and found that this Appendix had been removed.	Appendix E has been removed from the REA submission. As mentioned above, the Township will be copied on the Visual Impact Assessment that is currently being prepared for the Niagara Escarpment Commission, when it is complete.
Section 8.1.2	Section 8.1.2 describes the appointment of the Environmental Monitor (EM). It is implied, but not specified, that the EM will be onsite full time. Please confirm.	The Environmental Monitor, is now being named, "Environmental Compliance Monitor" (ECM) in the REA Reports. A Third party consultant will act as the ECM and will oversee REA commitments are being met by the Construction Contractor. The ECM will be onsite part time. Prior to construction the ECM will meet with the Construction Contractor to ensure they are aware of all obligations and commitments that have been made through the REA and they understand that each commitment has to be followed.
Section 8.1.2	We suggest that the credentials of the EM should be cited, rather than simply stating that the owners will make an appointment. We find it rather odd that the Owners are completely responsible for the engagement of an individual to monitor and control their own actions. There appears to be no one monitoring the monitor, and the Township may be required to fulfill this role to some extent in the event of receiving a complaint. We would like to receive notification in the event that a stop Work order is issued as described in Section 8.1.2.	The position of ECM has yet to be chosen but will be an individual who understands the REA process and knows the specific details of the project. DWP welcomes the Township to "monitor the monitor" in the event a complaint is made. DWP will provide their complaint resolution process to the Township to review prior to the start of construction. The Design and Operations Reports has been revised to state that the Township will receive notification in the event of a Stop Work Order is placed.
	The same section refers to "failure of best industry practices which result in off-site sedimentation that violates applicable water quality standards". This description needs to be clear and it is not. "Best industry practices" provides no measurable guideline as industry practices vary from place to place and company to company. Who can pass judgment on <u>best</u> practices? And what is meant by "applicable water quality standards"? Drinking water standards or discharge criteria? To determine whether any standard is being violated there would be a need for laboratory testing which seems impractical for this purpose. There are recommendations in the Water Body Report for the preparation of a Sediment and Erosion Control Plan and although We believe that Plan should	Best Management Practices (BMP) will be made available in the Environmental Management and Protection Plan (EMPP), prepared prior to Construction. The EMPP will be provided to the Township for review and comment prior to Construction start. All other comments in this section have been written or clarified in the Design and Operations. Reference to the Sediment and Erosion Control Plan has been added to the Construction Plan Report.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
	have been submitted as part of this application and it was not, it would make more sense for the Environmental Monitor to take actions when the provisions of the Sediment Control Plan are not followed.	
	And while the report states "will ensure compliance with all site permits and mitigation measures required by local, provincial, or national law or applicable contracts," We would prefer the definition to include "and mitigation measures recommended in all reports filed under Ontario Regulation 359/09 or required by...."	Noted. Design and Operations Report and Construction Plan Report have been revised based on this comment.
Section 9.1	Section 9.1 The municipality would also like to be notified of any spills.	Noted. The Design and Operations Report and the Construction Plan Report have been revised to identify the Township, as well as the County, of any spills.
Section 9.3	Section 9.3 The municipality would like to be provided with copies of correspondence arising from the Complaints Resolution Process, including confirmation of the outcome of the process. The Township also must be informed immediately of any spills or emergencies and the related plans and agreements must reflect this requirement.	Noted. REA reports have been revised to include the Township and County on all correspondence arising from the Complaint Resolution Process, including any spills or emergencies.
<b>Property Line Setback Report</b>		
	It is disheartening to see turbine placement such as that on Turbine 23. Its preferred setback should be equal to the hub height, which is 80 metres, but instead it is being proposed at setbacks for 63.7 metres and 62.2 metres in each case the setback is to a wood lot. There appears to be no reason for reducing the setback as the turbine is located within an agricultural field and there appear to be no other potential encroachments. The woodlots provide interior forest breeding bird habitat. Logic would suggest that the minimum setback should apply in a situation such as this. We are more understanding of situations where relocation would simply cause a reduction in setback somewhere else.	The introduction to the Property Line Setback Report has been revised to clarify the intention of this Report. The intention is to determine whether there are any sensitive anthropogenic uses, such as schools, commercial development, homes, etc.
	Other examples similar to Turbine 23 would be Turbines 1 and 11.	Please see above.
	It is unfortunate that the report also reflects the flawed requirements of Regulation 359/09 in that it contains no documentation as to Why it is necessary to reduce the setbacks on approximately one third of the project's turbines. As discussed above, the report simply provides some very general comments on the apparent lack of impacts associated with these reduced setbacks without justifying the need for such setbacks through a logical, well documented needs analysis. Such an approach would be completely unacceptable in any application under the <i>Planning Act</i> .	DWP will refer the comment relating to the flawed requirements of Regulation 359/09 to the Ministry of the Environment.  Setback reductions are required to ensure a noise compliant layout, to avoid sensitive natural features and to ensure proper setbacks are adhered to (i.e., receptors).
<b>Decommissioning Plan Report</b>		
	The Township of Melancthon is worried that changes in the economic viability of Wind energy in Ontario could cause turbines to become derelict and abandoned, causing safety hazards and becoming an eyesore. We are less concerned with the specifics of <u>how</u> decommissioning will be done, and more concerned with <u>if</u> it will be done. The Ministry of Natural Resources imposes rehabilitation fees on aggregate extraction to ensure the sites are topsoiled and grassed and we are disappointed that similar procedures are not followed to ensure the removal of derelict turbines.	The Decommissioning Plan Report has been revised to include a commitment from DWP to post reasonable financial security to ensure the proper decommissioning of the wind farm. DWP will post this security in conjunction with agreements with the Dufferin County and local municipalities.
	With respect to this proposed Decommissioning Report We note that soils testing for pollutants is not included in the procedure. We feel that it should be.	Noted. The Decommissioning Plan Report has been revised to include post-decommissioning soil testing.
Section 4.3.4	Section 4.3.4 indicates the intention to leave underground cables in place. This will not be permissible for cables on municipal property, due to the aforementioned concern for over congestion of our right of way. Abandoned cables could be dangerous if confused with other active lines so we must insist on their removal.	Noted. The Decommissioning Plan Report has been revised to state that all underground cables on municipal property will be removed.
	While Sections 5 and 9 make a general reference to environmental protection we are of the opinion that a more specific recommendation should be made. Clearly, removal of any works that are located within setbacks to sensitive areas should be removed under the same restrictions as their installations. In particular the scheduling of construction in woodlots and open fields, adjacent to wet areas, and where amphibians are known to be present should follow the same restrictions with respect to breeding seasons.	The Decommissioning Plan Report is a living document and will be fully revised at least six months prior to decommissioning activities. In twenty years' time new "Best Management Practices" may be available. The Decommissioning Plan Report has been revised to say that the same environmental protection techniques used in the Construction Plan Report will be used, unless there are new Best Management Practices, at the time of decommissioning.
<b>Water Assessment Report</b>		
	It appears that the records review was done satisfactorily. We were not made aware of the scheduling of site investigations that took place over a two year period and so we are unable to comment on the results. This work has been approved by the Ministry of the Environment prior to submission to the Township, and copies of the MOE approval should be provided to us.	MNR confirmation has been given to the project, not MOE confirmation. If the project receives MOE approval, the Township will be notified.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
Section 7.3	The Renewable Energy Approval Regulation requires all lands within 120 metres of a project component to be physically assessed for water bodies. Section 31(3) of the Regulation excuses the need for a site visit in situations where it is not reasonable and Section 31(7) requires an explanation of why it was considered unreasonable. We were unable to find the explanation in the material that was submitted. Section 7.3 of the report discusses inaccessible lands, but offers no reason for this conclusion. Reference is made to Figure 4, but the only distinction made in the Figure is between leased lands and non-leased lands, which would not be considered as a "reasonable" lack of access. On behalf of the taxpayers and landowners of Melancthon we expect that physical site investigations should be completed on all water bodies within 120 m of the project, unless the proponent documents that the landowner had denied access and therefore waived their right to the protections envisioned in the Regulation. The field notes contained in the appendices did not appear to contain any such notes. It is noted in the Table 7 of the MNR Natural Heritage Assessment Guide that supporting information should include a list of landowners contacted, number of attempts, time/date of contact, copies of written correspondence and replies etc.	The Water Assessment Report has been revised to include all property that DWP had access to for natural environment field work.
We accept the conclusion that an Environmental Impact Study (Water Body Report) is warranted.		
<b>Water Body Report</b>		
Section 5.5.2	Section 5.5.2 determines that various aspects of the proposal fall within Source Water Protection areas. However there does not appear to be any further consideration given to the matter. We expected the Water Body Report to comment on the impact of the project from the perspective of Source Water Protection.	The Water Body Report has been revised to comment on potential impacts regarding source water protection.
Table 6	Table 6 includes a mitigation measure that reads "Develop and implement a stormwater management plan which maintains pre-construction surface water flows to adjacent lands (quantity, quality, infiltration, conveyance patterns and seasonality of water flow)." We think that plan should have been developed as part of the current submission. There is no reason to delay it and if were submitted now, the public and the municipality would have the benefit of reviewing it.	DWP has committed to preparing a stormwater management/erosion control plan. The Township will have a chance to review and comment prior to finalization. The plan will be developed with the input of local Conservation Authorities as well.
	Likewise, there is a measure to "Develop and implement an erosion and sediment control plan prior to site preparation activities." There is no reason that such a plan would be delayed until then and not be part of the current process.	DWP has committed to preparing a Sediment and Erosion Control Plan. The Township will have a chance to review and comment prior to finalization. The plan will be developed with the input of local Conservation Authorities as well.
	Suggestions such as "before dewatering, rescue any fish from within the isolate and release them downstream" should be included in a summary within the Construction plan.	The Construction Plan Report has been revised to include this statement.
<b>Natural Heritage Reports</b>		
<b>Records Review</b>	This report has already been approved by the Ministry of Natural Resources. Please provide us with copies of their letter. The Township has no further comment at this time.	Sent by email to Denise Holmes, CAO/Clerk, August 5, 2012
<b>Site Investigation</b>	The Township was not present at the time of the site investigation and the work has already been approved by the Ministry of Natural Resources. Please provide us with a copy of their approval letter.	See above
<b>Evaluation of Significance (Section 6.4)</b>	It is noted in Section 6.4 that in the Grand River Watershed woodlots greater than 20 ha are considered significant, while in the Nottawasaga Watershed the area threshold for significant woodlots is two and a half times higher, at a level of 50 ha. We have difficulty accepting the logic of woodlots in one part of our municipality having such completely different standards than other woodlots nearby. A review of the documentation seems to support our concern. While the DWP Evaluation of Significance Report states in Section 6.4 that the conservation authority coverages are "based on guidelines from the MNR", we disagree. MNR's Natural Heritage Assessment Guide for Renewable Energy Projects (July 2011) in Section 6.2.2.1 refer to "percentage of woodland cover in the lower tier or single tier municipality where the project has been proposed". Table 8 in the same section makes repeated reference to "Woodland Cover within the Municipality." We would like the same standard, a municipal standard, to be used for the review of this project. If the percentage of woodland cover is not readily available for our Township then we suggest that the GRCA criteria should be applied throughout the project. It is more conservative and we feel that our large areas of cleared farm fields are better represented by the GRCA watershed. You should be aware, as was discussed during the bus tour on July 5, 2012, that a permit is required from the County of Dufferin Forest Manager for the removal of trees in any area .5 ha or larger as per County By-law 2006-15. It is Councils desire not to destroy any trees and therefore, as previously mentioned in this letter, recommends that the substation be placed elsewhere and not in the woodlot. However, if the substation must go in the woodlot, Council insists that any trees removed be replaced by new trees and planted elsewhere on the property.	Significance levels vary based on watersheds, not political boundaries, as discussed on the July 5 <sup>th</sup> Township bus tour. DWP has moved the location of the substation to respond to the Township's concern regarding cutting trees. DWP is consulting with Dufferin County regarding their tree cutting by-law.
<b>Environmental Impact Statement</b>	This report has already been reviewed and approved by the Ministry of Natural Resources. Please provide us with a copy of their approval letter.	A copy of the letter was emailed to Denise Holmes, CAO & Clerk, Township of Melancthon on August 5, 2012.

