

Transition Regulation- to the Planning Act

ERO #013-4265

As a precursor to my submission of comments to the proposed changes, I wish to state that my involvement as a concerned citizen in the Nation Rise Wind Project in the Municipality of North Stormont has shaped my views and strengthened my resolve to advocate for major change in regulations. When the terms UNNEEDED, UNWANTED, INEFFECTIVE, HARMFUL AND EXTREMELY COSTLY apply to any renewable energy project then citizens and municipalities must rely on protective governmental regulations.

Local citizens have been engaged in an on-going dispute with the wind proponent, Energie de Portugal (EDPR) and the Ministry of Environment for many years. I had spent endless hours reviewing documents prior to the REA process and had submitted extensive comments to the EBR- Registry 013-1674 in January, 2018. In spite of EDPR's deeply flawed submissions for approval (including lack of transparency, lack of public consultation, failure to comply with regulations, ignoring negative effects on wells and existing aquifers and MANY other issues), the REA was granted. Recently, the Environmental Review Tribunal dismissed the arguments and scientific facts brought forward by concerned citizens and professionals in opposition to the Nation Rise Project. The REA should NEVER have been granted. When human health and the very soul of a community are at stake, mediocrity in standards is not good enough.

I fail to understand why this PC Government has NOT halted proceedings in this project. A major statement in the Conservative election platform was to cancel ALL pre-construction projects. It was a commitment. Their political integrity is now questionable and they risk liability if the proposed changes allow harmful, "grandfathered" clauses to be passed. Politicians cannot continue to ignore mounting evidence of health concerns and the negative impact on the environment, as a result of industrial wind farms. In my view, a complete moratorium should be issued on all new applications for renewable energy, as well as those applications under present review (including Nation Rise Project). This would allow for extensive and much-needed research and a complete cost analysis of the projects under review.

That being said, I respect the efforts to repeal the Green Energy Act and appreciate the opportunity to submit my comments as follows:

Note: Municipal and North Stormont input is critical in regards to the definition of, and applicability of 'in-process' to Nation Rise as this ERO is applicable to "operational and in-process" renewable energy undertakings.

A- New Regulation under the Planning Act:

Note: Despite its repeal by the GERA, section 62.0.2 of the Planning Act would continue to apply to many renewable energy undertakings. This new proposed regulation grandfathers all "in process" and "existing" wind projects under the Old Green Energy Act. The Nation Rise Project is "in process" (one of two remaining LRP1 projects in Ontario. All others have been cancelled.) This proposed regulation would allow Nation Rise to continue as it is "in process" despite being pre-construction status.

- The PC government election platform promised to cancel all-preconstruction projects. It was a commitment. To do otherwise would both expose their political integrity to the level of that of the former government and also risk human and livestock health thereby exposing themselves to liability from knowingly harmful grandfathered but outdated noise regulations from 2008.
- Problems with turbines also need to be addressed by aggressive enforcement of existing approvals and regulations by the Ministry of the Environment, Conservation and Parks. Stop orders should be issued against all turbines generating adverse effects for residents. Acknowledgement of sub-sound or infrasound effects must be considered. Night time noise needs to have a hard limit – no averaging over time or flexibility based on wind speed.
- This must be supported with measurements, tools, standards and technology to adequately address residents' complaints including low frequency and infrasound.
- No new or in-process projects must be allowed until verifiable controls are in place.
- The MECP must establish tools, training and protocols to measure and assess low frequency and infrasound impacts especially within homes asap in order to help resolve outstanding complaints of in operation projects.
- No new construction can be allowed to proceed before the tools, training, and protocols are established and proven effective by resolving in-operation complaints.
- Resolving complaints expeditiously must be a condition of an annual license to operate for existing projects and a standard condition of all future contracts.
- Problems with turbines also need to be addressed by aggressive enforcement of existing approval conditions and regulations by the Ministry of the Environment, Conservation and Parks (MECP)

- Stop orders must be issued against all non-compliant turbines whether triggered by periodic but random measurement by the MECP or if generating complaint due to adverse effects for residents.
- In the case of recently approved projects, the revised Wind Turbine Noise Guidelines must reflect the most current Canadian and International standards – IEC/CSA 61400-11, 2013 rather than allowing the option to use the outdated 2008 Wind Turbine noise guidelines, to protect human health & the natural environment.
- Municipal by-laws must apply to any expansion of scope, location or upgrading or replacement of turbine components or repowering as well as any construction of roadways, access ways or transport of materials needed for any purpose, including routine maintenance or repairs.
- Any expansion must consider then current noise, environmental and setback requirements with current applicability of O:reg 359/09