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December 2, 2016

Algonquin Power Co.  
354 Davis Road  
Oakville, ON  
L6J 2X1

Attn: Ariel Bautista, Senior Project Manager

Dear Mr. Bautista:

**Re: Review of Draft Operations Plan – Windlectric Project**

Loyalist Township has made a commitment to its residents to protect the public interest through protection of municipal infrastructure, preservation of Amherst Island heritage and ensuring continued and effective emergency services. As part of this commitment, Loyalist Township agreed to meet with Windlectric/Algonquin on November 21<sup>st</sup>, and came prepared to dedicate the entire day to productive discussions regarding the project and specifically, the recent submission of the Operations Plan.

The Operations Plan as submitted was inadequate, lacking in both content and detail. Several reference documents in the Operations Plan have yet to be completed and many aspects of the Road Use Agreement were addressed insufficiently or not at all. We have been repeatedly disappointed by Windlectric/Algonquin's apparent inability to submit a complete document. Loyalist Township has offered to host pre-consultation sessions on several occasions to no avail. Had there been some form of pre-consultation with the Township prior to or during the preparation of the Operations Plan, many of the issues could have been addressed.

One issue that was discussed is the need to confirm commitments that were made to the residents of Amherst Island at a public meeting on January 29, 2013. In this regard we are forwarding a copy of our record of that meeting.

At the conclusion of our meeting, Algonquin/Windlectric indicated that they would provide a response to the Township regarding the Operations Plan submission. Loyalist Township has yet to receive a response.

We look forward to more productive meetings in the future.

Yours truly,

Robert Maddocks  
Chief Administrative Officer  
RM/ka

Encl.



**MINUTES OF  
TOWN HALL MEETING  
JANUARY 29, 2013  
AMHERST ISLAND PUBLIC SCHOOL**

**RE: ALGONQUIN POWER/WINDLECTRIC  
PROPOSED ROAD USE AGREEMENT**

At approximately 7:20 p.m., Councillor Duncan Ashley opened the meeting and thanked everyone for attending. He then turned the meeting over to Tim Wilkin, solicitor for the Township, who chaired the meeting and provided a brief outline of the evening's agenda.

Mr. Wilkin began by noting that the ultimate decision on whether or not this project proceeds rests with the Ministry of the Environment and not with the municipality. The purpose of this meeting is to provide information regarding the impact on the community, specifically as it relates to the use of the roads on the Island.

Homer Lensink of Algonquin Power provided a Power Point presentation which gave some background on the proposed project. During Mr. Lensink's presentation he made some commitments:

- Road widenings can remain or be removed at direction of Township. Radium widenings will be removed.
- Hatch will take 3D images of entire road, similar to Google Street View
- The crane will come on 28 trailer loads and require three days to set up. The crane has to be broken down ten times, it will not be walked down Township roads (it may be walked across a road).
- The ferry will not be tied up. Algonquin Power is not planning to use the ferry except during construction of the island dock.
- Road closures will be for minutes or hours, not days. Concrete trucks will not park on public roads.
- The plan with respect to stone walls is avoidance first, monitoring and inspections.
- Manse hill will not be cut, may need some "ramping".
- Vibration monitoring will include stain glass windows in church.
- No significant existing tree will be harmed. A professional arborist will be retained to ensure that trimming is done right. Mature trees will be replaced with 6" to 8" nursery trees.

Mr. Lensink then introduced his team and between him and Brent Bergland, they explained, in detail, the proposed process.

Prior to the Town Hall section of the meeting, questions received from residents were sorted and summarized. At approximately 8:10 p.m., Tim Wilkin began by answering a couple of questions that required a legal response and then proceeded by asking Algonquin questions. The following is a summary of that dialogue. Mr. Wilkin reassured the attendees that all of the questions received this evening would be retained and reviewed by Township staff and an independent consultant to ensure the issues are addressed.

