



# CONSULTATION REPORT

## *Windsor Solar Project*

---

February 2015

*Table of Contents*

	<b>Page</b>
1. Introduction .....	1
2. The Proponent .....	3
3. Project Location .....	4
4. Overview of consultation process.....	6
4.1 Whom to Consult .....	7
4.2 Consultation Objectives .....	8
4.3 Summary of Consultation Activities to Date .....	9
5. Public Consultation .....	13
5.1 Identification of Landowners .....	13
5.2 Notification .....	13
5.3 Document Releases .....	13
5.4 Media Reports.....	14
5.5 Public Meetings.....	14
5.6 Summary of Communications Received .....	15
5.7 Alterations to the Project Proposal or Draft Documents .....	16
6. Aboriginal Consultation .....	17
6.1 MOECC Director’s Aboriginal Contact List .....	17
6.2 Notification, Requests for Information and Document Releases .....	17
6.3 Public Meetings.....	18
6.4 Summary of Communications.....	18
6.5 Alterations to the Project Proposal or Draft Documents .....	18
7. Municipal Consultation .....	19
7.1 Notification and Document Release .....	19
7.2 Municipal Consultation Form .....	19
7.3 Public Meetings.....	19
7.4 Your Quick Gateway (Windsor) Inc.....	19

7.5	Summary of Communications.....	20
7.6	Alterations to the Project Proposal or Draft Documents .....	20
8.	Agency Consultation .....	21
8.1	Notification .....	21
8.2	Consultation with the Ministry of the Environment and Climate Change .....	21
8.3	Consultation with the Ministry of Natural Resources and Forestry .....	21
8.4	Consultation with the Ministry of Tourism, Culture and Sport .....	22
8.5	Consultation with Conservation Authorities .....	22
8.6	Consultation with Other Agencies .....	23
8.6.1	EnWin Utilities (Local Distribution Company) .....	23
8.6.2	Union Gas.....	23
8.6.3	Ojibway Nature Centre .....	24
8.6.4	Essex County Nature/Field Naturalists Club .....	24
8.6.5	NAV CANADA .....	24
8.6.6	Transport Canada.....	25
8.6.7	IESO/HONI.....	25
8.7	Summary of Communications.....	25
8.8	Alterations to the Project Proposal or Draft Documents .....	26
9.	Ongoing Consultation and Communication.....	27
9.1	Ongoing Stakeholder Engagement .....	27
9.2	Communication Methods, Records and Complaints Resolution Process.....	27
10.	Outstanding Concerns.....	29
11.	Conclusions .....	30

### *List of Figures*

Figure 1: General Location of the Windsor Solar Project in Ontario ..... 5  
Figure 2: Consultation Requirements for Renewable Energy Projects..... 7

### *List of Tables*

Table 1: Checklist for Requirements under O. Reg. 359/09 – Consultation Report ..... 2  
Table 2: Ontario Regulation 359/09 Prescribed Consultation Activities to Date ..... 9

### *List of Appendices*

Appendix A: Mailing List, Notices and Comment Response Table  
    Appendix A-1: Mailing Lists  
    Appendix A-2: Notices  
    Appendix A-3: Comment/Response Table  
Appendix B: Public Correspondence & Newspaper Articles  
    Appendix B-1: Public Correspondence  
    Appendix B-2: Newspaper Articles  
Appendix C: Public Meeting Materials  
    Appendix C-1: Public Meeting #1  
    Appendix C-2: Public Meeting #2  
Appendix D: Aboriginal Correspondence  
    Appendix D-1: Aamjiwnaang First Nation  
    Appendix D-2: Bkejwanong Territory – Walpole Island First Nation  
    Appendix D-3: Caldwell First Nation  
    Appendix D-4: Oneida Nation of the Thames  
    Appendix D-5: Executive Summary Report  
    Appendix D-6: Aboriginal Summary of Correspondence Table  
Appendix E: Municipal Correspondence

Appendix F: Agency Correspondence

Appendix F-1: Ministry of Environment and Climate Change

Appendix F-2: Ministry of Natural Resources and Forestry

Appendix F-3: Ministry of Tourism, Culture and Sport

Appendix F-4: Essex Region Conservation Authority

Appendix F-5: Union Gas

Appendix F-6: NAV CANADA

Appendix F-7: Your Quick Gateway (Windsor) Inc.

Appendix F-8: Transport Canada

Appendix F-9: IESO/HONI

## **1. INTRODUCTION**

Windsor Solar LP proposes to develop a solar facility with a maximum nameplate capacity of 50 megawatts alternating current (MWac), located on the Windsor International Airport property in the City of Windsor, Ontario (**Figure 1**). The Windsor International Airport is owned by the City of Windsor and operated by Your Quick Gateway (Windsor) Inc. (YQG). The renewable energy facility will be known as the Windsor Solar Project (the “Project”).

Windsor Solar LP has initiated the Project with the Independent Electricity System Operator (IESO)<sup>1</sup>. The Project will require approval under Ontario Regulation 359/09 – Renewable Energy Approval (REA) under Part V.0.1 of the *Ontario Environmental Protection Act*.

This Consultation Report has been prepared following the final public meeting (PM) and is being submitted to the Ministry of Environment and Climate Change (MOECC) as part of a complete REA submission for the Project. Other reports in the submission include:

- Project Description Report
- Construction Plan Report
- Design and Operations Report
- Decommissioning Plan Report
- Water Assessment Report and Water Body Report
- Natural Heritage Assessment (4 reports)
  - Record Review Report
  - Site Investigation Report
  - Evaluation of Significance Report
  - Environmental Impact Study Report
- Stage 1-2 Archaeological Assessments
- Heritage Assessment Report
- Noise Study Report

The Consultation Report is required as part of a complete REA submission to the MOECC. It provides the MOECC with information on all consultation activities conducted in respect of the renewable energy project, including a record of comments and information received by the applicant, and demonstrates how the Project was modified as a result of the comments received. The content and format of this report follows that recommended in Chapter 2 of the MOECC’s *Technical Guide to Renewable Energy Approvals* (2013) and required by the regulation as detailed in **Table 1**.

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<sup>1</sup> IESO was merged with OPA as of 1<sup>st</sup> of January, 2015.

