



**association to protect  
AMHERST ISLAND**

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September 13, 2017

Honourable Chris Ballard  
Minister of the Environment and Climate Change  
Ferguson Block -11<sup>th</sup> Floor  
77 Wellesley Street W.  
Toronto, ON  
M7A 2T5

Honourable Minister

RE: Association to Protect Amherst Island  
Appeal to the Minister MOECC Under Section 20 of the  
Environmental Protection Act on Matters Other Than Law

The Association to Protect Amherst Island respectfully requests that you revoke the approval of the Renewable Energy Approval for the Amherst Island Wind Project based on respect for the public interest.

Amherst Island merits your personal intervention to protect the rich cultural and natural heritage of the "jewel of Lake Ontario". The Island is about 66 sq. km with 400 full time residents and approximately 50 km of gravel roads. The proposed 26 wind turbines are 156 meters (511 feet) tall, with blades 55 meters long, each with a windswept area of 10,000 square metres, (approximately 2.47 acres). The project includes construction of 25 kms of new access roads and as of August 2017 includes widening and reconstruction of approximately 20 km of public roads.

The impact of this change in location and road reconstruction on the habitat of the 19 species of concern and species at risk acknowledged by the Approval Holder to use Amherst Island as habitat has not been considered by MOECC and MNRF. This appeal implores you to insist that MOECC enforce Ontario Regulations and follow its own processes with respect to major changes to green energy projects. MOECC cannot be above the law.

Widely known for its biodiversity, the Island provides habitat for 10 species of concern and 9 species at risk and is located on the Atlantic Migratory Flyway providing first landfall for migratory birds and bats. Owl Woods is internationally recognized for its concentrations of wintering hawks and owls.

This small Island supports the highest number of raptors in Ontario, is designated as an Important Bird Area ("IBA") of Global Significance, is one of only 18 locations in Ontario designated as "Significant for Waterfowl" and encompasses approximately 3,500 hectares of Provincially Significant Coastal Wetlands.

Specifically it is in the public interest to revoke approval to:

- Enforce and respect commitments made by the Approval Holder during the ERT to mitigate potential negative impacts on the environment. The ERT decision specifically states that the Tribunal Members considered commitments made by the Approval Holder that were not included in the REA conditions when coming to their decision. However, Mr. Paul Nieweglowski, Assistant Deputy Minister MOECC, advised that the MOECC has no mandate to enforce commitments not included in the REA conditions. The project under construction is now radically different from the project considered by the ERT and in layman's terms appears as a classic "bait and switch" described more fully in the attachment.

Imagine that your organization representing residents of a tiny Island invested hundreds of thousands dollars in a 25 day hearing to address the risk to the community and the environment. You lost but you achieved assurances from the Tribunal, the Approval Holder, MOECC, and MNRF that extensive mitigation measures would be in place to protect cultural and natural heritage especially the endangered Blanding's Turtles and Myotis Bats. However, as soon as all of your legal avenues were exhausted, the Approval Holder changed the game. Key mitigation measures based on minimal and temporary road widenings were replaced by reconstruction of 20 km of roads. Restrictions on timing and turbine cut-in speeds protective of bats are similarly unenforceable. When requested by Eric Gillespie, counsel to APAI, in a letter dated August 2, 2017 to address this huge change in the project location and presented with expert advice about adverse impact, MOECC apparently failed to consult MNRF and absolutely failed to require a modification (response dated August 24, 2017 from Ms. Kathleen O'Neill, Director of Environmental Approvals) to protect the public and the environment especially Blanding's Turtles and bats facing decimation. As Ms. O'Neill's letter did not address key and substantive issues, further clarification was requested by Mr. Gillespie on September 7, 2017.

