

Niagara Region Wind Farm Community Liaison Committee Meeting #1 – September 21, 2015

FWRN LP / 160950269

Date/Time: September 21, 2015 / 5:30 – 8:30pm
Place: Wellandport Community Centre – 5042 Canborough Road
Attendees: CLC Members:
Jordan Fois, Community Member
Gerry Veluhuszen, Community Member
John Sikkens, Community Member
Brian Staff, Community Member
Kris Franklin, Haldimand County

FWRN LP:
Adam Rosso, Boralex, Director of Development
Bill Somerville, Enercon, Director of Construction

Stantec:
Krista Walkey, CLC Chair & Facilitator
Jennifer Mondell, Planner

Absentees: Irene Kerkhovent, Community Member
Drew Cherry, GRCA
Distribution: All Attendees, Absentees & FWRN Website

Safety Moment: Check your car and surroundings when getting into a vehicle if you have left the windows down to ensure bees, insects, etc. aren't inside to distract you when driving.

1. Introduction

The Chair made introductions and thanked Community Liaison Committee (CLC) members, and members of the public for attending the First CLC meeting.

2. CLC Members

The CLC is made up on members of the public, agencies, municipal staff and First Nations representative(s). An advertisement was placed in nine local newspapers requesting members of the public to respond if they were interested in sitting on the committee as well direct invitations were sent to stakeholders, municipal staff, agencies, and First Nations. All members of the public who responded are on the committee along with a representative from Haldimand County, and GRCA.

3. Background

The Ministry of the Environment (MOE) has issued a Renewable Energy Approval (REA) to engage in a renewable energy project in respect of a Class 4 wind facility consisting of the construction, installation, operation and decommissioning of approx. 77 turbines with a total nameplate capacity of 230 megawatts (MW). This renewable energy project has been approved in accordance with the requirements of Part V.0.1 of the Environmental Protection Act and Ontario Regulation 359/09.

As part of the REA Approval, FWRN LP must establish a Community Liaison Committee (CLC). The CLC is intended to be an exchange of information during the construction and operations of the wind farm between the developer and the public. Committee Members are intended to act at liaisons between the developers and their neighbours by be aware of protocols, contact information and forward information as appropriate. It is not the intent or expectation that members would be responsible for complaint resolution.

4. Ownership

Adam Rosso explained the change in ownership for the Project. The Project was originally owned by two families. The Project is now owed by two companies, one being Boralex and the other being Enercon. Together these companies form what is known as FWRN LP. Borea and Eptcon are the contractors for the project and they are the responsibility of FWRN.

Public Question – is Rankin still involved? *Yes they are a subcontractor.*

5. Community Liaison Committee Terms of Reference (ToR)

A Terms of Reference is required to be established and approved by the CLC Members which outlines the mandate and responsibilities of the Committee. The CLC members were provided the ToR in advance and asked to review and suggest any modifications, edits, etc. prior to approving the ToR.

The Chair provided in overview of the Objectives, Purpose, Establishment, Meeting Format, Roles & Responsibilities and Public Participation as outlined in the draft ToR.

The Committee was asked if they had any suggested changes or modifications to the ToR. A member of the public suggested that public delegation be restricted to individuals from within the project area. The Committee concluded this is not necessary as the request for public delegation and/or questions will be reviewed through the CLC Chair who will determine if they are appropriate and within the mandate of the CLC. In addition, experts and/or specialists from outside the project area may be required to attend a meeting to give a presentation if and as required based on the questions or comments related to the project. The committee agreed no change was required.

The Chair suggested increasing the notice time for advertising a CLC meeting from 5 days to 10-14 days. This was agreed by all members and the ToR will be modified.

All members of the CLC were in favour of approving the CLC ToR with the modifications to the notice times.

6. The Complaint Resolution Protocol

A complaint resolution protocol has been prepared and is in place for the members of the community and public to utilize in the event of a complaint during construction and operations of the wind farm.

The Chair provided an overview of the communication protocol, complaint log process and timelines for a complaint to be responded to. Contact information to launch a complaint is as follows:

Phone Number: 819 363-6491

Toll-free Phone Number: 1 844 363-6491

Project Email Address: info@nrwc.ca

In addition, Project Information is posted to the Project website <http://www.nrwf.ca/>

All complaints will be responded to with 48 hours and resolved within 10 days. A 'response' could be that they are looking into the matter or further follow up will occur.

