



The Corporation of Loyalist Township
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November 14, 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

As you are aware, Loyalist Township and its residents have been requesting from Windlectric/Algonquin detailed construction and operation plans in order to fully evaluate the project in order to minimize impacts to its residents, to protect and maintain municipal infrastructure, to preserve Amherst Island heritage, and to ensure effective emergency response services while your project is in the construction phase. The Township's motive has been to protect the public interest.

This need for detail has been communicated to Windlectric/Algonquin on several occasions, first by residents at an open house held on Amherst Island on January 29, 2013, where employees of your firm responded and made commitments to the public. The Township also articulated its concerns in its municipal consultation form package dated April 3, 2013, and staff have made similar requests on numerous occasions, including offers of pre-consultation sessions with your consultants prior to the submission of any documentation. This consistent approach has been taken to be transparent as possible, with the aim of effective, open communication, and most importantly to be fair and reasonable.

The Township was very disappointed to receive an Operations Plan on October 14, 2016, which was prepared and submitted lacking the requisite detail and done so without any pre-consultation, and submitted in isolation without the completed pre-construction study. The Township was surprised when your firm insisted in a letter of October 28, 2016 that you wished to adhere to the submission provisions of the Road Use Agreement to ensure that there were no delays to your firm's schedule. This disappointment is compounded by the fact that your company secured a Renewable Energy Approval on August 24, 2015 and did not submit any substantial material for review to the Township until October 17th, 2016. If your construction timeline was so tight, a much earlier submission would have been prudent and allowed the parties to work towards plans that were satisfactory to both parties, and could have avoided this haste to have the plan approved.

Nevertheless, in an effort to have productive discussions at our meeting on November 21st, the following preliminary comments have been prepared. Please note these

remarks are provided for assistance purposes, and by no means are considered a response under Section 36 of the Road Use Agreement.

Section 2.1

Section 2.1 lists three roads that will require widening and notes four intersections that will require increased radius. The feasibility of undertaking these improvements has not been established. More detail is required so that the Township and residents can assess impacts on trees, drainage, and private lands.

The main body of the operations plan does not contain any of its own mapping nor does it refer specifically to any mapping in the schedules. This makes it very difficult for a reader to assess the content. Appropriate sized mapping should clarify information and assist in answering questions and concerns, such as the issue raised by residents regarding the use of Marshall Forty-Foot Road.

Section 2.1 has not addressed the structural adequacy of the island roads and culverts to support the volume of heavy loads proposed, the need for improvements, and the impact of improvements on the road and adjacent lands.

Section 2.1 has not addressed potential disruptions to electrical and telephone service.

Within Section 2.1 there is no process described in the Operations Plan for the Township to stop activity in the road allowance, where there is substantial deflection of the road base due to loads or pumping/rutting of the road surface. The Operations Plan requires a process to the satisfaction of the Township for repairing road conditions that considers both road base strength and safety.

Section 2.2

Section 2.2 states that “public roads will generally remain open... necessary road closures are not expected to be long term.” This is too vague. We have concern that it will not be possible to maintain traffic during collection system installations. We have concern that detour routes may not be passable. The proponent needs to identify lane closures, proposed detours and the adequacy of proposed detours. If road improvements are required, these need to be identified. We are also concerned that detour routes are limited. The proponent needs to provide a schedule to show that traffic detoured by one operation will not be impeded by another operation.

A construction schedule has not been provided in the Operations Plan. It is expected that work will continue through winter months. However, the Operations Plan does not address traffic management while winter control operations, spring flood conditions, or seasonal load limits are in effect. The proponent should indicate when and where detour routes will be required, and how they will be maintained under adverse conditions.

Section 2.2 does not provide adequate information regarding the locations of the electrical collection cables within the road allowances or in the vicinity of any drainage structures or bridges.

Section 2.3

Section 2.3 does not provide adequate detail regarding quantities of wastes to be removed and resulting barge traffic. Section 2.3 refers to a Construction Environmental Management Plan and the Pre-Construction Study, neither of which have been provided.

Section 2.3 does not provide adequate detail regarding handling of surplus soil/rock from the foundation excavations of the turbine towers. Where is this material to be placed? Does the shipping of this material amount to extra vehicle traffic not accounted for in charts? Does the disposition of this material at any location require further investigation for impacts? The proponent should be reminded that the placement of excavated fill is subject to the requirements of the Township's Fill By-law.

Section 2.4

Section 2.4 does not provide adequate detail regarding the number of anticipated barge movements and potential impacts on ferry operations.

Section 2.5

Section 2.5 refers to a Complaint Resolution Protocol. The document does not provide adequate detail regarding the protocol.

Section 2.5 states that roads will be inspected at the end of the day at field entrances. Final Operations Plan should indicate that Windlectric will need to have a continuous program of road right of way inspections during and immediately preceding any construction activity, and any situation that could be deemed hazardous to the road user must be mitigated immediately. Protocols also need to be established to alert Loyalist Township's Public Works and Emergency Services Departments when the issue cannot be immediately brought back to a "safe" condition.