**Table 17: Township of Melancthon – Comment Relating to the Application and DWP Response**

Planning Comments		Dufferin Wind Power Response
<b>Environmental Impact Statement</b>	Table 3 in Section 7.1 indicates that the type of watercourse crossing and mitigative measures will be developed in consultation with MNR. The Township would like to be apprised of these decisions in crossing of Municipal Drains. Approval from the applicable Conservation Authority is also required.	DWP is currently consulting with NVCA and GRCA regarding permitting requirements for project components located in CA regulated areas. DWP has requested information from the Township regarding permits for the crossing of municipal drains. DWP will work with both the Township and the CAs to obtain necessary permits relating to water crossings.
<b>Environmental Impact Statement</b>	The decommissioning plan is discussed in Section 7.3. We suggest that soils testing should be conducted as part of the decommissioning process.	Noted. As the NHA package is a final document, approved by the MNR, the Township's request for soil testing, and has been included in the Decommissioning Plan Report.
<b>Environmental Impact Statement</b>	The methodology should be chosen and detailed for the post construction mortality assessment and potential components of the adaptive management plan should be identified.	When the methodology is determined for post-construction monitoring and approved by the MNR, DWP will advise the Township.
<b>Environmental Impact Statement</b>	It is recommended on page 185 that an experienced biologist should survey impacted amphibian breeding areas prior to construction and remove amphibian species present. The Township would like to be apprised of this work as it is being completed. In keeping with what would be the typical approach to a development application under the Planning Act, it would be preferable to simply avoid amphibian breeding areas, particularly in a project encompassing such a large area.	DWP will contact the Township prior to construction if amphibian removal is required.
<b>Environmental Impact Statement</b>	On page 187 it is recommended that site preparation be done outside of the core breeding period (May 1 to July 15) to avoid disturbance to breeding birds. However the Construction Plan Report in Table 3 indicates that site clearing will be done in a 1 to 2 month period during Spring, 2013. Noting that many areas are prohibited from construction if they are in proximity to "wet" areas, we expect the spring work may not commence until late spring and accordingly, there may be a conflict between this recommendation and the construction schedule. It is remedied by the recommendation that a qualified biologist conduct nest searches prior to clearing.	The construction schedule is largely determined by the permitting process. It is the intention of DWP to commence and complete activities that could be detrimental to the health of wildlife and their habitat prior to, or after, the breeding season. If construction activities occur during the breeding season, removal of amphibian, fish and conducting nest searches will have to be undertaken.
<b>Environmental Impact Statement</b>	On page 189, and in other areas, it is recommended that a stormwater management plan will be developed and implemented. We would prefer for that plan to be included in these final reports, but nevertheless we would like to review a copy when it becomes available.	The Township will have the opportunity to review the Stormwater Management Plan when completed.
<b>Environmental Impact Statement</b>	Please provide the Township with a copy of the contractor information package that is being provided for five line skink.	There is no reference in the approved EIS to a Contractor Information Package being provided by the five-line skink.  DWP will provide the Township with the EMPP in advance of construction for review and comment.
<b>Environmental Impact Statement</b>	The Township is also interested in details of the habitat replacement initiative that is described on page 193 and the Erosion and Sediment Control Plan that is recommended repeatedly.	The Township will be provided with a copy of the Erosion and Sediment Control Plan, when completed. DWP will consult with the affected municipality(s) and Conservation Authorities for their input on locations for habitat replacement. DWP has committed to replace woodland removed at 1:1 ratio.



### 4.3.2 Township of Amaranth

The Township of Amaranth would be impacted by both power line Options. Under Option 1 (Dual 69 kV Power Line), there would be a small section of proposed transmission line along the Amaranth- Mono Townline. Option 2, (230 kV Power Line) the transmission line would follow the rail corridor into the Township of Amaranth and connect to the Ontario grid at the Orangeville Transformer Station, located in Amaranth.