1. Tim Wilkin discussed the ownership of the various roads types on Amherst Island, i.e. opened and unopened road allowances, noting that these roads are public highways and are owned by the municipality and operated under the jurisdiction of the municipality. The public, including the proponent, Algonquin Power, has an inherent right to use these highways. Therefore, the use cannot be denied. If damage is caused to a roadway, the Township has the right to insist that any party who causes the damage is liable for its repair and has an obligation to do that. Algonquin has acknowledged this fact and agreed to the terms. The third type of road is a forced road, i.e. if a road has been used by the public and maintained by the municipality, it too is classified as a public highway.
2. What would happen should the project be sold by Algonquin Power to another party? Tim Wilkin responded to the question that first of all, there would be a formal agreement between the two parties, outlining all of the responsibilities of the proponent, including what would happen in the event the project is sold, i.e. that all the same terms and conditions of the original agreement would apply and an obligation would exist to fulfill all of the conditions of the original agreement.
3. Further to that, was the question of “How do you know they will follow through with the project?” Once again, Tim Wilkin advised that, along with a formal agreement being signed there would be an expectation of financial security required by the proponent to help deter such events from happening.
4. Bruce Caughey challenged Mr. Wilkin regarding the use of residents’ roads rights-of-way and asked why he was not consulted when his property was being examined during the preliminary stages of this project. Mr. Caughey was expecting Algonquin Power to contact him and other landowners, directly, regarding the use of their property. He owns Part of Lots 9, 10 and 11 on the north shore of the Island. The road in front of his property is 26’ wide and is a

right-of-way. It was his understanding that nothing new could be put in that right-of-way. Mr. Caughey feels it is not up to the Township to negotiate with him for this, it is up to Algonquin and he has not seen or heard from anyone at Algonquin to date. Tim Wilkin suggested that the identity of the road right-of-way is what Mr. Caughey is trying to determine and responded accordingly.

5. Homer Lensink and Sean Fairfield responded to questions regarding the proposed use of the Marshall Forty Foot Road. Algonquin Power will construct a private road parallel to this road so that trees will not be impacted.
6. What road width is required for the transportation of the equipment? Homer Lensink noted that the tower base is 14.5' (4.5m) in diameter and the minimum requirement is 20' of roadbed.
7. How is the structural capacity of the roadway determined? Homer Lensink noted several factors being considered: 1) compression, 2) width; and 3) slope by cross-section. Brent Bergland also advised that the documentation of the limits is kept current and there are no drainage issues and if there are, they will ensure they are restored.
8. What will the impact be on the mainland roads? Homer Lensink noted that the province provides parts of the turbines and that only County Roads will be used to transport turbines to the ferry dock.
9. How will the stone fences, particularly the corners, not be impacted? Homer Lensink advised that the one corner that has a stone fence abutting it, Hitchins Corner, will not be used for transporting equipment. Private roads will be constructed so that the fences are not affected.
10. How will emergency services be impacted? Homer Lensink noted roads will only be blocked for minutes by large equipment. He noted that they are working with the medical services on Amherst Island and hopefully they can interface with the radio station in order to keep everyone up to date on the progress of the project. Vicki Keith asked how the first responders will get to the firehall as a starting point in the event of an emergency.
11. How will the project impact the 9-1-1 system? As noted above, Homer Lensink said there will be no impact – there will always be allowances made for EMS and always an alternative route.

