



## 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.



In order to meet noise approvals for Turbine 35 and restrict development within 30 metres of a water body, realignment of a tributary of Pine River approximately 25 metres to the south will be required. Once appropriate approvals are in place and the alignment has been constructed, all wind turbines and transformers will be located beyond 30 metres of the average annual high water mark of this water body.

## 7. ACCESS TO ADJACENT LANDS

As outlined in *Ontario Regulation 359/09*, all lands within 120 metres of a project component are required to be assessed for water bodies. In the case of the Dufferin Wind Power Project, access to water bodies located on non-participating lands within 120 metres of the Project Location was not granted by the landowners, with few exceptions. Water bodies located on adjacent lands where access was not available were assessed from property lines, old rail corridors and road rights-of-way, where applicable. This alternative site investigation was conducted in accordance with the amendments made to *Ontario Regulation 359/09* on January 1, 2011.

## 8. PROJECT ACTIVITIES

### 8.1 Construction Timing Restrictions

Construction activities that have the ability to impact wildlife and the natural environment will be undertaken at appropriate time periods to minimize these impacts. Vegetation removal in areas deemed as significant wildlife habitat will occur outside of the breeding bird season, April 15 to July 15, wherever possible. If DWP requires land clearing activities in sensitive wildlife habitat areas to occur within the breeding season a nest search would have to be undertaken. If a nest is found then land clearing activities would have to wait until the end of the breeding season. If no nests were found, land clearing activities could be initiated. Please refer to the Environmental Impact Study Report for further details and commitments to protect wildlife and wildlife habitat.

Vegetation removal in areas where amphibians are known to exist will occur outside of the breeding season, April 15 to June 15. Construction adjacent to wet areas will be undertaken outside of the amphibian breeding season, wherever possible.