On June 13, 2012, the Township of Amaranth sent DWP a copy of a memorandum to Dufferin County Council regarding the Dufferin Wind Power Project. **Table 18** outlines the Township's comments in this letter and outlines DWP's response. The comments within the Municipal Consultation Form are addressed as part of this table as well, as the comments are similar in nature.

On July 24, 2012, the Township of Amaranth sent DWP a covering letter, a copy of a letter to the Minister of Energy regarding the *Green Energy Act* and the Municipal Consultation Form.

Reviewing all documentation received, the primary concerns of the Township of Amaranth relate to timing of the municipal review period under REA, the lack of detailed design at the draft REA municipal review stage and the fact that DWP is submitting its' REA with two power line options.

Copies of all original correspondence can be found in **Appendix D**.

**Table 18: Township of Amaranth Comments and DWP Response**

Amaranth Comments of the Draft REA	Dufferin Wind Power Response
All power lines to be located underground, as opposed to the proposed construction of 437 poles along 48 km. of the proposed route pursuant to Project Description Report dated May 2012	It is not common practice in Ontario to locate transmission lines of this length underground. As a result, the majority of either the 69 kV or 230 kV power lines would be installed on an overhead pole line.
Detailed noise study to be provided with respect to the sub-station/transformer to be located in the Township of Amaranth, and Noise Complaint Management Protocol is required	If the 230 kV power line is the chosen option, it will utilize a switching station to transfer electricity from the project power line to the provincial grid. Under O.Reg 359/09 a switching station is not a significant source of noise and therefore does not require a noise study
Traffic Management Plan to be provided, which depending on the proposed construction haul routes, would include a traffic plan and recommend road maintenance and upgrade procedures	DWP will prepare a Traffic Management Plan prior to the start of Construction for the Township to review and comment
Emergency Preparedness and Response Plan to be provided	An Emergency Preparedness and Response Plan will be provided to the Township for review and comment, prior to the start of construction
Entrance permits/road crossing permits to be obtained from Township of Amaranth where applicable	DWP will seek entrance permits/road crossing permits, where applicable, from the Township. DWP will provide the Township with detailed designs to review and comment prior to seeking permits
Detailed design plans of project to indicate any drainage ditches or easements which might be impacted and specify how they will be protected	After detailed design, DWP will consult with the Township and provide such detailed design plans to the Township for review and comment
Development Agreement and Roads Agreement, with associated securities, required by Township for the portion of the project that passes through Amaranth	DWP will work with the Township to develop a Development Agreement and a Road Use Agreement for Township review and comment, with associated securities with the Township. DWP's Construction Manager will undertake a road condition survey, in conjunction with the Township to determine the current condition of Township roads. DWP will post security to the Township to ensure the roads are reinstated to previous condition if there is damage to said roads during construction
Construction Environmental Management Plan required	DWP will prepare an Environmental Management and Protection Plan that will be provided to the Construction Contractor prior to Construction. The EMPP will be drafted by a third party consultant and will be provided to all municipalities for comment. The EMPP will be upheld by the ECM, who will report directly to DWP's Construction Manager.
Health Impacts Assessment with recommended setbacks required	A Health Impact Assessment is not a requirement under the REA. DWP has applied appropriate setbacks based on O.Reg 359/09
All studies and reports to be peer reviewed by Township consultants, at proponent's expense	DWP has provided the Township with fees and deposits in accordance with Township Tariff Bylaw 54-2010



### 4.3.3 Township of Mulmur

The Township of Mulmur will only be directly impacted by Option 1. Option 1 (Dual 69 kV Power Line) has a portion of proposed transmission line along the Mulmur-Melancthon Townline.

On June 13, 2012, Mulmur sent DWP a Report to Council that outlined the concerns of the Township. On June 20, DWP and its consultants presented before Township Council, the results of the Noise Study Report and the status of the Visual Impact Assessment work that was being undertaken for the Niagara Escarpment Commission, the two main concerns of the Township.

On July 26, before the formal PIC, the Township Planner, a Councilor and the Mayor met with Dillon to discuss the Visual Impact Assessment work for the Niagara Escarpment Commission and the results of the Noise Study Report.

On July 19, 2012, The Township of Mulmur sent DWP a covering letter, the Municipal Consultation Form and a Report to Council, dated July 12. **Table 19** outlines the comments from Mulmur Township in this letter. Please see **Appendix D** for copies of original correspondence.

**Table 19: Township of Mulmur Comments and DWP Response**

Mulmur Comments of the Draft REA	Dufferin Wind Power Response
<p>The project should not be approved until studies to be carried out by the Government of Canada are completed and it has been definitively determined that set-backs between individual turbines (and wind farms generally) and noise receptors are adequate, and that electromagnetic effects of wind farms and transmission facilities are determined to be minimal and acceptable, from a human health and safety perspective.</p>	<p>Many studies have been conducted world-wide to examine the relationship between wind turbines and possible human health effects. DWP welcomes Health Canada's recent announcement to conduct a study that will add to the existing body of scientific knowledge. Overall, health and medical agencies agree that when sited properly, wind turbines are not causally related to adverse health effects. Because of this DWP does not support a moratorium on wind power development and we are confident that our project will be a safe producer of power in the province.</p>
<p>The impact of noise on Mulmur Township residents and, in particular of the cumulative impacts of noise from the wind farm, have not (yet) been addressed to the satisfaction of the Township. The Township reserves the right to provide further documentation in support of this concern following receipt of the results of a peer review currently being carried out by the Township of Melancthon.</p>	<p>A Noise Study Report was completed for the Project and accounted for the cumulative impacts from noise of all 49 wind turbines and all neighbouring wind farms. The Noise Study Report was undertaken by Dillon Consulting Limited, peer reviewed by Zephyr North Ltd. and both consultants' concur in the final results of the Noise Study Report. The Township of Melancthon undertook its' own peer review of the Noise Study Report for the Project. Raw data was provided to their consultant. The consultant made some recommendations for the report, but concurred with the final conclusions of the Noise Study Report.</p>
<p>Visual impacts of the proposed wind farm on scenic resources and the rural character of Mulmur Township, and on the landscape in the vicinity of power line option 1 have not (yet) been adequately addressed. Council should further clarify its concerns and position on this issue following the presentation by Eha Naylor and, if deemed necessary, reserve the right to provide further documentation in support of any outstanding concern(s).</p>	<p>DWP has undertaken a Visual Impact Assessment of the wind farm from vantage points within the Niagara Escarpment. All material that has been provided to the NEC has also been provided to the Township. When the Visual Impact Assessment is completed, DWP will copy the Township of Mulmur on the final report for the Visual Impact Assessment.</p>
<p>Assurances have not been provided to demonstrate that set-backs from the proposed 69 kV transmission line and adjacent residences are adequate, relative to potential electromagnetic effects on human health and safety.</p>	<p>The majority of the 69 kV power line will be located where there is existing Hydro One distribution line infrastructure. There are currently no standards or guidelines set by the federal or provincial government with respect to Electric and Magnetic fields. Both Health Canada and Hydro One's position on EMF from power lines is that it is not a significant source of EMF.</p>
<p>The flight path to/from and existing private airstrip located on the Townline within Mulmur Township must be preserved. The transmission lines must be buried at this location. The burial of such lines is technically feasible. The sole concern appears to be the higher cost. The Township is therefore of the position that the required 69 kV transmission lines should be buried along that portion of power line option 1 within and adjacent to the Township.</p>	<p>DWP has engaged an aeronautical consultant to examine this airstrip. If the 69 kV power line is the selected option, DWP will consult with the airstrip owner and determine the appropriate setback requirements. This airstrip is not a certified aerodrome and any setbacks to this facility would be made on a goodwill basis.</p>

