

**Environment and Land Tribunals
Ontario**

Environmental Review Tribunal

**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Tribunal de l'environnement



655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Fax: (416) 314-4506
Website: www.elto.gov.on.ca

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 314-4506
Site Web: www.elto.gov.on.ca

September 15, 2014

NOTICE TO ALL OWNERS OF NEARBY LANDS AND INTERESTED PARTIES:

Enclosed is a Notice of Preliminary Hearing and Hearing (Notice) for an appeal currently before the Environmental Review Tribunal. The Approval Holder was required by the Tribunal to provide Notice to owners of land near the approved renewable energy project or anyone the Director, Ministry of Environment (MOE) deemed to have an interest in this project. MOE may include those that gave comments to MOE directly as well as those who provided comments on-line through the Environmental Registry. For more information, a map of the site(s) is also available on the website of the Approval Holder, 8437084 Canada Inc., operating as Port Ryerse Wind Farm Limited Partnership which can be found at <http://www.boralex.com/en/sites/details/port-ryerse.aspx>.

Owners of nearby lands and interested parties may seek the opportunity to participate at the Hearing. **You are not required to attend the hearing**, but if you do wish to be involved, there are four ways in which you may do so. They are as follows:

1. You may attend the hearing and observe the proceedings, but not actively participate. You do not need to notify the Tribunal of your intention in this circumstance.
2. You may request the Tribunal grant you **presenter** status at the hearing. If granted presenter status, you will be able to provide your testimony under oath or solemn affirmation on a given day at the hearing, and be cross-examined by all parties. You may also file written material in addition to your oral presentation.
3. You may request that the Tribunal grant you **participant** status at the hearing. If granted participant status, you will be able to provide your testimony under oath or solemn affirmation on a given day at the hearing, and be cross-examined by all parties. You may also file written material in addition to your oral presentation and make submissions at the beginning and end of the hearing.
4. You may request that the Tribunal grant you **party** status. If granted party status, you will be able to present evidence through witnesses, cross-examine witnesses and make submissions at the beginning and end of the hearing. Parties are often represented by legal counsel. Parties are expected to attend all hearing days. Parties are also subject to the Tribunal's costs rules.

Please note the *Environmental Protection Act*, requires the Tribunal to issue a decision no later than six months (with limited exceptions) from the day that notice of the appeal is served on the Tribunal (in this case, that date is **March 4, 2015**). As a result, the hearing process for renewable energy approval

appeals will be expedited and requires all parties to exchange documents, file submissions and serve document statements within strict timelines.

To participate in this hearing, you should notify the Case Coordinator in writing (by fax/email) of your intention to seek status. Please refer to the Notice for further information. If you request status, the Tribunal will forward your request to the Appellant, Director and approval holder by email/fax. The Appellant, Director and approval holder will be required to provide their responses to your request for status no later than one day before the Preliminary Hearing.

Please note that the Tribunal cannot accept written filings or comments where status has not been granted.

Further, you should visit the Tribunal's website to obtain a copy of the Rules of Practice and Practice Directions of the Environmental Review Tribunal and the Guide to Appeals by Members of the Public regarding Renewable Energy Approvals under section 142.1 of the *Environmental Protection Act*. The Tribunal's website is located at www.ert.gov.on.ca.

Yours truly,

"Joanne Hayes"

Joanne Hayes
Registrar