Table 1: Checklist for Requirements under O. Reg. 359/09 – Consultation Report

Required Documentation	Location in Report
<p>A summary of communication with any members of:</p> <ul style="list-style-type: none"> <li>• the public</li> <li>• aboriginal communities</li> <li>• municipalities</li> <li>• local roads boards and Local Services Boards regarding the Project.</li> </ul>	<p>Section 5</p> <p>Section 6</p> <p>Section 7</p> <p>N/A</p>
Evidence that the information required to be distributed to Aboriginal communities under subsection 17 (1) of O. Reg. 359/09 was distributed.	Section 6
Evidence that a consultation form was distributed in accordance with subsection 18 (1) of O. Reg. 359/09.	Section 7
The consultation form distributed under subsection 18 (1) of O. Reg. 359/09, if any part of it has been completed by a municipality, local roads board or Local Services Board.	Section 7
<p>A description of whether and how,</p> <p>a) comments from members of the public, aboriginal communities, municipalities, local roads boards and Local Services Boards were considered by the person who is engaging in the Project,</p>	Sections 5, 6 and 7
<p>b) the documents that were made available under subsection 16 (5) of O. Reg. 359/09 were amended after the final public meeting was held, and</p>	Sections 4-8
<p>c) the proposal to engage in the Project was altered in response to comments mentioned in subparagraph a.</p>	Sections 4-8

**2. THE PROPONENT**

Windsor Solar LP is coordinating and managing the approvals process for the Project. Windsor Solar LP is located at 2050 Derry Road West 2<sup>nd</sup> Floor, Mississauga, ON, L5N 0B9 (1-866-236-5040). Dillon Consulting Limited (Dillon) has been retained by Windsor Solar LP to prepare the REA application for the Project. The contact at Dillon is:

<b>Full Name of Company:</b>	<i>Dillon Consulting Limited</i>
<b>Prime Contact:</b>	<i>Michael Enright, Project Manager</i>
<b>Address:</b>	<i>1155 North Service Road West, Unit 14, Oakville, Ontario, L6M 3E3</i>
<b>Telephone:</b>	<i>(905) 901-2912 ext. 3401</i>
<b>Fax:</b>	<i>(905) 901-2918</i>
<b>Email:</b>	<a href="mailto:menright@dillon.ca"><i>menright@dillon.ca</i></a>

### 3. PROJECT LOCATION

The proposed Class 3 Solar Facility is to be located within the YQG, Windsor International Airport property, in the City of Windsor. The overall optioned lands available for development consist of approximately 175 hectares (432 acres) and the proposed Project Location is generally bounded by Rhodes Drive to the north, Division Road to the south, Lauzon Parkway to the east, and Walker Road to the west. Of the optioned lands, approximately 128.3 hectares (317 acres) will be occupied by components to make up the “Project”. The geographic coordinates of the centroid of the proposed Project Location are as follows:

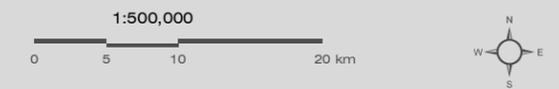
- Latitude: 42° 16' 43.07" N
- Longitude: 82° 56' 9.56" W

**Figure 1** shows the general location of the Project in Southwestern Ontario. The Project Location is defined in Ontario Regulation 359/09 to be “a part of land and all or part of any building or structure in, on or over which a person is engaging in or proposes to engage in the Project”. Information on the Project Location and facility components is found in the *Design and Operations Report*.



**WINDSOR SOLAR PROJECT**

**FIGURE 1  
GENERAL PROJECT LOCATION**



MAP DRAWING INFORMATION:  
DATA PROVIDED BY MNR

MAP CREATED BY: GM  
MAP CHECKED BY: MB  
MAP PROJECTION: NAD 1983 UTM Zone 17N

FILE LOCATION: I:\GIS\149152 - Samsung Windsor\mxd\PDR



PROJECT: 149152  
STATUS: DRAFT  
DATE: 9/22/2014

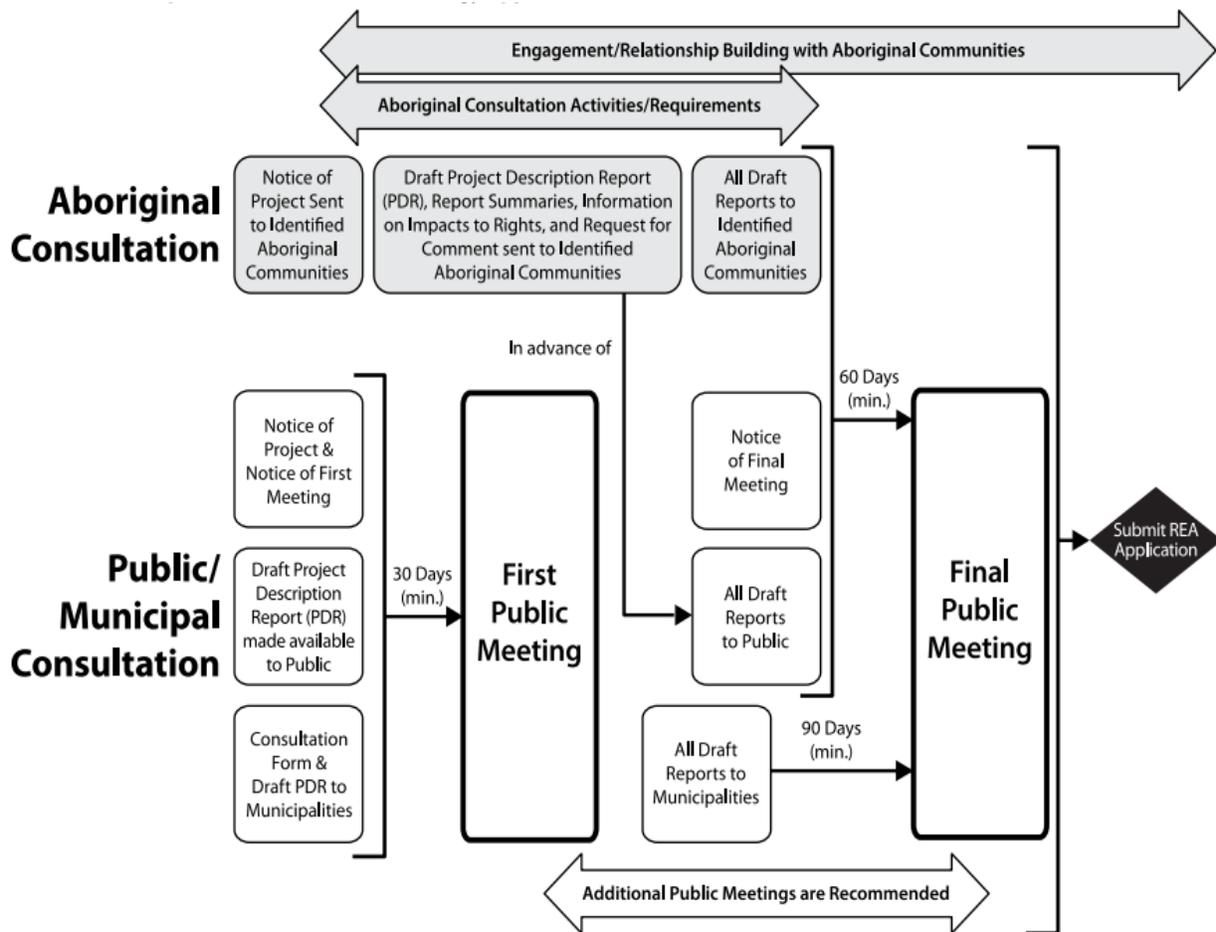
#### **4. OVERVIEW OF CONSULTATION PROCESS**