The purpose of discussing the Complaint Resolution Protocol is so that the CLC Members are aware of the Protocol and can direct fellow community members to the appropriate phone numbers, website and email for any complaints. The roles of the CLC Members are not to handle and deal with complaints but rather be a resource for fellow community members to direct them to where they can get information or relay concerns to the CLC Chair and/or project developer.

Public Question – Does the CLC have any legal authority?

No, the CLC Members are volunteers, Stantec was hired by FWRN LP to facilitate to the CLC meetings and the establishment of the CLC is outlined in the REA approval. The CLC is another forum to respond to questions and relay information to the public.

7. Project Update

Bill Somerville, the Director of Construction, gave an update on the timing and scheduling for construction.

49 of the 55 kilometers of the access roads have been built and foundations are being started. Residents can expect construction until approximately June 2016, the wind turbines are slated to be on the grid for August 2016.

Adam explained the domestic content laws – 95% of the man hours need be completed by Ontario residents. There are exceptions for senior management and specialty services.

Some of the towers will now be 124 metres in height and amendments will be made to the Noise Modelling for these towers.

Public Question – what are the hours of operation? *They are in compliance with the local by-laws unless an exemption or special permission has been approved and if work being conducted outside these hours a complaint should be made.*

The director of construction will be discussing this matter with the project contractors at the daily site meeting starting tomorrow. Special permission may be sought if works are expected to go beyond noise requirements. Security works all night.

Public Question – was an Indian Burial Ground found during an archaeological dig?

No, this is not true. Registered archaeologists and three First Nations groups have been overseeing the digs. Stage 3 and Stage 4 digs are currently be undertaken at three remaining sites.

Public Question – have municipalities waived load restrictions on haul roads?

A road use agreement is in place with each local municipality. In the case of Haldimand County (as was explained by Kris Franklin) within the road use agreement a survey of the road is completed before construction begins, as well as post construction and one year later (to allow for one freeze-thaw cycle). Any damages are repaired by the user as per the road use agreements. The purpose of half load seasons are that during times when roads most vulnerable to damage (i.e. when they are saturated) roads can be damaged and the municipality is responsible to repair damages to the roads as they are unaware who caused the damage. When a road use agreement is in place, the municipality is aware of who is the using the road and therefore if a road is damaged during half load restriction season the users would be responsible to repair the damage.

Discussions regarding property liens occurred however these are not part of the mandate of the CLC.

8. Break – the Chair called a ten minute break

9. Public Questions

Questions were submitted by the Public through the CLC Chair in advance of the meeting. These questions were read verbatim and a response provide for each one.

Question 1: The police have their sirens on at 7:30am escorting the turbine parts through town – is this required? How much longer if the answer is yes.

A police escort is required for parts greater than 3 metres in length and sirens are used when going through intersections. This is the policy of the local police department, parts are expected by delivered throughout the project until approximately June. The police escort is a cost that is borne by the project developer.

Question 2: Is there any chance of getting a wind turbine on my property? I have 66 acres on Vaughan Rd.

No the REA is approved and no additional turbines will be added to this project.

Question 3: I represent landowners in the area who have bought some property that has recently come into the urban area. That are very much against having this line constructed in what will soon

be a built up area. If this is another way I can bring these concerns to the table, much appreciated. We along with the town have given Boralex another option along S Grimsby Rd 6. Understand there is some PSW land there. How could we speed up the process of getting that concern addressed?

FWRN will respond directly to this question, the haul route has been approved however at the time of finalizing the road usage agreement the unopened road allowance was identified as an alternative route. A Provincially Significant Wetland (PSW) was discovered and FWRN is working with the MNR regarding using this route. We will update on Routes at the next CLC Meeting.

Question 4: My request involves bringing high speed internet to our rural location by partnering with a provider who could share the fibre-optic network that is already being installed as part of the turbine connections. It would be a shame to 'waste' all that work digging and installing and miss a great opportunity. I am hoping that this may already be in the works and would just like to get an idea if it is. If not, could it be looked into.

The fibre optic cabling being laid is for the purpose of controlling the wind turbines and associated equipment and is not associated with a public provider of the internet. A service provider and associated infrastructure will not be included as part of this project.

Questions 5: a. why there are no piles being drilled below the turbines.

It depends on the load bearing capacity of the soils. Some areas have heavy clay and others are rock. If the soil has enough stability to support the foundation, piles are not required. Geotechnical investigations have been done at each location to determine where they are required.

b. why you are not placing the access roads in a straight line to the turbine, so that you are not wasting valuable farmland with your "artistic" access roads.