12. What about the impact the slow moving vehicles will have on the traffic? Brent Bergland advised that it is a maximum 15 minutes from the ferry dock to the turbine site and that communication and coordination are key and part of the traffic management plan. The speed limit for these vehicles will be 20-30 km/h. Mr. Lensink noted that farm equipment moves slower than they do. Once again, all of this will be considered in the Traffic Management Plan.
13. What are the proposed hours of operation for the project and what will be done during the busier times? Homer Lensink noted that the Noise Bylaw will be adhered to for all work during regular hours (7:00 a.m. to 8:00 p.m.). That is another reason there is a segregated work yard and the hours of the ferry departure will be honoured.
14. Is there any work anticipated for the winter months? Homer Lensink advised that as noted in his presentation, there will be no work done in January, February and March, and until the Half Load restrictions are lifted. October, November and December will have some activity. The largest part of the largest equipment moving will be done in May.
15. What about the structural impact on historic buildings – how can they protect themselves? Brent Bergland advised that depending on the issue, i.e. hours of operation, noise, integrity of building, the proponent will work out the details prior to any work being done, i.e. vibration monitoring. They will possibly be monitoring all buildings along the work route. Details will be worked out as the project progresses and included as part of the Road Use Agreement. Sean Fairfield noted that a licensed archaeologist will also be consulted.
16. What environmental protection precautions will be taken to protect the water courses from being polluted from the equipment being used? Brent Bergland noted that the Ontario Provincial Standard procedures will be followed, i.e. use of hay bales, bumpers, silk fences, check dams, screening, etc. to prevent erosion and sedimentation into the adjacent property.
17. What precautions will be taken to protect the shoreline? Homer Lensink again noted that every precaution will be taken to protect both the South Shore Road and the dock area on the north shore. Environmental standards are always considered.

18. How will the culverts be protected from the heavy equipment travelling over them? Homer Lensink advised that the proponent will work together with the Township to determine the strength of the culverts, loadbearing capacity. If traffic exceeds what structure will hold, there are techniques followed to protect.
19. How will the Owl Woods be protected? Sean Fairfield replied that the woods would be protected by an adequate separation distance.
20. What about the impact on the services crossing *under* the roadways, i.e. private shore wells, water lines, electrical conduit, etc.? Homer Lensink advised that the Ontario One Call, Before You Dig, will likely be utilized for locating any underground services, which is a generally accepted service. Measures put in place to protect.
21. If there is damage caused on a private service, will the proponent repair it at their cost? Homer Lensink advised that the proponent is responsible for any such repairs.
22. What about future maintenance of turbines and/or replacement of turbines and impact on municipal infrastructure. Is that part of planning process? Homer said yes, and noted anticipation of 20 years minimum of operating activity and the vast majority of work will be the moving of technicians, their tools and parts. One exception will be the hub height erection cranes. Homer Lensink reiterated that all of this will be included in the proposed Road Use Agreement, which will be in place for the duration of the project.
23. Will any private property be used or impacted without the owner's permission? Homer Lensink confirmed that this will not happen.
24. Will the proponent be using the travelled portion of the roadway or the shoulders? Also can buried cable be located within the road allowance? Tim Wilkins has previously noted that the proponent has a right to use the right of way. Mr. Lensink stated that it has not yet been determined if the cable will be on the shoulder or under the travelled portion of the road.
25. What impact will there be on the roads themselves? Homer Lensink responded that the roadbeds will be compacted and there will be no long term impact on the roadways.
26. What will the impact be on the existing electrical services and will there be interruption of service on the Island? Homer Lensink noted that there will be

equipment moved over all the roads and permission will be obtained from Hydro One and the homeowners.

The summarized questions have now all been answered and questions were then asked from the floor.

1. Why is the construction site located beside the school? Homer Lensink advised that all safety concerns for the school children will be taken into consideration. There will be a fence installed in order to secure the site location.
2. What precautions will be taken for the excessive dust and noise around the school and when can the next meeting be expected to get some of these answers. Tim Wilkin responded that this meeting is the first step of many.
3. Are there any assurances as to investigating the background of the 100+ workers who will be working on the project? Brent Bergland advised that background checks will be done in accordance with Ontario labour rules. He also noted that the workers' vehicles will be left on the mainland.
4. What will the geology of the Island be protected and will there be groundwater contamination? Homer Lensink noted that the depth of excavation and construction techniques available ensure the integrity of the roads. Will homeowners be reimbursed if their wells are damaged? Homer noted indemnification is a possibility.
5. Will the movement of the construction equipment through the village have an effect on parking on the streets, not to mention the safety of the children in the summer months? Homer confirmed that all of these things will be taken into consideration as the plan evolves and they will be cognizant of the local issues.
6. Will the barge dock that will be installed be a permanent or temporary dock and what permits will be obtained and by what means? Sean Fairfield responded that Algonquin will be working with the Dept. of Fisheries and Oceans, as well as other relevant agencies, i.e. MNR. Permits will be obtained in communications with federal and provincial agencies.
7. Why would there be a plan for trucks to be travelling so near the school at all? Homer advised that this has not been finalized yet and the plan will include whatever will optimize all forces.