This Consultation Report details the formal consultation program for the Project which was initiated in May, 2014 with the distribution of the draft Project Description Report and publication of a combined Notice of Proposal and Notice of First Public Meeting. The formal consultation program is expected to conclude with publication of a notice informing the public that the REA application has been accepted for technical review by the MOECC. This report documents how consultation activities were undertaken and provides a record of the comments and information received by the applicant through consultation. The report also documents how comments were considered and whether and how the Project was modified as a result of comments received.

Stakeholder consultation has been a central component of this Project since its inception. The applicant has provided opportunities for information sharing and stakeholder feedback throughout the course of the Project. Ongoing consultation activities and Project communications are planned throughout the proposed construction and operations stages as necessary and are outline in **Section 9** of this report.

The following sections describe the key consultation activities that have been undertaken to date. Comments from the general public, landowners, Aboriginal communities, the City of Windsor, YQG, local authorities and agencies have been identified and addressed and are identified in the appendices. The REA consultation process is illustrated in **Figure 2**.

Figure 2: Consultation Requirements for Renewable Energy Projects



#### 4.1 Whom to Consult

Mandatory consultation activities are primarily outlined in Sections 14-18 of *Ontario Regulation 359/09* and include Project notification, release of draft documents and public meetings. Consultation activities for solar facilities are prescribed for:

- Aboriginal communities that, in the opinion of the Director of the MOECC, have or may have constitutionally protected Aboriginal or treaty rights that may be adversely impacted by the Project or otherwise may be interested in any negative environmental effects of the Project
- Assessed owners of land:
  - abutting a parcel of land on which the Project Location is situated; and/or
  - within 120 metres of the Project Location

- Clerks of each local municipality and upper-tier municipality in which the Project Location is situated
- Secretary-treasurers of each Local Roads Board of a local roads area in which the Project Location is situated (only if the Project is within an unorganized territory)
- Secretaries of each Local Services Board of a board area in which the Project Location is situated (only if the Project is within an unorganized territory)
- Secretary-treasurers of planning boards that have jurisdiction in an area in which the Project Location is situated
- The Chair of the Niagara Escarpment Commission, if the Project Location is in the area of the Niagara Escarpment Plan
- The Director of the MOECC
- The MOECC District Manager in each district in which the Project Location is situated
- The Secretary of every company operating an oil or natural gas pipeline, if a pipeline right of way for the pipeline is located within 200 metres of the Project Location.

The Project Location does not fall within the area of the Niagara Escarpment Plan and is not situated in unorganized territory. Thus, consultation did not take place with the Niagara Escarpment Commission or Local Road, Services or Planning Boards.

To enhance consultation beyond what is required through the regulation, the *Technical Guide to Renewable Energy Approvals* (Chapter 2), recommends consulting with other members of the public who may have an interest in the Project. These could include landowners in the vicinity of the Project Location, local interest groups, businesses and others who may be affected by the Project. Also recommended is notification and consultation with relevant agencies and local conservation authorities. The Ministry of Natural Resources and Forestry (MNRF), Ministry of Tourism, Culture and Sport (MTCS), Essex Region Conservation Authority (ERCA), YQG, NAV CANADA Transport Canada and EnWin Utilities were consulted as part of this Project.

## **4.2 Consultation Objectives**

Consultation is a two-way exchange of information between renewable energy project applicants and interested or potentially affected local groups, Aboriginal communities, members of the public as well as municipalities, agencies and other interested parties. Consultation helps ensure that concerns are identified early and, where possible, addressed as the Project progresses. Consultation also enables applicants to obtain and use local knowledge in their project designs/plans and in the assessment of any potential negative environmental effects.

The goals of the Project consultation process were:

- To ensure that relevant information about the renewable energy project proposed to be developed is provided to the relevant Aboriginal communities, members of the public and municipalities
- To obtain/identify relevant information/local knowledge from the community, the City of Windsor and Aboriginal communities
- To identify concerns that may arise from the proposed Project
- To address concerns by way of provided additional information, explanation, changing project design or making commitments in response to input received.

### 4.3 Summary of Consultation Activities to Date

Consultation activities prescribed by Ontario Regulation 359/09 were completed by Windsor Solar LP and are summarized in **Table 2**, which provides the name of the activity, dates on which the activity took place (and thus evidence that prescribed timelines were met), and a description of the activity conducted. For brevity the first public meeting is referred to as PM1 and the second public meeting as PM2. Information in this table is referenced in **Sections 5 to 7** of this report. Correspondence from stakeholders is not included in the table but is summarized in the sections that follow and in the appendices.