- Safeguard Amherst Island residents' access to clean water. All Island residents rely on wells. The potential adverse impact of the construction of 26 turbines on groundwater on a vulnerable and isolated Island and the failure of MOECC to heed the initial advice of its own expert hydrologist to implement a comprehensive groundwater monitoring requires your intervention. In the REA conditions, the MOECC required no studies and no monitoring. At a public meeting held at the request of Loyalist Township on September 6, 2017, the Approval Holder confirmed that no groundwater studies have been conducted nor are any planned. The Approval Holder "feels" that there will be no impact. No geotechnical studies have been conducted.
- Protect human health by uniform application of noise regulations. If the Amherst Island Wind Project were proposed today the noise regulations implemented in 2016 would require significant changes to the project. Why should Amherst Island residents be subjected to noise that MOECC acknowledges exceeds today's safety standards? You have an opportunity to take preventative action especially important when it has become widely known that MOECC has not investigated thousands of noise complaints related to wind turbines throughout rural Ontario.
- Save \$500 million by inviting the Approval Holder to terminate its FIT contract for the unneeded 75 MW Amherst Island project across the channel from the idle 2000 MW Lennox Generating Station paid monthly curtailment fees, the soon to be idle 800 MW Napanee Gas Plant to be paid over \$13 million per month to NOT generate electricity, and 115 MW Northland Power whose offer of power at 5.6 cents per kilowatt was not accepted in contrast to the 14 cents per kilowatt to be paid on Amherst Island.
- Address the many risks described in our submission to your predecessor, the Honourable Glen Murray, which forms part of this brief: construction of a cement plant adjacent to the Island's only school (something that would not be allowed anywhere else in Ontario), impact of construction on lands considered historic by First Nations, conflict of barge traffic with the Island ferry in winter, impact on the Owl Capital of North America and an Important Bird Area, the decimation of the bat population, loss of grazing land for sheep farmers and consequent potential end of the farm, impact on health, damage to the rich cultural and natural heritage of the Island, and the high risk to public safety and the environment.

Issues of public interest are described in more detail in the attachment.

Failing revocation of the Renewable Energy Approval for the Amherst Island Wind Project, you are respectfully requested to require the Director to post a Major Modification in accordance with Ontario Regulation 359/09 ss. 32.1 and 32.2 and Chapter 10 of the Technical Guide to Renewable Energy Approvals. The modification should be posted on the EBR for a minimum of 45 days to reflect the major change in project location required by the reconstruction of 20

km of Island roads as set out in the Operations Plan approved by Loyalist Township in August 2017 and require the related environmental studies including the specific impact on the Blanding's Turtle of the change in project location. This major change contrasts with the "temporary and minor road widenings in three locations" which informed the ERT decision. It is our opinion that the Tribunal members would be appalled at this major deviation from the approved project.

The modification should also require:

- a comprehensive groundwater monitoring program with baseline testing prior to construction
- implementation of current noise regulations
- amendment to the REA to include all mitigation measures identified by the Approval Holder at the ERT as set out in Counsel's closing statement including limitation on road widenings, timing restrictions and turbine mitigation measures to protect bats.

These are very reasonable preventative measures that merit careful consideration.

Finally, you value the importance of citizen access to government. To participate fully in public decision-making, APAI has faced significant obstacles to fairness including access to staff, documents and funding. Just as there can be no fairness without equality, there can be none without justice.

The Association's many requests for meetings with the Approvals Branch of MOECC were ignored while at the same time a Freedom of Information request revealed Windlectric Inc. enjoying ongoing access to MOECC staff. In August 2017 a request to MOECC staff to meet concerning the need for Modification 5 even when accompanied by a request from Sophie Kiwala, MPP was ignored. The Green Energy Act coupled with the power and deep pockets of the proponent has created a David and Goliath nightmare for the majority of residents of Amherst Island.

You have the singular ability to protect the Island's rich cultural and natural heritage and to say "not on my watch".

"Fair" and "Opportunity" inform the Government's platform. Please give them meaning when considering the justification to revoke or modify the REA Approval for the Amherst island Wind Project.

The future of Amherst Island, the gem of Lake Ontario, is at stake.

Thank you for your timely consideration. Urgency relates to imminent construction. APAI would be pleased to meet to provide additional information or clarification.