The access roads locations have been discussed with landowner, in some cases where they are not straight it is usually to protect a feature (natural or otherwise) on the site.

c. When will you decide which of the three turbines will NOT be placed in this project.

Turbines 10, 11 and 51 will not be built. One is in West Lincoln, one is Wainfleet and one is in Haldimand.

d. I have heard that you are working way past the hours regulated by township bylaws - is this true, and if so - why? What can we do to remind you that we would like some time off from the construction activities.

To the best of our knowledge construction should be occurring only within times which are allowable under local municipal by-laws unless an exemption and/or special permissions have been granted. The director of construction will be discussing this matter with the project contractors at the daily site meeting starting tomorrow.

e. I have heard a rumor that there is a Indian Burial ground in West Lincoln. I believe its by T32?, somewhere on Vaughn Road but I am not sure. What can you tell us about that. is this true? or just a rumour.

This is not true.

g. We heard that Region has hired additional help for the planning departments of Wainfleet and West Lincoln. Has this person been hired? Is he working for Stantec or the Region.

Correct, the Region is hiring two additional staff to assist with the Project. They will be employees of Niagara Region and paid by the Region. However FWRN LP has given monies to the Region to assist with the payment of their salaries.

Question 6: a. Can you please tell me what FWRN stands for?

It is Niagara Region Wind Farm backwards, which was established as the legal entity when the project was sold to the current owners.

b. Can you please explain what is happening with the Indian Burial Ground? Include its exact location for me.

No Indian Burial Ground has been discovered. A registered archaeologist will be invited to attend the next CLC meeting the archaeological reporting, findings, etc. on the report with the understanding that some artifacts which are found during a dig are confidential as per legislation.

Question 7: I noticed that the pole line feeder around the town of Smithville traverses through a proposed residential area . In my view this could easily be avoided since there is an unopened road allowance just to the west of the proposed line. I would suggest the town and it's citizens would be pleased if this section was realigned and moved away from its proposed route.

The pole line route has been approved however at the time of finalizing the road usage agreement the unopened road allowance was identified as an alternative route. A Provincially Significant Wetland (PSW) was discovered and FWRN is working with the MNR regarding using this route. We will update on Routes at the next CLC Meeting.

Question 8: I have tried over and over again, to prove to your employers, how badly my son,...will be affected by the emissions from your industrial wind turbines... A letter from his specialist, documents from the school, and countless peer-reviewed articles were ignored. Do you expect me to believe that your "liaison committee" will be of any help at all?....Your lawyer was supposed to get back to me, about what could be done to help..., and he never did.

Questions regarding Human Health are to be directed to the Ministry and are not part of the mandate and/or purpose of the CLC to discuss.

Question 9: Your Heritage Assessment dated April 12, 2013 states "As a general recommendation, roads traveling through cultural heritage landscapes in the communities of Smithville, St. Ann's, Bismark, Elcho, Wellandport and Stromness should be avoided to the greatest extent practicable when transporting heavy machinery and turbine components to the Project location in order to

minimize the potential for accidental or indirect damage to the high concentration of narrowly setback cultural heritage resources and landscapes within those communities." Your trucks are not avoiding Wellandport. In fact, I was told by our township councillor that Wellandport is one of the approved haul routes. In addition to possible damage to heritage structures, there is a serious safety risk to people and pets, as most houses are close to the road, and many of the trucks are going too fast.

All haul routes have been approved; however FWRN will review all the haul routes in the approved agreement and the cultural heritage report. The director of construction will discuss with contractors at the daily site meeting starting tomorrow that all trucks are to be on approved haul routes only.

Question 10: I understand that cement dust being spread on an access road near Bismark by one of your contractors blew all over a resident's house, so that she has been unable to live in it. When is the house going to be decontaminated so she can return home? Is she going to be compensated?

The MOECC Site Inspector visited the site and the developer is working with the MOECC, municipality and landowner to resolve this issue.

Question 11: I have not seen the NRWC Emergency Response Plan. Please forward this to me as soon as possible. It is critical to keep the people in our Community safe during and after construction. We require an emergency phone number and contact that is available 24/7. We also require the Material Safety Data sheets for all substances that could possibly make their way into the air, water and lands on our properties.

There is an emergency response plan which Bill will look into whether or not it can be made public. If so, it will be posted on the project website. WHMIS is public information; Bill is looking into whether the MSDS sheets can be published.