Table 2: Ontario Regulation 359/09 Prescribed Consultation Activities to Date

Activity	Timing	Description
Advertising in the local newspaper ( <i>The Windsor Star</i> )	May 27, 2014 (30 days prior to PM1)	Combined <i>First Notice of a Proposal and First Notice of First Public Meeting</i>
	June 11, 2014 (15 days prior to PM1)	Combined <i>Second Notice of a Proposal and Second Notice of First Public Meeting</i>
	November 28, 2014 (61 days prior to PM2)	Combined <i>Notice of Draft REA Documents Release and First Notice of Second Public Meeting</i>
	January 15, 2015 (2 weeks prior to PM2)	Combined <i>Notice of Draft REA Documents Release and Second Notice of Second Public Meeting</i>
	TBD (within 10 days of EBR posting)	<i>Notice of MOECC Review and EBR Posting</i>

Activity	Timing	Description
Advertising in Aboriginal Newspaper(s)	N/A	N/A
Landowner Mailings	May 27, 2014 (30 days prior to PM1)	Letter <sup>2</sup> to adjacent landowners with combined <i>Notice of Proposal and Notice of First Public Meeting</i>
	November 26, 2014 (63 days prior to PM2)	Letter of update with combined <i>Notice of Draft REA Documents Release and First Notice of Second Public Meeting</i>
Document Releases to the Public	May 26, 2014 (31 days prior to PM1)	<i>Project Description Report (PDR)</i> - made available in hard copy at the City of Windsor Clerk's Office and electronically on the Project website.
	November 26, 2014 (63 days prior to PM2)	Draft REA Documents – made available in hard copy at the City's Clerk's Office and electronically on the Project website.
Public Meetings	June 26, 2014	First Public Meeting (PM1)
	January 29, 2015	Second Public Meeting (PM2)
Aboriginal Correspondence	May 26, 2014 (31 days prior to PM1)	Introductory letter, combined <i>Notice of Proposal and Notice of First Public Meeting</i> and a copy of the draft PDR couriered to: <ul style="list-style-type: none"> <li>• Aamjiwnaang First Nation, Sarnia 45</li> <li>• Caldwell First Nation</li> <li>• Oneida Nation of the Thames, Oneida 41</li> <li>• Walpole Island First Nation, Walpole Island 46, Bkejwanong Territory</li> </ul>
	November 25, 2014 (64 days prior to PM2)	Status update letter with combined <i>Notice of Draft REA Documents Release and Notice of Second Public Meeting</i> to all of the above-listed Aboriginal groups with a summary of the draft REA documents and hard copies of draft

<sup>2</sup> All letters and documents referenced in this table were sent by courier.

Activity	Timing	Description
		documents (including the MTCS comment letters).
Municipal Correspondence (City of Windsor)	May 26, 2014 (31 days prior to PM1)	Introductory letter with combined <i>Notice of a Proposal and Notice of First Public Meeting</i> , draft PDR and Municipal Consultation Form
	October 30, 2014 (91 days prior to PM2)	Letter accompanied by hard and digital copies of draft REA documents (with the MTCS comment letter) and another copy of the MCF
	November 26, 2014 (63 days prior to PM2)	Letter accompanied by the combined <i>Notice of Draft REA Documents Release and Notice of Second Public Meeting</i> and MTCS comment letter for archaeology. A binder containing all draft documents for public viewing was also provided, with a request to make it available in the clerk's office for public viewing.
Agency Correspondence (MOECC Director and MOECC District Manager)	May 26, 2014 (31 days prior to PM1)	Introductory letter with <i>combined Notice of a Proposal and Notice of First Public Meeting</i> accompanied by the draft PDR
	November 26, 2014 (63 days prior to PM2)	Letter and combined <i>Notice of REA Documents Release and Notice of Second Public Meeting</i>
Website ( <a href="http://www.samsungrenewableenergy.ca/windsor">www.samsungrenewableenergy.ca/windsor</a> )	As required, the following were posted to the Project website:	<p>Combined <i>First Notice of a Proposal and First Notice of First Public Meeting</i> (May 27, 2014)</p> <p>Draft <i>Project Description Report</i> (May 27, 2014)</p> <p>Combined <i>Notice of Draft REA Documents Release and Second Public Meeting</i> (November 28, 2014)</p> <p>All draft REA reports and documents (November 28, 2014)</p>
	To be determined (will be on website)	<i>Notice of MOECC Review and EBR Posting</i>

Activity	Timing	Description
	within 10 days of EBR posting)	

The proposal to engage in the Project was not altered in response to comments received from members of the public, Aboriginal communities, the City of Windsor or any other agencies. In addition, none of the documents made available under subsection 16(5) of the regulation were amended after the final public meeting was held as there were no further requests or comments from the public, adjacent landowners or the City.

## **5. PUBLIC CONSULTATION**

Ontario Regulation 350/09 Sections 15 and 16 describe mandatory public consultation activities. The following describes the consultation activities undertaken by the proponent to inform members of the public about the details of the proposed Project and to solicit their feedback and input. Where public input influenced the Project, details are provided. Public correspondence is provided in **Appendix B**. The comment/response table is provided in **Appendix A-3**.

### **5.1 Identification of Landowners**

The landowner consultation list was developed to include landowners of properties abutting the properties on which the Project Location is situated and those within 120 metres of the Project Location. Thirty-two landowners were identified fitting this criterion. The list was developed through information provided by the local land registry office and municipal tax rolls.

### **5.2 Notification**

Ontario Regulation 359/09 requires the publication and distribution of public notices to inform the public of proposed renewable energy projects and meetings. Notices, prepared and distributed in accordance with Ontario Regulation 359/09, were published in the Windsor Star, a daily newspaper with general circulation in the City of Windsor. The Notice of a Proposal was combined with the Notice of Public Meeting for the First Public Meeting, and the Notice of Draft REA Documents Release was combined with the Notice of Second Public Meeting (as allowed by Subsection 15(4) of the regulation). Both of these notices were also posted on the website. A list of notices and their publication dates is provided in **Table 2**.

A mailing list for the general public, based on interest at the public meetings and other correspondence, was maintained and updated throughout the Project. Copies of notices were mailed or emailed to those who requested that their name be added to the list and who provided addresses for communication.

### **5.3 Document Releases**

Prior to the First Public Meeting on June 26, 2014, a draft Project Description Report (PDR) was prepared and provided for public review in accordance with Subsection 15(2) of Ontario Regulation 359/09, at the following locations:

- City Hall of the City of Windsor, 350 City Hall Square West, Windsor, Ontario
- Windsor Public Library, 850 Ouellette Avenue, Windsor, ON, N9A 4M9
- Proponent's website at <http://www.samsungrenewableenergy.ca/windsor>.

The availability of the PDR was provided in the Notice of Proposal and First Public Meeting (see details in **Table 2**).

