



5. ENVIRONMENTAL IMPACT STUDY PURPOSE

A water body Environmental Impact Study (EIS) was completed so that Subsection (1) of Section 40 of *Ontario Regulation 359/09*, which prohibits construction and development of a renewable facility within 120 metres of the average high water mark of a water body, does not apply. By completing an EIS in accordance with guidelines established by the MOE, project components may be constructed and installed within 120 metres of a water body. This report is consistent with Section 40 of *Ontario Regulation 359/09*, which details that an EIS must include the following:

- Identification and assessment of any negative environmental effects of the project on a water body and on land within 30 metres of the water body
- Identification of mitigation measures in respect of any negative environmental effects
- Description of how the environmental effects monitoring plan in the Design and Operations Report addresses any negative environmental effects
- Description of how the Construction Plan Report addresses any negative environmental effects.

The focus of the water body EIS was to fulfill the requirements of Section 40 for the water bodies identified in Table 1 that meet the definition of "water body" under *Ontario Regulation 359/09* and are within 120 metres of the Project Location. Based on the proposed layout (see Figure 2a), the project will require alteration (i.e., realignment) of a water body (crossing 12) south of Turbine 35.

6. RATIONALE FOR DEVELOPMENT WITHIN A WATER BODY OR SETBACK

The location of the Dufferin Wind Power Project has been subject to numerous field investigations and a thorough review of constraints to development was undertaken prior to delineating the Project Location. Based on the natural environment information collected, the Project Location was refined to avoid impacts to significant and/or sensitive natural heritage features, where possible. The layout of the wind project has been developed to minimize its footprint and prioritized the protection of natural features that provided habitat for sensitive species. The project has been developed to retain the significance of natural features identified and mitigates effects that will occur. Of the natural features evaluated to be significant, the layout of the project, as shown on Figures 2a through 2d, will allow for the persistence of these natural features after this project is constructed and operational.