Sincerely

Michèle Le Lay  
President

CC

Premier Kathleen Wynne  
Honourable Kathryn McGarry, Minister of Natural Resources and Forestry  
Honourable Glenn Thibeault, Minister of Energy  
Ontario Members of Provincial Parliament  
Dr. Diane Saxe, Environmental Commissioner  
Mr. Mike Bossio, MP  
Mr. Eric Gillespie, Counsel to APAI  
Mr. Andrew Bevan, Office of the Premier  
Mr. Tom Lees, Ministry of the Attorney General  
Mr. Paul Evans, Deputy Minister, MOECC  
Mr. Bill Thornton, Deputy Minister, MNRF  
Ms. Meaghan Coker, Ministry of Energy

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**Association to Protect Amherst Island  
Appeal to the Minister MOECC Under Section 20 of the Environmental Protection Act on  
Matters Other Than Law**

An Appeal to the Tribunal's decision may be made in writing to the Minister of Environment and Climate Change on **any matters other than a question of law**. The Minister will then confirm, alter or revoke the decision of the Tribunal if the Minister considers that it is in the **public interest** to do so.

1. It is critical to the public interest that the conditions predicated a decision by the Environmental Review Tribunal (ERT) be respected by all parties

Throughout the ERT, the Approval Holder advised that only minor "improvements" and "temporary road widening" in three locations would occur on a limited number of Island gravel roads. These "minor road improvements" and "temporary road widening" were presented to the ERT Tribunal as "important" mitigation measures ensuring that Amherst Island's Blanding's Turtle population would not suffer serious and irreversible harm as a result of the Amherst Island Wind Project<sup>1</sup>.

In their Decision the Tribunal Members specifically state, "... **the Tribunal has considered potential impacts as a result of the public road upgrades.**"<sup>2</sup> Further, contrary to commitments of minor improvements and temporary road widening made by the Approval Holder to the ERT Tribunal<sup>3</sup>, as protective of the Blanding's Turtle population, in the most recent **Operations**

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<sup>1</sup> Torsys' (Approval Holder's legal firm) final submission to the ERT (Appendix E – Summary of Blanding's Turtle Mitigation Measures)

Paragraph 9: Finally and **importantly**, as confirmed by the evidence of Mr. Tsopelas and Messrs. Andrew and Shawn Taylor, (i) the repairs or upgrades to public roads will be minor – for example, there will be no paving of gravel roads and no re-paving of paved roads, and (ii) the temporary, limited road widenings that will be occurring on stretches of South Shore Road, Dump Road and 3rd Concession Road for purposes of construction (as detailed on Exhibit 88), will be immediately removed by the Approval Holder after delivery of the turbines, which is to occur by mid-March (Exhibit 88 and evidence of Alex Tsopelas, Andrew Taylor, Shawn Taylor and Ron Stewart).

<sup>2</sup> ERT Decision Paragraph 326

<sup>3</sup> Torsys' (Approval Holder's legal firm) final submission to the ERT

Paragraph 429: As confirmed by the expert testimony, the roads that would be used for the Project are in quite good condition overall, and would not require much work. Importantly, none of the paved roads would be repaved, no gravel roads will be paved, and no additional road shoulders (beyond what already exists) will be needed. Shawn Taylor stated:

27. In respect of the remaining Island roads that will be used during construction of the Project, the upgrading of them will be limited and temporary. This includes that there will be no re-paving of existing paved roads, and there will be no paving of existing gravel roads. The types of roads that exist will be maintained as they currently exist.

**Plan<sup>4</sup>**, the Approval Holder indicates they now plan to reconstruct over 20 km of Island roads; roads along which there have been many documented Blanding's Turtle sightings. This reconstruction process includes widening to 6 meters existing municipal roads, the majority of which are 4 to 5 meter wide, as well as the removal of pavement and repaving in some locations.