Prior to the Second Public Meeting on January 29, 2015, all draft REA documents were provided for public review in accordance with Subsection 16(5), at the same locations. The availability of these documents was provided in the combined Notice of Draft REA and Notice of Second Public Meeting mailed to members of the public on November 27, 2014. With the exception of this Consultation Report, all documents and supporting materials to be submitted in the final application to the MOECC were provided to the public in the draft release.

#### **5.4 Media Reports**

When the Project was first announced publicly in March 2014, there were a couple of media reports released. In addition, there were also several media reports after the First Public Meeting in June 2014, which summarized the information presented at the Public Meeting. These media reports are provided in **Appendix B-2**.

#### **5.5 Public Meetings**

PM1 was held on June 26, 2014 at the conference room of YQG, Windsor International Airport from 6:00pm until 8:00pm. The meeting was attended by approximately 24 people, and included members of the community and local media.

PM1 provided a forum for members of the public to learn about the Project, information to date, and to discuss their questions and concerns related to potential impacts of the Project. Display panels outlined the proposed Project Location, potential environmental concerns, the REA process, and general information about the Project and Windsor Solar LP. Representatives of Windsor Solar LP and Dillon attended to answer questions. Copies of the draft PDR and comment forms were made available to attendees.

Topics of discussion during the public meeting include general inquiries regarding construction schedule, the potential for glare from the solar panels, types of ground-cover that might be considered, and availability and requirement for construction/contracting jobs relating to the Project.

One comment sheet was filled out by a member of the public at PM1 on June 26, 2014. The comments expressed appreciation for having the opportunity to review the details of the Project and become informed about the benefits of solar energy.

Two emails were received from members of the public following the meeting and Dillon addressed a specific comment received verbally at the Public Meeting by email the following day. Specifically:

- A response was provided by email on July 3, 2014 to a lawyer representing an adjacent landowner to the east of the Project Location to a question asked at the public meeting about why the woodlot on his client's property was shown as a Provincially Significant Wetland (PSW) on the Project mapping. The email response clarified the source of the

PSW as MNRF mapping, and a brief description of processes through which the designation could be removed.

- An email was received on June 27, 2014 from an individual who attended the public meeting. A response was provided by WSLP by email on June 27, 2014 providing information on the Green Energy Investment Agreement, as he requested.
- An email was received from an individual on June 27, 2014 who was not able to attend the meeting, but inquired whether glare from the panels is being taken into consideration for pilot safety. Dillon provided a response on July 2, 2014 and received confirmation from the individual on July 3, 2014 that he was satisfied with this response.

The specific inquiries and responses are detailed in **Appendix A-3**.

PM2 was held on January 29, 2015 at Your Quick Gateway (YQG) Windsor International Airport from 6:00pm until 8:00pm. The meeting was attended by 10 people, and included members of the community and the Director of Operations from YQG.

PM2 provided a forum for members of the public to review the draft REA reports as well as to discuss their questions and concerns related to the potential impacts of the Project. Display panels summarized the details of the REA reports with an emphasis on potential negative environmental effects during the different phases of the Project, and proposed mitigation and monitoring measures. Representatives of Windsor Solar LP and Dillon attended to answer questions. Copies of the Draft REA Release documents, copies of display panels, and comment forms were made available to attendees.

1 comment sheet was filled out by a member of the public at PM2. The comments received generally expressed satisfaction with the public meeting, and responses to questions.

Several comments and questions were received verbally at PM2. To summarize, topics of discussion during the second public meeting included general inquiries regarding local job creation/opportunities for local contractors, community support/donations, potential restrictions on the use of adjacent lands, construction schedule, height of solar panels and criteria for the noise study. Specific questions and response are detailed in **Appendix A-3**.

Materials provided at the public meetings are available in **Appendix C-2**.

## **5.6 Summary of Communications Received**

In total, 2 comment sheets, 4 emails, 2 voicemail messages and several verbal comments/questions were received from members of the public between the start of the Project and the date of submission of this report to the MOECC in February, 2015.

Responses to all comments received have been summarized in the comment/response table in **Appendix A-3**. Copies of all written correspondence are provided in **Appendix B-1**.

### **5.7 Alterations to the Project Proposal or Draft Documents**

No changes to the proposal to engage in the Project or the Project design were made as a result of the public consultation process.

## **6. ABORIGINAL CONSULTATION**

Consultation with Aboriginal communities is an essential component of Windsor Solar LP's consultation program. All Aboriginal consultation activities have met the requirements of Ontario Regulation 359/09 Section 17 and were guided by the MOECC's Aboriginal Consultation Guide for Preparing a Renewable Energy Approval (REA) Application (2013). Accordingly, local Aboriginal communities identified by the MOECC for this Project were consulted throughout the progression of the Project.

The following describes the consultation activities undertaken by the proponent to inform Aboriginal communities about the details of the proposed Project and to solicit their feedback and input, especially as it relates to potentially affected Aboriginal or treaty rights. Some correspondence was received from Aboriginal communities during the consultation process and is provided in **Appendix D**. All correspondence sent by Windsor Solar LP to Aboriginal communities is also provided in **Appendix D** with the exception of MOECC correspondence relating to Aboriginal consultation, which is provided in **Appendix F-1**, but discussed below.

### **6.1 MOECC Director's Aboriginal Contact List**

On April 22, 2014, an email and draft Project Description Report were sent to the Director of the Environmental Assessment and Approvals Branch (EAAB) of the MOECC requesting information on Aboriginal communities that may have an interest in the proposed Project.

On May 23, 2014, the MOECC responded with a list of Aboriginal communities with whom WSLP should consult, including:

- Aamjiwnaang First Nation, Sarnia 45
- Caldwell First Nation
- Oneida Nation of the Thames, Oneida 41
- Walpole Island First Nation, Walpole Island 46, Bkejwanong Territory

### **6.2 Notification, Requests for Information and Document Releases**

As per Sections 15 and 17 of Ontario Regulation 359/09, copies of the notices and documents listed in **Table 2** were provided to Aboriginal communities. Paper copies of all draft REA documents were accompanied by a summary of each report.

Please see the Summary of Draft REA Reports submitted under separate cover as part of the complete REA Application Package.