**Table 19: Township of Mulmur Comments and DWP Response**

<b>Mulmur Comments of the Draft REA</b>	<b>Dufferin Wind Power Response</b>
<p>No cost of the transmission lines necessitated by and serving this private sector development should be borne by Hydro One or the taxpayers of Ontario.</p>	<p>The costs associated with the replacement of existing Hydro One poles for the power line as well as all related construction costs to bring this power line into service would be the responsibility of DWP.</p>
<p>The decommissioning plan is not adequate, and adequate funding must be provided at the outset, or some funding mechanism must be put in place to cover the full cost of decommissioning. Agreements must be required to ensure that decommissioning takes place in an appropriate and timely manner, at no cost to the host municipality or the taxpayers'.</p>	<p>DWP has committed to post reasonable security to ensure the proper decommissioning the wind farm.</p>
<p>Any diminution of rights to develop and use property as a result of the proposal must be adequately compensated. Buy-out provisions at fair market value should be incorporated into agreements between the host municipality and the proponent in all situations where any increase in the required set-backs between the turbines or wind farm and where owners can build on their lots that would render vacant parcels undevelopable.</p>	<p>DWP has accounted for vacant lots in their noise study report. Please note that there are no vacant lots in the Township of Mulmur that exceed 40 dB. Therefore development would be unrestricted from a noise perspective. In Melancthon, DWP has accounted for all vacant lots and added 93 vacant lot receptors to it's' noise assessment to allow for future development of these lots. DWP has followed all of the provision set out in O.Reg 359/09 and does not anticipate purchasing vacant lot properties.</p>
<p>If the project is approved, a road use agreement with Mulmur for any use of Township roads is required. All costs shall be the responsibility of, and shall be fully recovered from the proponent.</p>	<p>DWP will enter into a Road Use Agreement with the Township if the 69 kV power line option is selected. All costs associated with the 69 kV line will be the responsibility of DWP.</p>



#### 4.3.4 Town of Shelburne

The Town of Shelburne would be impacted by Power Line Option 2, as rail corridor the 230 kV power line would follow goes though the Town of Shelburne. Power Line Option 1 would not impact the Town of Shelburne.

DWP has committed to constructing the power line underground through a section of the Town of Shelburne (as shown on Figure 2b, Site Plan in the Construction Plan Report). In consulting with the Town of Shelburne, DWP has also made the Town aware that they are willing to increase the length of underground installation from between 4<sup>th</sup> Line (north of Shelburne) to 30<sup>th</sup> Sideroad (south of Shelburne) subject to the Towns approval.

On May 15, 2012, a report was sent to DWP that outlined the comments from the Town relating to the draft REA documents. **Table 20** outlines the comments from the Town and the response from DWP. To date, no municipal consultation form has been received from the Town.

Copies of all original documentation can be found in **Appendix D**.

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA	DWP Response
<b>Project Description Report</b>	
<p>Section 3, p. 3:            Two options are being considered to connect the project to the provincial transmission grid:</p> <p>Option 1 – dual power line located with municipal road right-of-way connecting the project substation to a second substation at a point of interconnection 35.6 km south in the Town of Mono, crossing the Townships of Melancthon, Mulmur and Amaranth</p> <p>Option 2 – 230 kV power line located largely within the abandoned rail line right-of-way and crossing the Townships of Melancthon and Amaranth and the Town of Shelburne to connect to a switching station adjacent to the Orangeville transformer station</p> <p>DWP is seeking approval of both options, but only one would be constructed.</p>	<p>Why are approvals required for two options if only one will be constructed? How will DWP decide which option to construct if both are permitted?</p>
<p>Section 3.2, Table 1, p.5-7            Table 1 includes the authorization of Road Users Agreements by the Townships of Melancthon, Mulmur and Amaranth and the Town of Mono in the list of potential authorizations and requirements for the project.</p>	<p>Table 1 does not identify any approvals or authorizations required from the Town of Shelburne and County of Dufferin. It is my understanding that an easement agreement would be required with the County for the use of the former rail-corridor for the transmission line under Option #2. In addition, any underground utility work within or crossing municipal right of way owned by the Town of Shelburne should require the Town’s authorization. Municipal authorizations required from the County and town for option #2 should be clearly spelled out in the report.</p>
<p>Section 4.1, p7-12</p> <p>Option 1 requires 35.6 km of dual 69 kV power line, of which DWP is responsible for only 2.77 km including 54 new wooden poles, and Hydro One Networks will be responsible for the remainder of the power line including replacing 500 existing hydro poles with taller towers to accommodate the existing lines. DWP will be responsible for the new dual 69 kV lines and stringing the line along these sections. The poles would be spaced 50-55m at a depth of 2.5m.</p> <p>Option 2 requires 48 km of 230 kV power line, of which DWP is responsible for the entire length, including 437 new poles, plus easements across private property and the County-owned abandoned rail RoW. The overhead power line will require 25m of space within the rail RoW. The poles would be spaced 110m apart at a depth of 2.5m.</p>	<p>This seems like a logical option if the existing poles need to be taller anyways for existing lines. In principal the improved utilization of existing infrastructure where possible should be a priority over building new infrastructure.</p> <p>DWP presented Town Council with different information for Option 1 (45m spacing, significant volume of additional poles required up to 500+ new poles, etc.)</p> <p>Based on this information, this option requires significantly more new poles and greater total length of power lines, plus new easements. The abandoned rail RoW is 25m wide through Shelburne, therefore this suggests the entire width is needed for the proposed power lines. Can other existing and planned uses of the corridor co-exist with the power line (e.g., Existing snowmobile trail, future multi-use trail). Does this 25m width allow for any buffering/ setbacks to sensitive land uses? There is no mention of potential underground line through Shelburne. What are the long-term operational and capital maintenance requirements of introducing a new transmission corridor with new poles and lines in Option 2 as compared to Option 1 where there are existing poles and lines that already require maintenance and replacement?</p> <p>DWP presented Town Council will different information for Option 2 (90m spacing, 8m pole depth, underground lines through urban area).</p>
<p>Two power line alternatives are being permitted based on requests from the local community. Based upon public consultation, the preferred route is Option 2, the 230 kV power line. From a land use perspective there would be less impact to adjacent landowners as the transmission line would be located within an existing rail corridor and not the public road right-of-way that the 69 kV solution would use. Within the Town of Shelburne the impact would be significantly less compared to other sections of the 230 kV line because DWP is proposing to place this section of the 230 kV line underground within the former rail corridor.</p> <p>Based upon a substantial number of requests from the community and inputs from the local municipalities, DWP initiated a feasibility study for the 230 kV line, which has included engineering studies by Hydro One and the IESO, environmental assessments of the route, and discussions with local landowners regarding the private easement portion of the 230 kV line. DWP has also consulted with the School District, Shelburne Town Council, Dufferin County, and other local municipalities. All of these efforts contribute to the decision making process and DWP has endeavored to include all of these stakeholder’s points of view in the process.</p>	<p>The Town of Shelburne has been added to Table 1 and shows that Road Use Agreements are required as part of this project. Authorization from the County of Dufferin for the use of the rail corridor has also been added to Table 1.</p>
<p>The rail corridor is zoned for industrial use. There would be significantly less impact to the community using the rail corridor than the public right-of-way due to the number and size of poles that Hydro One and DWP would have to install along the public right-of-way for the 69 kV solution.</p> <p>Under the 230 kV solution, DWP will seek a Leave To Construct from the Ontario Energy Board, which will include the 230 kV line being buried along the rail corridor starting just north of Silk Drive and transition back to overhead just south of Victoria Street, DWP is willing to bury the cable from 4<sup>th</sup> Line to just south of 30<sup>th</sup> Line subject to Township approval.</p> <p>As emphasized in our presentation to the council, the actual pole count and sizing of each power line option is subject to final design and engineering. DWP recognizes the importance of minimizing the proposed line’s impact to the community and is working closely with Hydro One and other specialist to determine the line’s requirements. Initial estimates for the 230 kV line included 70’ poles and 90m-110M spacing. Based on preliminary engineering it may be possible to increase the height of the wood poles and achieve longer spans (i.e. 140m-150m spacing) and reduce the overall footprint of the project. This is subject to detailed engineering and consultation with Dufferin County and local municipalities, including the Town of Shelburne. Initial estimates for the 69 kV line included 70’ poles and 50m-55m spacing. However, based on Hydro One’s preliminary field engineering and DWP’s ongoing discussions with Hydro One, 45m-50m pole spacing and poles heights up to 80’ may</p>	