As the Proponent presented "minor road upgrades" and "road widening in three locations only" as mitigation measures protective of the Blanding's Turtle in their Final Submission to the ERT (Appendix E Summary of Blanding's Turtle Mitigation Measures) and the Tribunal Members clearly state they considered the impact the "limited" public road upgrades would have on the Blanding's Turtle population when coming to their decision, **it is critical to the public interest that the Proponent be held to their commitments regarding "minor road upgrades" and "road widening in three locations only" within the Project Location.**

**If the Proponent cannot adhere to the commitments made to the ERT Tribunal Members, it is in the public interest that the Minister revoke or alter the Tribunal decision.**

Should the Minister chose to alter the Tribunal decision and require Amendment Modification 5, as APAL details in our July 28, 2017 letter to Ms. O'Neil, Chapter 10 Section 2.4 Major Project Design Changes of the MOECC Guide to Renewable Energy Approvals states:

*Major Project Design Changes are those that result in substantial increases in negative environmental effects that will or are likely to occur, beyond those that were previously identified, documented and consulted on during the REA process for the original project. Factors for consideration in determining if a change falls into this category include:*

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*28. There are few paved roads on the Island, however parts of Front Road and Stella 40 Foot Road are paved and would be used. They currently meet the standard necessary for the longer trucks, but may need minor pavement improvements in a few locations. Otherwise, damaged pavement will be repaired during and after construction mobilization.*

*29. The majority of the gravel roads are in relatively good shape, are wide enough to sustain truck traffic and will only need minor gravel top ups to improve the surface or adjust the width. All of these good gravel roads are currently posted for a 60 km/hr. speed limit and it is not expected that the improvements (gravel top up & leveling) will result in increases in speed or traffic frequency that would affect a change in risk to turtles.*

*Shawn Taylor WS, paras. 27-29*

<sup>4</sup> Per Section 1 "Introduction" of the **Operations Plan** "The intention of the Operations Plan is to provide details to Loyalist Township and the public about the methods of construction, and mitigations to be implemented in order to reduce the potential impacts and inconveniences to local residents." <http://www.loyalisttownship.ca/index.cfm/council/amherstislandwindproject/>

***Change occurs in and around the original Project Location (i.e. extending the boundary of the original Project Location).***

O. Reg. 359.09 defines the project location as follows:

*“Project location: means, when used in relation to a renewable energy project, a part of land and all or part of any building or structure in, on or over which a person is engaging in or proposes to engage in the project and any air space in which a person is engaging in or proposes to engage in the project;*

The MOECC publication, **Technical Guide to Renewable Energy Approvals**, (page 19 - Definitions), further elaborates that when defining the Project Location

*The “project location” is defined in O. Reg. 359/09 to mean, when used in relation to a renewable energy project, “a part of land and all or part of any building or structure in, on or over which a person is engaging in or proposes to engage in the project and any air space in which a person is engaging in or proposes to engage in the project”.*

*It is important to note that the definition references the “project” which relates to the definition of “renewable energy project”. This means that **activities for all project phases (i.e. the construction, installation, operation and use, changing or retiring of the facility), must be considered in defining the project location.***

and

*The project location boundary must be determined for the purposes of defining setback and site investigation distances to meet a number of requirements under O. Reg. 359/09. To do this, **the outer extent of all project activities and structures must be considered.***

During the ERT, the Crown’s legal team and Windlectric’s legal team did not dispute APAL’s assertion that the sections of municipal road that would be subject to construction activities (in order to bury the Project related transmission lines) are considered part of the Project Location.

Therefore at a minimum, the Minister must require Project Modification 5 to address the Major Project Design Changes that are specifically contrary to the information provided to the ERT Tribunal.

2. It is critical to the public interest that Ontario Residents’ access to clean potable water not be compromised by the drilling / blasting / hoe-ramming required by the Amherst Island Wind Project construction process and detailed in the Construction Plan Report

The developing debacle in Chatham Kent clearly illustrates the potential for disaster when Ontario Residents’ drinking water is compromised as a result of wind project construction



As of this date, **no site-specific studies have been conducted** to assess the impact that will occur to the groundwater in the Very High Vulnerability Zones or the Medium to High Vulnerability Zones. Additionally, no raw water samples have been collected in the Medium to High Vulnerability Zones and contrary to the CRCA recommendations, blasting is planned to occur in the Medium to High Vulnerability Zones.