Requests were made in each letter mailed for Aboriginal communities to notify Windsor Solar LP of any opportunities to publish notices in Aboriginal community newspapers but no responses were received and no such publications occurred. In addition, in accordance with subsection 17(1) of the regulation, each letter made a request for information that should be considered in

the planning of the Project. Specifically, a request was made to each Aboriginal community asking for any information they may have regarding any potential adverse impacts of the Project on constitutionally protected Aboriginal or treaty rights and recommendations for measures to mitigate these adverse impacts. Also, any information regarding potential negative environmental impacts or impacts on the community, and how these could be avoided, minimized and/or mitigated was also requested. Follow up phone calls were made to each First Nation after the mailing of the PDR and the Draft Release to confirm receipt of the documents.

### **6.3 Public Meetings**

PM1 and PM2 were not attended by any Aboriginal community members who registered on the sign-in sheet. No formal comment sheets were filled out by members of Aboriginal communities at the public meetings.

### **6.4 Summary of Communications**

A complete summary of all Aboriginal communications is provided in **Appendix D-6**.

### **6.5 Alterations to the Project Proposal or Draft Documents**

No changes to the proposal to engage in the Project or the Project design were made as a result of the consultation with Aboriginal communities. As required under subsection 16 (5) of Ontario Regulation 359/09, copies of all draft documents were made available to Aboriginal communities. No comments were received, and as a result, no revisions were made to the documents after the final public meeting (PM2). Copies of relevant correspondence with Aboriginal communities are provided in **Appendix D**.

## **7. MUNICIPAL CONSULTATION**

Local municipalities have a unique understanding of project feasibility issues related to infrastructure and servicing. This section details consultation activities undertaken by the proponent with local municipalities. For this particular project, all of the lands forming the Project Location are owned by the local municipality, the City of Windsor, and being leased to Windsor Solar LP. All municipal correspondence can be found in **Appendix E**.

### **7.1 Notification and Document Release**

As per the regulation, copies of notices listed in **Table 2** were provided to the City of Windsor and YQG which is owned by the City of Windsor. They were combined with the required mailings for document releases and the Municipal Consultation Form.

### **7.2 Municipal Consultation Form**

As per the requirements of Section 18 of Ontario Regulation 359/09, copies of the Municipal Consultation Form were provided to the City of Windsor as required and described in **Table 1 and 2**. Evidence of the distribution of the Municipal Consultation Form and other correspondence has been included in **Appendix E**.

At the time of writing of this Consultation Report, the completed Municipal Consultation Form was not yet received from the City. However, all meetings and discussions with the City regarding the Project to date have been very positive and supportive. It is anticipated that the completed Municipal Consultation Form will be received shortly. When received, the completed Municipal Consultation Form will be provided to the MOECC. Summaries of the various meetings with the City and YQG are provided in **Appendix A-3**.

### **7.3 Public Meetings**

PM1 and PM2 were attended by the Director of Operations of YQG. No formal comment sheets were filled out by members of the City at the public meetings.

### **7.4 Your Quick Gateway (Windsor) Inc.**

The Windsor International Airport is owned by the City of Windsor and operated by YQG. Windsor Solar LP proposes to construct the solar facility on the YQG Windsor International Airport property. Therefore, an introductory meeting was held with YQG on April 22, 2014 at the very outset of the Project and YQG has been consulted with throughout the project regarding project access for field studies and with regard to input on airport operations and safety, so that these considerations could be factored into the preliminary design and layout. At the initial meeting, YQG explained their Facility Alterations Permit (FAP) land use screening process and that they eventually will submit the FAP to Transport Canada for final review and approval of the land use change. YQG noted that they are not authorized to screen for any

potential impacts to air navigation systems and advised WSLP to contact NAV CANADA directly. Appropriate contacts at NAV CANADA and Transport Canada were provided by YQG. . Copies of project notices and draft documents were also provided to YQG at the same time as municipal releases. YQG is in the process of undertaking their final FAP review. When complete, YQG will submit the FAP to Civil Aviation Services Ontario (CASO) through the Transport Canada website for final approval.

## **7.5 Summary of Communications**

Ongoing consultation has occurred with YQG and other City representatives, including the former Mayor and newly elected Mayor, since the outset of the Project.

A meeting took place on November 26, 2014 with the newly elected Mayor of the City of Windsor, a legal representative for the Mayor, and WSLP/Dillon representatives. The purpose of the meeting was to provide a general overview of the Project and REA process to the Mayor. The attendees discussed the current state of the Project, findings and summaries of the REA Reports, and consultation activities pertinent to aviation safety. The Mayor is supportive of the Project.

Subsequently, a meeting was held on January 26, 2015 with various members of the City of Windsor and YQG Administration. The purpose was to review the Project in general and to discuss any comments and/or questions the City had as a result of their review of the Draft REA Reports.

## **7.6 Alterations to the Project Proposal or Draft Documents**

No changes to the proposal to engage in the Project or to the REA documents after the final public meeting (PM2) as a result of the municipal consultation process.

## **8. AGENCY CONSULTATION**

As part of the consultation process, proponents of renewable energy projects are required to consult with government and other agencies (e.g., MOECC; conservation authorities). This section details the consultation activities undertaken with these groups. All correspondence with agencies is provided in **Appendix F**.

### **8.1 Notification**

As per subsection 15(5) of Ontario Regulation 359/09 copies of the required notices listed in **Table 2** were provided to the MOECC District Manager and MOECC Director on the dates listed.

### **8.2 Consultation with the Ministry of the Environment and Climate Change**

Consultation with the MOECC outside of the required mailings (see Table 2) consisted primarily of an introductory “pre-consultation” meeting on April 24, 2014 to discuss the Project and discussions about the protection of groundwater.

### **8.3 Consultation with the Ministry of Natural Resources and Forestry**

As outlined in Section 28(1) of Ontario Regulation 359/09, proponents are required to consult with the MNRF in order to receive confirmation on each of the reports that are required to be submitted (i.e. those comprising the Natural Heritage Assessment).

An introductory letter requesting information from the MNRF for the records review was sent on April 30, 2014. Subsequently, a meeting was held with representatives from the MNRF, Dillon Consulting and Windsor Solar LP, on May 22, 2014. Discussion items at the meeting included an introduction to the Project; background data review; the NHA process and requirements; Species at Risk; and survey and scheduling. Meeting minutes have been provided in **Appendix F-3**.

On May 27, 2014, an email with the Notice of a Proposal to Engage in a Renewable Energy Project and Notice of First Public Meeting and draft PDR was sent to the Acting NHA Lead.