8. What access will farm equipment have to the ferry? Homer advised that coordination will be required.
9. This portion of the school is within 550m of a turbine. It is children's nature to be curious of their surroundings, so how will this be issue be addressed if the project goes on for 1-1 ½ years and the interference with the learning ability of the children? Most of the children who attend this school end up going on to tertiary education. Homer reiterated that all of these valid concerns will be kept in mind when preparing the plan.
10. Will there be any assistance for the emergency response workers as many, if not all of them, may not be on the Island at the time of an emergency? Homer confirmed that they are absolutely willing to work together with the community to put augmented plans in place.
11. Is there going to be cable buried underground and how many miles of cable and how deep will the trenches be and how many vehicles are needed to complete this project in the shortest period of time? Homer noted that there will be 15-25km cable buried and the tracked excavation equipment will use only one-half of the road width to do this work to ensure vehicle traffic to continue.
12. Will there be dust and noise monitoring stations and if the levels are exceeded, will the operations cease? Homer confirmed again that working together with the Township will continue and all MOE regulations will be adhered to.
13. Will there be any consideration to not build specific types of turbines if they don't meet community standards? Homer noted that there are 36 locations currently in the plans to be approved by the MOE, but the criteria have not yet been confirmed and they will be working together regarding one criteria, being energy forecast. The Traffic management plan will keep these in mind to help address this.
14. Large vehicles and agricultural equipment on 40' roads - is there any way they can pass? Concern for emergency access to the ferry when the ferry access is blocked? Homer confirmed that if there is a combine or tractor-wagon combination, the planning exercise will include a few periods of the day of an hour that will be set aside for their use.

15. Is there any blasting being contemplated? Homer noted there is no blasting contemplated to date. There is some shale and limestone to be impacted by vibratory equipment. Have done exploratory testing.
16. Is there timing for completion of the Road Use Agreement, and if so, will there be any follow up to the Road Use Agreement approval process, specifically to include a public meeting? Homer advised that they continue to work on the Agreement and a traditional Open House process will follow (March) and they are absolutely willing to attend those meetings. Sean Fairfield noted the format of future meetings would be a drop in center as has been used in the past and this was not well received.
17. What is planned to protect the South Shore area, i.e. beach, shore wells, stone fences, etc.? Homer noted there will be challenges, particularly with the line in the ground. There is a series of things to be done in accordance with government guidelines.
18. How will farming operations be impacted, i.e. 6-20 km trips? Homer again confirmed that they will be working closely with the residents.
19. What happens if the proponent does not live up to the terms of the agreement? Will there be financial security and if so, how much? Tim Wilkin advised that there is typically a Letter of Credit as a contractual commitment, which is usually irrevocable.
20. What if, after 20 years have passed, the wind turbines are not economical? Who pays for the decommissioning and removal of them? What will be considered if subsidies no longer exist and the project is moth-balled? Tim Wilkin again confirmed that a decommissioning plan will be part of the Agreement, when determined. Sean Fairfield advised that the cost is in the capital equipment.
21. What will be done if there are speeding issues by the workers? Homer advised that there is absolutely zero tolerance for speeding and the vehicular speeds will always be within close proximity of the posted speed limit.
22. What about the people who move sheep over the various Island roads? Homer was not aware of this activity, but reassured all that this would be included in the plan.
23. Would you consider not using the stretch of road on the South Shore for just two turbines? Homer reiterated that the design plan has not yet been finalized.

Tim Wilkin wrapped up the discussion at approximately 9:40 p.m. and advised that dialogue will continue and if there are additional concerns to forward them to the Algonquin. However, if the concerns are in regards to the road use, then forward the concerns to the Engineering Department at the Township Office.