The MOECC had originally planned to conduct a site-specific study. In a 24 Jan 2014 – email from Mr. F. Crossley (MOECC) to Windlectric<sup>5</sup>, Mr. Crossley states “ *Amherst Island generally has a limited soil cover (less than 2 meters of overburden), thus classifying the area as 'environmentally sensitive'. Since the site is classified as 'environmentally sensitive', the Eastern Region Groundwater Unit recommends that a groundwater monitoring program be conducted. 'Shore wells' do not have to be included in the groundwater monitoring program.*”

Bizarrely, in a subsequent letter dated 26 September 2014<sup>6</sup> to Sue Edwards of the MOECC Mr. Crossley then states “ ..... *The wind turbines are not clustered to an area and are relatively widespread. The hydrogeological concerns related to a 'wind farm' are limited. Based on the proposed turbine locations, there should be neither water quality nor water quantity issues. Therefore a groundwater monitoring program is not required.*”

There is no documentation / rationale as to why the 2014 MOECC recommendation for a groundwater monitoring program was dropped from the REA requirements. The island continues to be classified as environmentally sensitive and Windlectric continues to plan widespread blasting, hoe-ramming and excavation. The MOECC did not require hydrogeological or geotechnical studies pertaining to Amherst Island wells as part of Windlectric's REA application. As a result no specific conditions, mitigation measures or recourse were included in the REA to protect residents' drinking water or even the drinking water at the public school next to the concrete batch plant. No baseline water well testing was required, aquifers were not identified, and particularly vulnerable receptors were not defined.

APAI and Loyalist Township have raised our concerns regarding groundwater / well water issues with the Ministry on a number of occasions over a number of years. As a result of yet another request for a meeting with the MOECC, APAI received an email dated 29 August 2017, from Mr. Chris Raffael, Senior Environmental Officer with the MOECC refusing a meeting request and stating:

*One of the items that we were going to bring up at this meeting was the possibility of Ministry staff collecting water samples from residential drinking water wells on the island. The Ministry would still be open to collecting samples at a subset of homes on the island to gather baseline background information. If you have any suggested residential*

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<sup>5</sup> Copy of email – appendix A

<sup>6</sup> Copy of email – appendix B

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*addresses and could provide contact information for the home owners it would assist in making contact and setting up sampling with the home owner's permission.*

However, construction activities have begun and no site-specific groundwater studies have been undertaken, yet alone completed. **It is clearly in the public interest that the Minister Alter or Revoke the decision of the Tribunal to ensure that Ontario Resident's access to clear, potable water be protected.** All construction activities should be halted until such time as groundwater studies and monitoring plans have been put in place.

**3. It is critical to the public interest that measures protective of Ontario Resident's health be uniformly applied**

In 2015 the Ministry of the Environment and Climate Change posted to the Environmental Registry proposing changes to its 2008 "Noise Guidelines for Wind Farms" and the revised guidelines came into effect on May 1 of 2016; well before any construction activities were undertaken on Amherst Island by Windlectric. Upon release of the new guidelines, APAI wrote to the Ministry providing information detailing how a number of non-participating "sound receptors" would be subject to sound levels above the 40 decibels deemed safe by the MOECC when the most up to date sound calculation methods provided in the new Noise Guidelines were followed.

The new sound calculation methods for wind turbines were based on the most recent scientific evidence protective of health available in 2015. Taking into consideration the **Response to Noise Turbine Complaints**<sup>7</sup> report released by Wind Concerns Ontario in March of 2017, it is clear that the previous sound calculation methods were inadequate.