Draft versions of the NHA reports were provided to MNRF for comment. The comments received were incorporated and final NHA, which was submitted to the MNRF on October 29, 2014 and a confirmation letter, was received from MNRF on October 31, 2014. Following this, minor layout changes as a result of consultation with NAV CANADA required the updating of the NHA report mapping. The revised layout figures and NHA Reporting were provided to MNRF and an email confirming satisfaction with the revisions was received from MNRF on November 27, 2014.

#### **8.4 Consultation with the Ministry of Tourism, Culture and Sport**

As per the requirements of Sections 19-23 of Ontario Regulation 359/09, proponents must consider protected properties, and archaeological and heritage resources. Consultation with the Ministry of Tourism, Culture and Sport (MTCS) is undertaken for Archaeological Assessments and full Cultural Heritage Assessments, as required.

A Stage 1 Archaeological Assessment (AA) was conducted in May, 2014. A comment letter was received on July 11, 2014 from the MTCS which confirms the Stage 1 AA has been entered into the Ontario Public Register of Archaeological Reports. A Stage 2 Archaeological Assessment was conducted in June 2014. A comment letter was received on September 5, 2014 from the MTCS which confirms that the Stage 2 AA has been reviewed, and the MTCS is satisfied that the report is consistent with the guidelines, and has been entered into the Ontario Public Register of Archaeological Reports.

A Heritage Assessment was completed for the Project during June and July of 2014. The assessment identified three potential heritage resources within the Heritage Assessment Area but outside the Project Location. A comment letter was received on October 6, 2014 from the MTCS confirming that the heritage assessment process and reporting are consistent with requirements established in Section 23 of Ontario Regulation 350/09 and that the ministry is satisfied with the assessment.

#### **8.5 Consultation with Conservation Authorities**

As outlined in Section 5.1, Chapter 1 of the *Ministry of Environment's Technical Guide to Renewable Energy Approvals*, proponents are encouraged to consult with local conservation authorities to determine if there are natural hazard lands in the vicinity of the Project Location, and to determine if any changes to the Project may be required. Details of consultation with the conservation authority having jurisdiction over the Project Location are discussed below.

A meeting took place with the Essex Region Conservation Authority (ERCA) and representatives of Dillon Consulting on May 22, 2014. The key items discussed at the meeting included the presence of woodlots/wetlands; municipal drains; and run-off and sedimentation. No specific action items were developed as a result of the meeting, but dialogue was to continue with ERCA throughout the process. Minutes of the meeting were discussed with ERCA and approved, and can be found in **Appendix F-4**.

On May 27, 2014, an email with the Notice of a Proposal to Engage in a Renewable Energy Project and Notice of First Public Meeting and draft PDR was sent to the following ERCA personnel:

- General Manager
- Director, Watershed Management Services

A letter was received from a Watershed Planner at ERCA on June 26, 2014 providing comments from an initial review of the draft Project Description Report from May 2014. The letter provided comments related to the Natural Heritage features and mapping within the report. A teleconference took place on July 8, 2014 with representatives from ERCA and Dillon Consulting. The key items discussed on the call included the Rivard Drain alignment; 100 year flood plain, and stormwater management. Meeting minutes and comments received can be found in **Appendix F-4**.

In addition, through subsequent discussions with ERCA, an Application for Technical Review of the Preliminary Stormwater Management Report was made on January 29, 2015. ERCA will eventually require a formal permit application during the detailed design stage since a portion of the property is within the regulated Floodplain area. A formal permit is required during the detailed design stage once a final grading plan and stormwater management plan is prepared and finalized. ERCA suggested the permitting process would probably be more seamless if they also did a formal review of the Preliminary SWM report and they can provide any additional comments to aid in the detailed design and eventual permit process. It was noted that it would also make sense to request the City/YQG to procedurally abandon the Rivard Drain as a Municipal Drain under the *Drainage Act*, since the City is now the only landowner assessed into the Rivard Drain.

## **8.6 Consultation with Other Agencies**

Additional governmental and non-governmental agencies were consulted as part of this project as discussed below.

### **8.6.1 EnWin Utilities (Local Distribution Company)**

EnWin Utilities has a distribution line, which runs along the north side of the Project Location and specifically through the substation yard area. Two options were discussed with EnWin regarding the distribution line. The first option would be to physically re-route the distribution line around the substation yard and the second option would be to revise the orientation of the substation and to design the tap line from substation to the HONI Transmission Line to go over the distribution line with the required clearances. Windsor Solar LP has decided to proceed with second option.

### **8.6.2 Union Gas**

On November 11, 2014, email correspondence was received from Union Gas requesting that prior to construction, a set of forms be completed outlining the construction equipment that will be used on site to assess any potential impacts to their pipeline, which is located north of the Project Location in the HONI transmission line corridor. Union Gas was also specifically notified and provided the Notice of Proposal to Engage and Notice of the Draft REA Release. Email correspondence with Union Gas can be found in **Appendix F-5**.

### **8.6.3 Ojibway Nature Centre**

The Ojibway Nature Centre was contacted by telephone on May 30, 2014 to request species records for the Project Area. During the telephone conversation, a referral was made to a local Naturalists Club to be contacted for species records information.

### **8.6.4 Essex County Nature/Field Naturalists Club**

An email was sent the Essex County Nature/Field Naturalists Club (ECFNC) to open discussion with regards to sensitive natural species in addition to those identified through the records review. An email was received on June 6, 2014 providing an additional contact person to obtain the relevant information. Email communication occurred, and on June 17, 2014 an email was received from the contact providing a list of species.

### **8.6.5 NAV CANADA**

NAV CANADA was originally contacted in June of 2014 to determine the appropriate timing and information requirements required for their Land Use Program review. An email was received from a NAV CANADA Land Use Specialist noting that NAV CANADA could undertake a preliminary review of the Project details and that a file number had been created for the Project. In response, Dillon supplied the requested Land Use Program submission form and other information, including the initial preliminary project layout, through email on July 9, 2014.

A letter was received on July 22, 2014 following agency review of the proposal, to identify possible impacts on airport navigation system and/or installations. The letter notes an understanding of the preliminary nature of the Project, and indicates processes for future consultation. Subsequently, on September 5, 2014, Dillon Consulting supplied updated project documents to NAV CANADA as a follow-up to comments received.