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
		<p>be required to support the 69 kV power line. DWP is working closely with Hydro One and highly experienced power line contractors at this time to consolidate this information and present it to Dufferin County, the Town of Shelburne, and other local municipalities.</p> <p>DWP will continue to update the Town Council as new information becomes available. The long term operational and capital maintenance requirements of both proposed power lines will be determined following detailed engineering and planning.</p> <p>Reference to the exact number of poles required for each line has been removed from the REA reports until more detailed designs can be completed. However it is clear that based upon DWP's and the Town of Shelburne's analysis, that the number of poles required for the 69 kV line will be substantially higher than the number of poles for the 230 kV line option.</p> <p>DWP has designed the power line to be a wood or steel monopole structure. The power line would be placed between the property line and the rail bed, allowing for future rail development and continued use of the rail corridor for recreational uses (i.e., Snowmobiling, ATV, and horseback riding).</p>
<p>Section 4.2, p. 13            Table 3 indicated the following construction timing:            Option 1 – Summer 2013, two months            Option 2 – Summer 2013, three months</p>	<p>Option 2 takes longer to construct than Option 1. There are no operation and maintenance activities identified for the transmission lines.</p> <p>Decommissioning requirements would be different for Option 1 vs. Option 2 (i.e., Poles could remain for existing lines, another benefit of Option 1).</p>	<p>Table 3 highlights the construction requirements for this project. Operation and maintenance requirements are considered to be ongoing activities that will be required for the lifespan of the wind power project. As a result, operations and maintenance items have been left out of this table. More information on those specific items can however, be found in Table 4 of the report.</p>
<p>Section 2b: Power Line Option #1 and #2 (map)</p>	<p>It appears that Option 2 could be re-routed to the west along the existing RoWs for a small section to avoid the urban area of Shelburne. This opportunity should be investigated and documented.</p>	<p>The option of rerouting the 230 kV line to the west of Shelburne along the public right of way was evaluated and rejected as this would extend the length of the line unnecessarily. DWP is proposing to install the 230 kV line underground in the existing rail corridor which represents the least impact and more efficient route.</p>
<p>Section 5, Description of Environmental Effects, p. 21</p> <p>Section 5.6 Land Use and Resources, p. 26            "No recreation activities should be impacted by the project."</p> <p>Section 5.7 Local Interests, Land Use and Infrastructure, p. 21            "No municipal water/ wastewater services will be required nor affected."</p>	<p>Effects listed and evaluated should include disruption to existing and future trail uses within the abandoned rail RoW corridor in Shelburne and potential municipal service disruptions if existing underground infrastructure (sanitary and storm sewers, water mains, etc.), roadways or other urban services in Shelburne are impacted by construction and/ or operation.</p>	<p>DWP will continue to consult with the Town of Shelburne and other local municipalities on an ongoing basis. Recreational use along the rail corridor may be disrupted on a temporary basis in limited areas during construction activities. However, the underground 230 kV line would not prevent future use of the rail line for either recreational use or future rail use. No disruption to municipal services, including sanitary and storm sewers, water mains, etc., are expected as DWP will locate all utilities as part of the detailed design process and field-locate them prior to construction. DWP will coordinate any field work or construction activities with local municipalities, ATV, snowmobile, and riding clubs as well as the public through radio, print, and web updates as well as direct consultation.</p> <p>DWP anticipates minimum use and/or impact to the Town of Shelburne's road as the majority of construction activities will be limited to the rail corridor.</p>
<p>Section 5.10 Public Health and Safety, p. 27</p> <p>"Noise, vibration and dust during construction are the key causes of human health impacts. Commonly perceived health and safety risks associated with wind turbines include...electro-magnetic fields. These potential and perceived risks will be addressed in detail in other REA reports.</p>	<p>Other urban municipalities have adopted requirements for Electromagnetic Field (EMF) Management Plans and policies and guidelines for reducing EMF exposure from hydro corridors, in response to health concerns and uncertainties about the impacts of existing and proposed high voltage transmission lines. The effects listed and evaluated for the Option 2 transmission line route should include the potential for increased EMF exposure in Shelburne and related impacts on local land use policy, development planning and decision-making as a result of introducing a new high voltage transmission line within an urban area. Potential cost implications for the Town and local development interests as a result of Option 2 include the costs of undertaking EMF Management Plans and implementing precautionary measures in the planning, design and development of future land uses on either side of the abandoned railway</p>	<p>On June 25, 2012, DWP and their public health consultant made a presentation to Council regarding EMF and public health, which highlighted the negligible health effects of EMF from the proposed underground line. DWP also engaged Kinectrics Inc., a leading Ontario specialist in transmission lines and EMF analysis, to undertake an EMF study of the proposed underground power line through the Town of Shelburne. The study report is posted on the project's website. The results of the Kinectrics study indicated that the calculated RMS magnetic flux density value on the ground surface directly above the buried cable is 37 µT (micro Tesla), which is less than 45% of the allowed RMS magnetic flux density of 83 µT, according to International Commission on Non-Ionizing Radiation Protection (ICNIRP), a</p>

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
	<p>RoW and for planned recreation uses within the corridor. Consistent with the requirements in other urban municipalities in Ontario, DWP should be required to provide an EMF Management Plan and to integrate precautionary measures into the design of proposed high voltage transmission line within an urban area (Option 2).</p>	<p>group recognized by the World Health Organization (WHO) as the international independent advisory body for non-ionizing radiation protection. The ICNIRP recently increased its guidelines for allowable exposure to RMS magnetic flux density from 87µT (in 1998) to 200µT (in 2010). Under these new guidelines the EMF signature of the proposed underground line in Shelburne would represent less than 20% of the allowable RMS magnetic flux density according to ICNIRP guidelines. In addition, the Kinetrics' study showed that EMF fields from the proposed line dropped-off dramatically to even lower levels within just a few meters of the line's location. Both assessments clearly demonstrate that the proposed line would not be a threat to public safety.</p> <p>DWP will consult with the Town of Shelburne and other impacted municipalities to determine how they are currently managing, and being compensated for, other underground and overhead power lines in their municipalities.</p> <p>As a prerequisite to the use of the rail corridor, Dufferin County, which owns the rail corridor, requires that the proposed line not interfere with future rail operations along the corridor. DWP understands that future rail operations along this corridor would have a substantially larger impact on local land use and development planning within the Town of Shelburne than the proposed underground power line. DWP assumes that any long range planning by the Town of Shelburne would have to have already include the possibility of future rail operations along this corridor, which would require substantially greater precautionary measures in the planning, design and development of future land uses on either side of the abandoned railway ROW than a single, low signature, underground power line.</p> <p>In the event the 230 kV line option is selected, DWP will work closely with the Town of Shelburne to design, install and operate a safe power line (including adequate precautionary measures) which does not disrupt future use of the rail corridor or town services.</p>
<p>Section 5.11 Areas Protected under Provincial Plans and Policies, p. 28</p> <p>"The project is not located in an area governed by a provincial plan."</p>	<p>Dufferin County is within the area governed by the Places to Grow Act and the Provincial Growth Plan for the Greater Golden Horseshoe. Shelburne is expected to accommodate a significant portion of the population target allocated by the Province to Dufferin County via the Growth Plan. Land along the abandoned rail RoW in Shelburne is proposed for residential intensification including a current townhouse proposal which will contribute to meeting growth and density targets mandated by the Growth Plan. The reports provided by DWP should identify if any new setbacks or other mitigation measures are required as a result of proposed transmission lines and evaluate the effects of Option 2 on planned residential intensification projects and area and any related impacts on Shelburne's ability to achieve and maintain conformity with the Growth Plan.</p>	<p>O.Reg 359/09 outlines four Planning Areas that require specific consideration 1) Niagara Escarpment, 2) Lake Simcoe Watershed, 3) Oak Ridges Moraine, and 4) Greenbelt.</p> <p>Please Note: While the DWF is outside of the planning control area of the Niagara Escarpment, DWP has consulted with the NEC and is completing a visual impact assessment at their request.</p> <p>DWP understand that Shelburne has been identified by the Province as a growth center for Dufferin County. To support this, DWP has committed to installing the proposed 230 kV line underground for a portion of the route through the Town of Shelburne.</p>
<b>Construction Plan Report</b>		
<p>Section 3.1, p. 6</p> <p>Option 2 – The proposed 230 kV power line is expected to be largely above ground but will require up to eleven underground sections to avoid overhead provincially significant wetland crossings and densely populated areas.</p>	<p>How do these environmental effects and directionally drilling costs required in option #2 compare to Option 1? Which is the preferred option?</p>	<p>While Option 2 (230 kV line) is more expensive to construct, it is the preferred alternative due to the lower overall impact to the community.</p>
<p>Section 4.1, Table 2, p. 9-11</p> <p>Table 1 identifies the following materials to be delivered for each transmission line option:</p>	<p>Height and type of poles not specified for Option #2. Total number of poles not identified for Option #1. The method of transporting the materials and comparative level of effort required for option #1 (delivery along existing roads?) vs. Option #2 (method of delivery?) is not provided</p>	<p>Pole size, spacing, and total number of poles will be confirmed once detailed line engineering has been completed. Section 4.9.7 and 4.9.8 of the report has been expanded to include additional details on construction methodologies, material staging, and</p>