Minister, it is clearly in the public interest that the sound calculation methods available in 2015 and formalized in 2016 (well before any construction activities were undertaken) should be applied to the Amherst Island Wind Project as protective of human health. **All construction activities should be halted and the project modified to reflect the sound calculation methods that the Ministry now says are required to protect human health and therefore the public interest.**

**4. It is critical to the public interest that the Ontario Government undertake prudent fiscal policies**

Minister, **there is no need for this Project**, the Liberal Government has stated that Ontario will enjoy a surplus of energy for at least the next 10 years and has admitted to errors in the implementation of the Renewable Energy portfolio. Cancelling the Amherst Island Wind Project will result in a minimum of **500 million dollars in reduced costs as the Ontario Taxpayers**

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<sup>7</sup> <http://www.windconcernsontario.ca/ontario-government-failed-to-respond-to-wind-turbine-noise-reports-documents-show/>

will not need to pay for overpriced, unrequired energy generated by a Wind Project located on an Island with a small landmass of approximately 66 sq. km, encompassing approximately 3,500 hectares of Provincially Significant Coastal Wetlands,<sup>14</sup> designated as an Important Bird Area (“IBA”) of Global Significance<sup>12</sup> and providing habitat for 19 species of concern and species at risk documented and acknowledged by the Approval Holder.<sup>7</sup>

Cancelling this unrequired project, which is unlikely to achieve its most recently posted commercial operation date (original date was predicted to be in 2014), provides your Ministry with the opportunity to respond to the Auditor General’s most recent report by cancelling a contract with the highest rate of payment.

The industrialization of Amherst Island will produce up to 75 MW of unnecessary and expensive electricity costing \$140 per MWh. Meanwhile in early 2017, the Ministry of Energy has forced the closure of Kingston’s Northland Cogen Power Generation Station that can produce a total of 115 MW of electricity. A year ago, in an attempt to secure a contract extension, the company offered to provide electricity to the grid for \$59 per MWh.

The North shore of the Island faces the (initially) 2,100 MW Lennox Generating Station. Lennox Generating Station’s role is to provide reliability during peak demand times and back up when other sources are not available. This Generating Station has operated at about 1.5% of its capacity over the 5 years preceding 2013 and has not changed since. The Lennox Generating Station sits right beside the under construction 900 MW Napanee Generating Station, a natural gas plant that was originally slated to be built in Oakville, but moved at great expense to Napanee; The Auditor General estimated that the move will cost the Ontario taxpayer and electricity consumers between \$675 and \$815 million<sup>8</sup>. The Napanee Generating Station is expected to run at about 34% capacity, supplying power during periods of intermediate or high demand, while Lennox is held in reserve. Both of these stations are under contract to received payment per MW regardless of output. In the case of the Lennox Generating Station this is \$7.1 million a month – or \$3,400 for each megawatt of (initial) capacity. When the 900 MW Napanee Generating Station is in operation, it will receive \$15,200 a month for each megawatt, regardless of output; that is \$165 million per annum.

Minister, it is clearly in the public interest to cancel a Project that will provide unrequired, overpriced energy at the expense of the wide scale destruction of species at risk habitat.

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<sup>8</sup> [http://www.auditor.on.ca/en/content/specialreports/specialreports/oakville\\_en.pdf](http://www.auditor.on.ca/en/content/specialreports/specialreports/oakville_en.pdf)

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**APPENDIX A**

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**From:** Frank.Crossley@ontario.ca  
**Sent:** January 29, 2014 3:33 PM  
**To:** Dagg-Foster, Gillian (ENE); Taylor, Peter (ENE); Kaye, Brian (ENE); Raffael, Chris (ENE); Metcalfe, Bruce (ENE); Edwards, Susanne (ENE); Crossley, Frank (ENE)  
**Subject:** Amherst Island Wind Energy Project

Technical Support

Review Type - EA (Electricity) Project

Reference Number  
3725-9FJLGZ

Windlectric Inc.  
2845 Bristol Cir  
Oakville, Ontario  
L6H 7H7

Amherst Island Wind Energy Project  
NA  
Loyalist, County of Lennox and Addington  
K0H 2S0

The Environmental Approvals Branch, Renewable Energy Section, forwarded concerns by various groups with respect to the proposed Amherst Island Wind Energy Project (Windlectric). I reviewed the hydrogeological aspects of the concerns.

Concern has been raised over the potential impacts to residents' water supplies. Typically on the island, residents' rely on 'shore wells'. These type of 'wells' are completed in the lake or at the edge of the lake and are shallow. These 'wells' are classified as a surface water supply as opposed to a groundwater supply. Based on the proposed land use, 'wind farm', the potential for adverse impacts to 'shore wells' is considered negligible.