Email and telephone correspondence occurred intermittently beginning with September 11, 2014, culminating with the transmission from NAV Canada of a comment letter received on November 4, 2014 noting their concern that project components could have a negative impact to the Windsor Transmission Source Locator (TSL) equipment. The TSL is a communication receiver (radio direction finder) that is designed to find and display the direction of incoming transmissions. When pilots talk to air traffic control, the transmission is received by the TSL antenna. The TSL equipment processes the signal and provides air traffic control with a compass bearing indicating the direction to the location of the aircraft. The solar facility's structures may provide a potential challenge and NAV CANADA considers that a small risk setback would be 500m for the TSL equipment from any solar facility components.

Subsequently, a conference call was conducted on November 10, 2014 with representatives from NAV CANADA, Windsor Solar LP and Dillon Consulting. At a conference call, NAV CANADA confirmed that the TSL equipment could be relocated to a more suitable location, far enough

away from project components that could potentially cause communication interference issues. Next steps were discussed. Meeting minutes can be found in **Appendix F-6**.

On December 8, 2015, an Engineering Agreement was executed between WSLP and NAV CANADA to validate NAV CANADA's site visit to YQG to determine a suitable relocation site for the TSL equipment. In accordance with executed Engineering Agreement with NAV CANADA, associated costs for the site visit in regards to the TSL relocation are agreed to be reimbursed by WSLP.

On December 15, 2015, a site-visit meeting between NAV CANADA Engineering, YQG personnel Windsor Solar LP and Dillon Consulting was held at YQG to review and go over potential TSL relocation sites. Based on the site-visit and NAV CANADA's review and analysis, on December 24, 2015 NAV CANADA issued an email to YQG confirming that the TSL could be relocated to a more suitable location further away from the proposed Project. The next step in the process is that NAV CANADA will complete a formal Statement of Work and enter into an agreement with Windsor Solar LP for the TSL Relocation, which would occur during the summer of 2015. NAV CANADA has not raised any other concerns with regard to the Project. Email correspondence with NAV CANADA can be found in **Appendix F-6**.

#### ***8.6.6 Transport Canada***

An email was received from CASO (Transport Canada) on November 5, 2014, indicating that Aeronautical Assessment Forms are required for the Project and require submission at least 90 days ahead of the planned construction date. This should be completed during the detailed design stage when specific construction details and equipment are confirmed. In addition, it was confirmed with CASO that YQG should first complete the final FAP screening and, when complete, YQG will submit the FAP to CASO for final review and approval. Email correspondence with Transport Canada can be found in **Appendix F-8**.

#### ***8.6.7 IESO/HONI***

Consultation has occurred throughout the duration of the Project with the IESO and HONI with regard to the SIA/CIA Application. On February 9, 2015, IESO and HONI issued the final SIA/CIA reports, as well as the IESO Notification of Conditional Approval for Connection for the Windsor Solar Project. Email correspondence with IESO and HONI can be found in **Appendix F-9**.

### **8.7 Summary of Communications**

To summarize, ongoing consultation has occurred since the outset of the Project with various Federal Ministries and agencies, Provincial Ministries and agencies, Essex Region Conservation Authority, utility companies and other non-governmental agencies.

### **8.8 Alterations to the Project Proposal or Draft Documents**

Minor alterations to the site layout were made based on information received from NAV Canada on July 22, 2014 and November 10, 2014. NAV CANADA provided height restriction limits for the communication tower at the airport lands. Based on this information, the communication tower height was revised from a 100ft maximum height to 90ft. The final height will be determined in the detailed design stage by the EPC contractor. Based upon NAV CANADA's confirmation on the relocation of the TSL equipment, minor alterations to the site layout were also made. In addition, based on discussions with EnWin Utilities, the orientation of the proposed substation was also revised slightly. These layout revisions were all made before the Draft REA Release of the documents.

## **9. ONGOING CONSULTATION AND COMMUNICATION**

While the majority of stakeholder consultation was undertaken during the REA process, Windsor Solar LP is committed to maintaining communication with interested stakeholders over the Project's lifecycle. This section describes ongoing consultation and communication efforts.

### **9.1 Ongoing Stakeholder Engagement**

Public consultation and stakeholder engagement activities are welcome and will continue throughout the life of the Project. Information will be mailed to stakeholders as necessary. During the construction and operations phases of the Project, a sign will be erected at the gate of the facility which will include the appropriate contact information, including telephone number, email and mailing address should the public have any questions, concerns or complaints.

The following consultation activities are up-coming:

- final copies of REA documents posted on the Project website.
- notice announcing application to MOECC and posting on EBR.
- responses to communications received from the public throughout MOECC technical review.
- announcement on the Project website when the MOECC review is complete and the IESO Notice to Proceed has been issued.
- notices announcing construction dates and any traffic disruptions.
- ongoing liaison with public.

### **9.2 Communication Methods, Records and Complaints Resolution Process**

Correspondence received by Windsor Solar LP has been recorded in an electronic file and/or log book. If correspondence is received after the final REA submission to the MOECC, and during the six month review period, it will be recorded and filed. If the correspondence requires a response, this will be provided in a timely fashion and the response will be recorded.

Complaints and other communications received during the construction, operations, maintenance and decommissioning phases will be recorded in an electronic file and/or log book and will include the following:

- Time and date of communication
- Type of inquiry/comment/complaint
- Name and contact information of the person(s)
- Response and date of response

- Any follow-up issues.

A record will be kept for all complaints, including: the history of the complaint resolution process that was followed and all actions taken to remediate the cause of the complaint. Where appropriate, steps will be taken to prevent reoccurrence of similar complaints in the future and this information will also be recorded. Where relevant, the Ministry's Spills Action Centre will be notified of the complaint at 1 800-268-6060.

## **10. OUTSTANDING CONCERNS**

Based on the consultation activities described in this report, Windsor Solar LP has not identified any outstanding concerns related to the Project.

## **11. CONCLUSIONS**

Windsor Solar LP's consultation program has met the requirements as set out by Ontario Regulation 359/09 and has been characterized by open communication with the general public, landowners, Aboriginal communities, the City of Windsor, government and other agencies. Through notices, mailings, a project website, public meetings and other consultation activities, Windsor Solar LP has listened and responded to stakeholder concerns. Comments and/or concerns were adequately resolved through consultation with the applicable parties and addressed in the REA reports.

Windsor Solar LP is committed to ongoing communication with interested stakeholders.