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
<p>Option 1 – 69 kV utility cable; 50', 70', 75' and 80' wooden poles (distributed along the power line route); electrical transformers and related equipment</p> <p>Option 2 – utility cable; 437 poles; electrical transformers and related equipment</p>	<p>or evaluated. The report should address potential impacts of delivery trucks and construction materials accessing the abandoned railway RoW in the urban area and potential impacts on the existing underground services that cross under the RoW.</p>	<p>construction vehicles for both power line options. DWP anticipates accessing the rail corridor in pre-designated locations that will be selected in cooperation with the local municipalities and that minimize traffic and overall impact to the Town of Shelburne and the Townships of Amaranth and Melancthon over the estimated 90-day power line construction period.</p> <p>Based upon preliminary discussions with Dufferin County, DWP would plan to use the rail right-of-way to transport materials and for accessing the construction area as much as possible in order to minimize traffic volume through the Town of Shelburne and other municipalities. DWP will consult with the Town of Shelburne on the Traffic Management Plan prior to the start of construction and incorporate its recommendations. Underground services that cross the rail ROW would be identified during detailed line engineering and DWP would consult with the Town of Shelburne on the location of these services and the line design in those areas prior to construction.</p>
<p>Section 4.4, P. 14</p> <p>Option 2 – “The second power line option would require the installation of approximately 487 poles within the rail easement. Pole spacing would range from 90m to greater than 200m dependent upon terrain, features and permitting.”</p>	<p>The number of poles and spacing identified in this section is not consistent with other sections of this report, other DWP reports provided for this project and the information presented to Town Council by DWP. This section discusses the use of underground lines in wetland areas but not within the urban area of Shelburne.</p>	<p>Detailed design for the power line is currently being initiated. Pole spacing and the required number of poles will be confirmed once detailed design has been completed. At the time of the council presentation, DWP provided the best available information. New information regarding the construction of the power line has been obtained and adjustments to the conceptual design are ongoing. All mapping now reflects the section of the underground line that would be constructed through the Town of Shelburne should this option be selected.</p>
<p>Section 4.7.2, p. 17</p> <p>“Clearing may also be required for portions of the site access roads, crane paths, collector lines and power line right of way.”</p>	<p>The report should more clearly define and document the extent of clearing required within the abandoned railway RoW for Option #2, identify related environmental impacts on the corridor and adjacent land, and impacts to existing and future trail use. A naturalized corridor with shade provided by adjacent trees is preferred for the planned future use of the corridor for walking/multi-use trail.</p>	<p>In the Environmental Impact Study potential impacts are discussed. Any disturbance along the RoW for Option #2 will be minimal and may consist of pruning and/or cutting down of some trees. The work will not reduce the long term use of the area for trail riding and walking. It is DWP's policy to reduce the extent of clearing where at all possible in order to maintain a naturalized corridor with shade provided for recreational uses of the rail corridor.</p>
<p>Section 4.8.7, 4.8.8, p. 22-23</p> <p>Option 1 – “The power line will be an overhead line and require 8-10m of space within the municipal road right-of-way”</p> <p>Option 2 – “The overhead power line will require 25m of space within the rail RoW. The tower structures of the power line will be composed of single poles and will be spaced about 110m apart and installed to a typical depth of 2.5m.”</p>	<p>Why does option 2 require 25m of space whereas option 1 only needs 8-10m?</p> <p>The pole spacing for Option 2 identified in this section is not consistent with other sections of this report and the information presented to Town Council by DWP.</p> <p>This section discusses the use of underground lines in wetland areas but not within the urban area of Shelburne.</p>	<p>The 8-10 meter reference in the report for the 69 kV power line reflects anticipated Hydro One requirements for along the public right-of-way. This requirement may be much smaller and will be based upon Hydro One's requirements for pole placement in the public right-of-way. The earlier reference to 25 metres for the 230 kV line in the initial draft of the report was incorrect and it erroneously referred to the estimated total width of the rail corridor (i.e. 25m = 82') and not the width of the power line easement. The actual easement width for the 230 kV line will be dependent upon final engineering and negotiations with Dufferin County and it is expected to range from 5 to 9 meters.</p> <p>Earlier information provided to Shelburne Council was based upon preliminary evaluations and initial discussions with affected stakeholders. It was emphasized to Council that this information was of preliminary nature and that additional evaluation was required. Since that date, DWP has consulted with Hydro One, the IESO, leading Ontario transmission contractors, and environmental consultants to secure greater detail and insight into the proposed power line.</p> <p>Information on the proposed underground section of the 230 kV line within the Town of Shelburne has been added to Section 3.1 and Section 3.5 of the report. The REA report mapping also reflects the section of the underground line that would be constructed through the Town of Shelburne should this option be selected.</p>
<p>Section 5.3.2, p. 29</p> <p>“For the power line it is anticipated that 11 wetland features will have to be drilled</p>	<p>How do these environmental effects and directional drill costs required in Option #2 compare to Option #1? Which is the preferred option? Figure 4b only identifies 9 locations for horizontal</p>	<p>Option 2 (230 kV) would require more directional drilling than Option 1. While Option 2 may be more costly to construct, it appears to be the preferred route due to the overall lower</p>