Section 2.6

The Plan should provide detail of construction parking to address concerns regarding vehicles parked on the public right of way.

Section 2.6 does not provide adequate detail regarding the role of the traffic coordinator and proposed procedures.

Section 2.6 does not provide adequate detail on how construction vehicle speed limits will be enforced.

Section 2.6 does not adequately address all types of agricultural traffic such as combines and balers, and it does not reference movement of livestock.

We suggest that the Operations Plan include a list of local cultural events, so that the impact on traffic is minimized.

Section 2.7

Section 2.7 refers to a Construction Environmental Management Plan, which has not been provided.

Section 2.8

Section 2.8 identifies potential situations that may require work outside of municipal by-laws, but does not provide adequate detail on procedures to address these situations.

Section 2.9

Section 2.9 does not adequately address measures to control noise. What is the anticipated increase in noise levels at significant receivers? How much noise will be generated by the concrete batch plant? What will the increase in noise levels be at the school?

Section 2.10

Section 2.10 does not adequately address measures to control dust. How much dust will be generated by the concrete batch plant? What will dust levels be at the school?

Section 2.10 does not provide adequate detail on proposed procedures for dust control.

Section 2.11

Section 2.11 acknowledges that there will be tree impacts but detail is limited. The proponent needs to provide more detail regarding location and extent of tree removals so that the Township and residents can be assured that all efforts to minimize this impact have been made. The Operations Plan should demonstrate where the proponent has utilized tree avoidance and the location where trees will be impacted. The plan should explain how trees are to be protected and how trees will be replaced should they need to be removed.

Section 2.12

Section 2.12 describes a vibration monitoring program for heritage features. The proponent should defend the use of a 50m buffer zone for cultural resources – have tests been conducted to confirm that this buffer is adequate?

Section 2.12 – the proponent should commit to the use of a qualified dry stone waller for repairs to dry stone walls.

Section 2.12 does not adequately address periodic inspections required by the REA.

Section 2.12 does not adequately address procedures for documenting the ferry landscape.

Section 2.12 does not adequately address procedures for mitigating impacts to the village of Stella.

Section 2.13

Section 2.13's discussion of storm water management is inadequate. The proposed development includes numerous new roads which will result in the concentration of sheet flows to road side ditches. The proponent needs to confirm adequate outlets for this new flow. Concerns related to trenching for collection systems and impacts on karst flow need to be addressed.

Section 2.13 discusses moving fencing back onto the property line. The proponent needs to identify where this will take place and what will be the impact on roadside vegetation and private property.

Section 2.14

Section 2.14 discusses mitigation of impacts due to traffic through the village of Stella. The proponent should indicate why the movement of turbines through Stella is better than the alternate route that is being used by heavy loads.

Section 2.14 does not include any discussion regarding the ferry landscape, St. Paul's Presbyterian Church, or the Catholic cemetery.

Section 2.15

Section 2.15 notes that construction traffic for island dock will use ferry at non-peak times. Non-peak times needs to be defined.

Section 2.15 does not provide adequate detail regarding the role of the coordinator and proposed procedures.

Section 3

Section 3 does not adequately address the requirement for a communications plan. A commitment to submit a plan at a future date is not satisfactory, a complete communications plan is a requirement of the Operations Plan.

Section 4

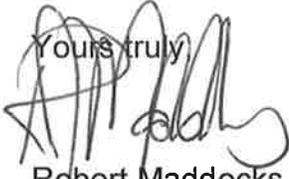
Section 4 (and schedules 08 and 09) do not adequately address the requirement for a public safety plan. A commitment to submit a plan at a future date is not satisfactory; a complete public safety plan is a requirement of the Operations Plan.

Windlectric has committed to hosting a town hall meeting to obtain public feedback on the Operations Plan. Windlectric has committed to making every reasonable effort to address reasonable and valid concerns regarding the Operations Plan arising from the town hall meeting. The Operations Plan as submitted does not contain sufficient detail to allow the public to have meaningful input.

The proponent is reminded that, at a public meeting held on Amherst Island on January 29, 2013, the proponent addressed many questions with a promise that the detail would be in the Operations Plan. The Operations Plan, as submitted, does not satisfy this commitment.

The Operations Plan is being submitted in advance of the Pre-Construction Study. The Township will require as a Condition of the final Operations Plan: "that the Proponent agree to the process whereby changes to the Operations Plan will be made as appropriate with Loyalist Township's approval, as issues may arise as related to the plan or impact of operations."

Yours truly



Robert Maddocks
Chief Administrative Officer
RM/ka

CC: Dan Fencott, G.D. Jewell Engineering
Guy Laporte, AECOM (retired)
Murray Beckel
Dave Thompson
David MacPherson
Tony Fleming, Cunningham Swan Carty Little & Bonham