Amherst Island generally has a limited soil cover (less than 2 metres of overburden), thus classifying the area as 'environmentally sensitive'. Since the site is classified as 'environmentally sensitive', the Eastern Region Groundwater Unit recommends that a groundwater monitoring program be conducted. 'Shore wells' do not have to be included in the groundwater monitoring program.

To this end, the Eastern Region Groundwater Unit recommends the following groundwater monitoring program:

- Contact all well owners within 500 metres of the site boundaries prior to the commencement of construction activities and seek permission to undertake a groundwater survey. If permission is granted then:
  - interview the residents regarding well construction, groundwater quality, groundwater quantity and well locations to establish a history of the water well.
  - collect a water well sample from the well after allowing the distribution system to flow for approximately 5 minutes. The sample should be collected prior to any treatment systems ("raw").
  - submit the water sample for analysis to a qualified laboratory. The analysis should be the "subdivision suite" (alkalinity, ammonia, bacteria, calcium, chloride, colour, conductivity, DOC, hardness, iron, magnesium, manganese, nitrite, nitrate, pH, potassium, sodium, sulphate, TDS and turbidity).
  - establish a contingency plan by a qualified person.

It is recommended that water wells be used, with consent of the owner, as opposed to constructing monitoring wells as this provides a more representative baseline groundwater condition. If monitoring wells are to be used, they have to be constructed to a depth representative of the existing water wells in the area.

The groundwater monitoring program should be conducted under the supervision of a qualified person (P.Eng. or P.Geo.).

The survey information should be summarized in a report by a qualified person and a copy forwarded to this Ministry.

In the event that a complaint arises against the construction activities, Windlectric should repeat the survey at the complainant's residence. The water samples should be submitted as "high priority" to a qualified laboratory. If a problem is confirmed related to the construction activities at Windlectric, then Windlectric should immediately provide bottled water to the impacted party and implement their contingency plan. This Ministry should be notified of any complaints and the company's actions to address the complaints.

frank crossley, P.Geo.

This link is available only to Ministry staff using the IDS application.  
Please click on the following document link to review the Technical Review document.

[http://idspower.ene.gov.on.ca/ids/Notesred.nsf/URLredirect?OpenAgent&Notes:/KIN\\_Notes/IDS/IDSTechSupport.nsf/0/3C4D4ECEB8708B4685257C6600569098?opendocument](http://idspower.ene.gov.on.ca/ids/Notesred.nsf/URLredirect?OpenAgent&Notes:/KIN_Notes/IDS/IDSTechSupport.nsf/0/3C4D4ECEB8708B4685257C6600569098?opendocument)

## APPENDIX B

**Edwards, Susanne (ENE)**

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**From:** Crossley, Frank (ENE)  
**Sent:** September 26, 2014 8:10 AM  
**To:** Edwards, Susanne (ENE)  
**Cc:** Dagg-Foster, Gillian (ENE); Taylor, Peter (ENE)  
**Subject:** RE: Amherst Island

Hi Susanne

The Environmental Approvals Branch, Renewable Energy Section, forwarded concerns by various groups with respect to the proposed Amherst Island Wind Energy Project (Windlectric). I reviewed the hydrogeological aspects of the concerns.

Concern has been raised over the potential impacts to residents' water supplies. Typically on the island (Amherst), residents' rely on 'shore wells'. These type of 'wells' are completed in the lake or at the edge of the lake and are shallow. These 'wells' are classified as a surface water supply as opposed to a groundwater supply. Based on the proposed land use, 'wind farm', the potential for adverse impacts to 'shore wells' is considered negligible.

The wind turbines are not clustered to an area and are relatively widespread. The hydrogeological concerns related to a 'wind farm' are limited. Based on the proposed turbine locations, there should be neither water quality nor water quantity issues. Therefore a groundwater monitoring program is not required.

Thanks

Frank Crossley, P.Geo.