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
under to mitigate potential negative effects to these features.”	directional drilling – where are the other two locations?	impact to the community. There are two areas along the private easement portion of the 230 kV power line located in Melancthon Township that would require directional drilling.
Section 5.9.1, p. 38 “No municipal water/ wastewater services will be required nor affected”	Effects listed and evaluated should include disruption to existing and future trail uses within the abandoned rail RoW corridor in Shelburne and potential municipal service disruptions if existing underground infrastructure (sanitary and storm sewers, water mains, etc. ), roadways or other urban services in Shelburne are impacted by construction activities.	Recreational activities along the rail corridor during the power line’s estimated 90-day construction period may be disrupted temporarily. DWP will work diligently to minimize this disruption and to notify the community of construction activities prior to their schedule dates. The 230 kV line will not disrupt future use of the rail corridor as a recreational trail.  Municipal service infrastructure crossings or in proximity to the rail corridor should not be disrupted. DWP will consult with the Town of Shelburne’s public works department and road supervisor to identify this service infrastructure as part of the design process prior to construction.  If required, DWP will enter into a Road Use Agreement with the Town, Undertake a Pre-Construction Road and Infrastructure Survey, in cooperation with the Town, and post security for any damage to roads or municipal services from construction activities.
Section 5.9.2, p. 38-39	Mitigation measures should demonstrate how the current trail uses and future development and use of the abandoned rail RoW as a multi-use trail and related municipal service crossings and roadway crossings will be protected within Shelburne. Opportunities for trail development should be considered as part of the proposed transmission line construction activities.	The power line has been designed as a single pole structure and would be constructed between the rail bed and the property line of the corridor to allow for the continued use of the corridor for recreational uses. The pole line would be installed in non-traveled areas of the rail corridor so as not to disrupt recreational use or future rail operations.
Section 6, p. 40 “There are net benefits of this project resulting from an increased municipal tax base for the Township of Melancthon and the County of Dufferin, increased number of employment opportunities (especially during the construction stage) and the generation of clean, renewable electricity. The operation of the wind farm will also provide annual economic benefits through royalties to landowners and a continuing need for supplies, services in the local and regional economies.”	What are the local benefits, if any, to Shelburne? There are no clear benefits to Shelburne identified in this report. Enhancements to the abandoned railway RoW such as the development of a multi-use trail and other related measures should be incorporated into the Option #2 transmission line proposal to provide a net benefit to Shelburne.	The net benefits to the Town of Shelburne include the installation of the proposed power line underground at considerable extra expense to the project compared to an overhead line being installed through the Town. The net benefits to the Town of Shelburne also include DWP’s willingness to extend the underground section from 4 <sup>th</sup> line to 30 <sup>th</sup> SR, at considerable extra cost to the project.  The overall benefits of the 230 kV power line option, as compared to the 69 kV line option, to the County and overall community, including Shelburne, appear to be substantial. This includes a substantially lower number of new poles to be installed, placement of the power line along a remote utility corridor instead of the public road right-of-way, and financial compensation to Dufferin County for the use of their rail corridor, which also benefits the Town of Shelburne.  Given the limited and temporary impact of the proposed line to the Town of Shelburne and DWP’s proposal to bury this line underground for an extended distance within the Town to assist in the Town’s long range planning, the net benefits to the Town of Shelburne are substantial.
Cultural Heritage Assessment – Proposed Transmission Line  Executive Summary, p. vi “The transmission line will be located in Melancthon and Amaranth Townships”  Executive Summary, p. vii “There are no properties or buildings designated as heritage properties/ protected properties, nor are any properties within the study area currently recognized for their heritage or cultural value by either the Municipalities of Melancthon or Amaranth, or the Ontario Heritage Trust. None of the properties are, or have been, on any heritage	Why is the Town of Shelburne omitted in the description of the proposed transmission line location in this report?  The Town of Shelburne and Heritage Shelburne Committee were not consulted regarding the section of the former railway RoW located within the Town and local heritage resources.	The cultural heritage assessment of the Shelburne area was researched using the provincial registrar and the Ministry of Tourism, Culture and Sport provided their acceptance of the assessment report. DWP has directed its cultural heritage consultant to contact the Heritage Shelburne Committee to get their thoughts and recommendations on the heritage assessment and how it might be improved.

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
list.”		
<b>Decommissioning Report</b>		
Section 4.3.7, p. 9	The decommissioning report does not provide a comparative evaluation of the decommission requirements for the transmission line under Option #1 and #2. Removal of underground cables through the Town of Shelburne is not discussed or addressed.	A comparative evaluation of the decommissioning requirements of the transmission line options is not a requirement under O.Reg 359/09. Decommissioning of the power line would be similar in both cases where the circuits would be de-energized and removed. A more detailed description of the decommissioning process for both power line options is provided in the Project’s decommissioning report. Under the current plan, at decommissioning the underground segments of the power line would be cut 1 metre below grade, the land in that area would be restored and the remaining inert portion of the line would be left in place.
<b>Design And Operations Report</b>		
Section 6.3.4, p. 22 The tower structures of the power line will be composed of single poles and will be spaced 110m apart and installed to a typical depth of 2.5m”	DWP presented Town Council with different information for Option 2 (90m spacing, 8m pole depth, underground lines through urban area).	Detailed design for the power line is currently being initiated. Pole spacing and the required number of poles will be confirmed once detailed design has been completed. At the time of the council presentation, DWP provided the best available information. New information regarding the construction of the power line has been obtained and adjustment have made to the concept design. Project mapping now reflects the section of the underground line that would be constructed through the Town of Shelburne should this option be selected. Pole depths are subject to geotechnical assessment and pole design. Revised estimates indicate poles along both power line routes would be buried, on average, to a depth of 2.5 to 3 meters deep with some poles requiring deeper burial or augmented foundations due to soil conditions.
Section 7.4, p. 26-28	Maintenance activities and requirements described in the report do not address the means of access and winter access to the line and poles proposed to be located in the abandoned railway RoW. Will snow clearing and/or the use of salt or other de-icing agents be required within the former railway RoW?	Maintenance activities for the 230 kV power line are expected to include monthly and semi-annual visual inspections. The line will be inspected using licensed and trail-authorized ATVs and snowmobiles depending upon the season and trail conditions. Approximately every five years, and as part of the line’s planned maintenance program, the line will be physically inspected using a standard, long reach, bucket truck that would remain on the rail bed and extend its boom/bucket to allow remote access of the lines. DWP does not anticipate having to perform any snow removal or the use of salt/deicing agents in the rail corridor.
Section 8, p. 31-44	See comments above regarding land use and public health and safety effects that should be identified and evaluated in the reports with appropriate mitigation measures and monitoring activities identified.	See previous answers.
<b>Property Line Setback Report</b>		
Section 10, p. 51	The setback report does not provide an indication of required or recommended setbacks for the proposed transmission lines.	Under O.Reg 359/09 the Property Line Setback Report is required for wind turbine sites only.
<b>Environmental Impact Study Report</b>		
Table 9, p. 154 Wetlands #53, 54, and 55 are located in the Town of Shelburne. The evaluation of impacts to these wetlands states that horizontal directional drilling will be used to bypass wetlands and that the poles for the line will be spaced 200-300m apart.	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP. Would the entire transmission line be located underground through Shelburne?	The May 1 2012 EIS indicates that Overhead Transmission Lines are planned for wetland 53, 54, and 55 dependent on a OWES wetland evaluation (if determined to be PSW the line would be underground, if determined to be a non-PSW, then the line would be overhead). Wetland 55 is not within the project location. Pole spacing is subject to final engineering  An addendum to the NHA reports is being prepared and will be submitted to the MNR. This addendum outlines that the transmission line will be underground through the area to the west of the Town of Shelburne.  At the time of the council presentation, DWP provided the best available information. Detailed design for the power line is currently being initiated and actual pole spacing will be