Question 12: The information does not provide very accurate information as to where exactly and on which property the generators are to be sited. Is there something that is available? My question that follows is this : In addition to the 550m residential set back are the buffer zones for wetlands also being respected since some of the forested areas near where these generators will be located contain wetland complexes. Additionally is there an anticipation that any forested areas will be cut given that they may be home to endangered species; in particular jefferson's salamander and others.

All reports were conducted and approved as part of the REA application and approval. These reports can be found on the project website with the exception of any reports which are confidential as per Provincial Legislation, for example reporting regarding Species at Risk are not published to ensure protection of these species.

Question 13: a. Will FRWN be monitoring the infrasound and low frequency noise?

As part of the REA approval a noise audit at turbine locations is required. Adam will review and advise at the next CLC meeting which frequencies are required to be audited for.

b. Will you be compensating the victims who will be forced to move from their homes because of the harm to human health?

Questions regarding human health are not a part of the purpose and/or mandate of the CLC. Any questions regarding human health should be directed to the Ministry.

c. How often will the wind company be monitoring the noise levels at the homes of community members?

Noise audits will be conducted after construction as per the REA approval.

d. Could you please send me the names of the members of the FWRN's Liason Committee.

The names of members can be found on the Meeting Minutes.

e. Can you please give me the phone number for an emergency contact should the noise, the dust or the emissions become unbearable. This must be a number that is available 24/7.

Contact information is: Phone Number: 819 363-6491

Toll-free Phone Number: 1 844 363-6491

Project Email Address: info@nrwc.ca

Boralex is committed to reviewing staff levels and ensuring the number and email are checked on a more frequent basis and all complaints are responded to as per the Complaint Resolution Protocol.

f. Could you please forward me FWRN's emergency response plan. I am not aware that it is publicly available.

It is being reviewed whether the Plan be made public.

g. In all documents to date it states that 77 turbines will be built with 80 potential locations listed. Which turbines will not be built?

Turbines 10, 11 and 51 will not be built.

Question 14: I live at...in St. Anns next to...where one of your windmills is being installed. We had signed up to be part of the project at the same time...and we were never informed why we did not stay part of the project. I will be away on Sept, 21 and wonder if you could contact me and discuss and answer some of my questions about the project qualifiers and what impact will occur on our farm.

FWRN will respond directly regarding criteria for a turbine being on a property, however the REA has been approved and no more turbines will be added to this project.

Question 15: Wainfleet council has had complaints of trucks not adhering to the speed limit which in turn causes a lot of dust for residents to have to cope with. I would like to know if your company is going to make sure the local speed limits are observed and what if any mitigation measures you will employ to keep the dust down...Again I would like to know what mitigation measures you will be taking now that this has been brought to your attention.

Truck speeds will be discussed with project contractors at the daily site meeting starting tomorrow. Roads are being watered by contractor for dust mitigation. Special exceptions/permissions are requested where noise exceeds levels or time as per local by-laws. Bill will follow up directly with one homeowner regarding dust mitigation.

Question 16: I live on elcho road all construction vehicles are speeding down our road. My 5 year old and I were waiting for bus and a dump truck with stones flew by and hit the bumps cause by your construction vehicles and stones flew all over road those stones could have seriously hurt us. It's only a matter of time before something really bad happens. The last issue I have is my road is full of torne up road and wholes everywhere what happens when it recks or vehicles?

Truck speeds will be discussed at the daily site meeting starting tomorrow, health and safety is number one and residents are encourage to submit a complaint including license plate numbers if laws are not be adhered to. Any damages can be submitted to the local municipality who will forward to FWRN to investigate which has insurance coverage as per the road user agreements.

Question 17: a. Truck speed – trucks are not moving over and gravel is flying everywhere – please make them slow down and respect the community.

Again, this matter will be discussed at the daily site meeting starting tomorrow; in addition it will be brought to the attention of all senior management as it a matter of health and safety.

b. Pole installation – will the poles impact the placement of their fence – and will they be notified in advance of the installation. Some fences are very old and right of ways are beyond the fence limits so alteration to the fence would need to occur

Every household along the transmission line route will be notified in advance of construction and they are encouraged to contact FWRN if they have concerns regarding a fence.

10. Next Steps

Information will be posted on the project website.

Follow up with individuals as discussed this evening will occur.

The next CLC meeting will be determined and advertised accordingly. However, questions, complaints, etc. can be submitted at any time to the following contact information:

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Toll-free Phone Number: 1 844 363-6491

Project Email Address: info@nrwc.ca

In addition, Project Information is posted to the Project website <http://www.nrwf.ca/>

The meeting adjourned at 8:30 pm

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

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