**Table 20: Town of Shelburne Comments and DWP Response**

Planning Comments of the Draft REA		DWP Response
		confirmed following detailed engineering. However, it is reasonable to assume that pole spacing between 90m to 150m is more likely as a result of follow-on in-field assessments. Project mapping now reflects the section of the line from just north of Silk Drive to just south of Victoria St as being underground. DWP is willing to place the line underground from 4 <sup>th</sup> Line to just south of 30 <sup>th</sup> line with the Town's approval and should this option be selected.
<b>Records Review Report</b>		
Section 6, p. 15 "Within the Town of Shelburne, the Line will be located along the Trans Canada Trail (Town of Shelburne, 2006; see Appendix A1). Within the Township of Mulmur, the Line will occur adjacent to lands designated as agricultural, open space and natural area (Township of Mulmur, 2010, see Appendix A1). Within the Township of Mono, the Line will occur within lands designated as rural and environmental protection (Township of Mono, 2009, see Appendix a1)."	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP.	The Records Review Report has been updated to reflect the correct power line routing descriptions.
<b>Water Body Report</b>		
Section 3, p. 4 "The first option, the Line, is located along the existing Hydro One Transmission Line, which is located within the Townships of Melancthon and Amaranth and the Towns of Shelburne and Orangeville. The second option, the Line, is located along the railway right-of-way, which is located within the Townships of Melancthon, Mulmur, Amaranth, and Mono."	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP.	The Water Body Report has been updated to reflect the correct power line routing descriptions.
Table 5, p. 42 Walter's Creek is identified as water body #27 and classified as a Class C Municipal Drain. The Besley Drain is identified as water body #28 and classified as a Class F Municipal Drain  Table 6, p. 50-52 This table indicated that there will be an overhead transmission line in the location of water bodies 27 and 28 in Shelburne. Under "Magnitude of Effect" the information describes a line design, poles installed a depth of 2.5m and spaced 50-55m apart. Potential effects listed during construction and decommissioning of above-ground transmission lines include excessive loss of riparian vegetation, erosion and sedimentation, loss of aquatic habitat and/or species, decrease in water quality.	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP (i.e. HDD underground through Shelburne). Why are the proposed transmission lines described as above-ground where they would cross water bodies in Shelburne?	Water bodies 27 and 28 have both been updated to reflect this change to an underground line. The Boyne River is now identified as 27 and 28 crossings.
<b>Water Assessment Report</b>		
Section 5.5.2, p. 28 The project location and setback area at water crossings 23-28 and 49 fall within Well Head Protection Area Zone D: Steady State Zone for the Town of Shelburne Well Supply."	The report should elaborate on this by describing related source water protection policies and initiatives; any new risks or threats resulting from the proposal and related assessments that may be required.	Mapping has been provided to highlight significant sources for concern with regards to Source Water Protection Areas (such as water crossings 23-28 and 44). Setbacks requirements have been mapped and visually represented where risks are likely to be found.



#### 4.3.5 Town of Mono

A portion of transmission line Option 1 (dual 69 kV power line) would be located in the Town of Mono. With Option 1, the power line would follow municipal road RoWs into the Town of Mono and connect to the Ontario hydro grid at a new transformer/sub-station to be located at Lot 14, Concession 1 EHS, in the Town of Mono... The vast majority of the route has existing Hydro One distribution line infrastructure that would require their removal and replacement with taller poles to accommodate a the new power line facility.

On June 14, 2012, the Town of Mono provided DWP with a Report to Council outlining the comments and concerns that the Town has with respect to the proposed Dufferin Wind Power Project. **Table 21** outlines the comment and responds directly to each comment.

On July 23, 2012 the Town of Mono sent DWP the Municipal Consultation Form. The principle issues from the Town include:

- Preliminary designs were provided, detailed designs are required for comment
- Distribution lines within the town should be buried
- Public commenting deadline which precedes PIC, is inappropriate
- Process is flawed whereby two power line alternatives can seek permitting
- Noise analysis is incomplete
- Utilization of existing servicing roads and transformer stations should be considered.

**Table 21: Town of Mono Comments and DWP Response**

Planning Comments of the Draft REA	Dufferin Wind Power Response	
<b>CONSTRUCTION PLAN REPORT</b>		
<p>Section 4.8.7, p.22:            The line has been routed to minimize its length and to avoid sensitive environmental features. In addition to the consideration of environmental features, consultation with the public and Hydro One helped decide between various routes. The route selected is 35.6 km in length. Hydro One has approximately 500 existing power line poles along 32.88 km of the route and there are no poles along 2.72 km of the route. DWP will be responsible for constructing approximately 54 new wooden poles along this 2.72 km route to complete the route. DWP is responsible for constructing poles and stringing the conductors along that section of the route where Hydro One has no poles. Hydro One will be responsible for replacing existing power line poles with taller towers to accommodate the existing lines and DWP will be responsible for the new dual lines and stringing the conductors along these sections.</p>	<p>In reviewing this particular section of the report, Town staff were concerned that Hydro One had become responsible for replacing 500 existing power line poles for this private initiative. Concerns were expressed that this project was no longer a private REA, as Hydro One, and the taxpayers of Ontario, were responsible for replacing 500 poles to facilitate this private enterprise project. In reviewing various environmental assessment documents under which Hydro One must carry on business, the replacement of the 500 poles did not constitute a significant project to require Hydro One to prepare a separate environmental assessment under Province's Environmental Assessment Act. A review of the various environmental assessment documents was completed by an Environmental Assessment Specialist, and we are advised that no further environmental assessments are required for the establishment of the distribution lines as proposed. It appears that this option has been designed so as not to engage the EA process.</p>	<p>This is not correct. DWP would be responsible for the full cost of the new 69 kV power line. This includes paying for all Hydro One costs related to designing, engineering, installing and maintaining the proposed line. DWP's cost reimbursement responsibilities for all work related to the 69 kV power line is clearly defined in Hydro One's Joint Use Agreement contracts. These agreements are currently being negotiated with Hydro One.</p>
<p>As indicated previously, Option 1 requires two separate transformers/sub-stations to be constructed as part of the distribution package. The first transformer/sub-station would be located at the project site in Melancthon to increase the voltage of the electricity from the collection system at 34.5kV to for transport via the power line through the municipalities of Melancthon, Amaranth, and Mono. The second transformer/sub-station is proposed to be located near the point of connection with the Provincial grid at Part Lot 14 Concession 1 EHS in the Town of Mono. This transformer/sub-station is proposed to step up the voltage from the line to facilitate connection with the Provincial grid which passes by this particular area of the Town of Mono. The draft construction plan report indicates that single walled transformers/sub-stations are proposed, and the transformers/sub-stations would sit in a concrete containment system to capture any potential oil leaks. The document also indicates that the location has been chosen to be located in non-significant wood lots to reduce noise emission and minimize the visual impact of the facility on neighbouring receptors.</p>	<p>The Town retained Dr. Al Lightstone, of Valcoustics Canada Ltd., to complete a review of the noise reports filed with the application. Dr. Lightstone's analysis of the noise study, dated April 24, 2012, is attached as Appendix "I" to this Report.</p> <p>Dr. Lightstone's report concludes that:</p> <ol style="list-style-type: none"> <li>1) "It would be appropriate to review a noise study that was intended for submission to MOE and was intended to show compliance with the MOE noise guidelines or provide recommendations for noise mitigation needed for full compliance, as required by MOE."</li> <li>2) The list of receptors in the Town near the proposed point of intersection transformer/sub-station should be verified (also see next section of report).</li> <li>3) The validity of the equations used to predict noise emissions cannot be verified as the transformer make and model has not as yet been identified. Dr. Lightstone has also indicated that it is unclear whether the current analysis includes the transformer alone or whether it also includes the noise from required cooling fans.</li> <li>4) "The report should explicitly identify maximum sound emission levels (in octave bands and overall dBA) for the Mono/POI option for the transformer in order to ensure compliance with the MOE noise guideline limit (40 dBA), accounting for the +5 dBA penalty. The report should also indicate that prior to final approval; a test report is to be submitted providing the transformer on sound level emission in accordance with the NEMA/ANSI/IEEE C57.12.90 standard, to verify that the actual transformer does not exceed the specified sound limit. If the test report indicates exceedance, the transformer must be rejected or a detailed noise mitigation design submitted for approval."</li> <li>5) A sound level contour graphic should be provided for the Mono/POI substation option, showing the source and all receptors at a scale that is useful for review.</li> </ol>	<ol style="list-style-type: none"> <li>1) The Noise Assessment Report that was provided for municipal and public comment was a draft report. The report has been further revised for the final REA submission to the MOE to respond to comments that were received. Comments from the following organizations were considered in the finalization of the Noise Report: DWP internal peer review (undertaken by Zephyr North Ltd), comments from the Township of Melancthon Peer Review, and the Peer Review submitted by the Town of Mono.</li> <li>2) The list of receptors was verified. One receptor was added and one receptor was increased from 4.5m in height to 7.5m in height.</li> <li>3) The Transformer specs have been integrated into the final Noise Study Report and are included in the appendix to the Report.</li> <li>4) DWP agrees. If this option was constructed DWP would undertake a test report on the sound level emission.</li> <li>5) A sound level contour map has been provided both in the Design and Operations Report and the Noise Study Report.</li> </ol>