

Algonquin Power Co.

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February 12, 2015

Ms. Sarah Paul
Director
Environmental Approvals Branch
Ministry of the Environment and Climate Change
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

Attention: Ms. Sarah Paul, Director, Environmental Approvals Branch

Reference: Amherst Island Wind Energy Project (“Project”)
MOE reference # 1271-96VNH3

Dear Ms. Paul;

Algonquin Power (on behalf of Windlectric Inc.) is developing the Amherst Island Wind Energy Project (the Project), a proposed 75MW wind energy project on Amherst Island, located within Loyalist Township in the County of Lennox and Addington in eastern Ontario. As discussed with the Ministry of Environment and Climate Change (MOECC), Algonquin Power is considering a modification to the REA application for the Amherst Island Wind Project, which is described further below. We are writing to seek confirmation from the MOECC that this change would be assessed and processed as an Administrative Change under the MOECC’s Technical Guide to Renewable Energy Approvals.

The purpose of the proposed modification is to clarify the description of the permitting requirements applicable to the temporary concrete batch plant that will be used in the construction of the Project. A third party mobile batch plant supplier and operator will be hired to supply and operate the necessary equipment. This operator will have an existing provincial authorization (an Environmental Compliance Approval (ECA)). In clarifying this arrangement, this modification has no bearing on the environmental effects of the Project or the associated mitigation measures, and will not result in any physical change in the design, construction or operation of the project.

Description of Proposed Modification

As described in the original REA application, a temporary concrete batch plant will be used to produce the concrete for the construction of the Project, primarily for the construction of turbine foundations. As such, as indicated in Section 4.1 of Project Description Report in the original REA application, the batch plant is one of the key activities in the renewable energy project, as it is integral to the construction of the renewable energy generation facility. For reference, the Design and Operations Report and, in particular, Section 3.5.6.1 of the Project Description Report describe where the batch plant will be located, the dimensions of that area and the equipment and typical operational procedures that will be used, none of which are changed by the proposed modification. The REA application also contains figures/mapping that illustrates the proposed location of the batch plant, which is not being changed (see Figure 1 and Figure 1.2 in the Construction Plan Report, Design and Operation Report, and Project Description Report).

As mentioned above, this proposed modification is to clarify the description of the permitting requirements applicable to the temporary batch plant. It does not change the size, layout or nature of the proposed batch plant (as described in section 3.5.6.1 of the Project Description Report) or, more generally, the size, layout or nature of the Project Location. It also does not cause any changes to the potential environmental effects of the batch plant or the Project or the associated mitigation measures outlined in the REA application. In this regard, the proposed modification does not involve the addition of any new lands to the Project, does not require any additional assessment of natural heritage, archaeological or other features and does not change any of the recommendations contained in the original REA application. Therefore, the proposed modification meets the Technical Guide's criteria for an Administrative Change in that it has "no bearing on negative environmental effects that will or are likely to occur, including mitigation measures in respect of those effects, and [does] not result in any discernible physical change in the design, construction or operation of the project."¹

In fact, this modification is being proposed to add clarity and consistency to the existing text in REA application's discussion of the applicable permitting requirements on the understanding that the modification would not halt the current technical review process. For the purposes of this clarification, the Project will be engaging the services of a third-party mobile batch plant operator. This operator will use its own mobile concrete generation equipment that will be brought to the Project Location, and set up and operated at the location specified in the original REA application (i.e., within the central staging areas of the Project's construction footprint, approximately 600 meters west of Stella 40 Foot Road, north of 2nd Concession Road).

In general, operators of mobile batch plants are required to apply for and obtain an ECA for the air emissions associated with the use of the mobile batch plant equipment. As discussed with the MOECC, the operator of the Project's temporary batch plant already has such an approved ECA in place, and will be responsible for ensuring that the conditions of that ECA will be met. A copy of the operator's ECA will be available to the MOECC upon request.

As stated in Table 2.2 and Appendix B1 of the Project Description Report, an Emission Summary and Dispersion Modeling (ESDM) Report will in place for the temporary batch plant. As per the requirements listed in Table 1 of O.Reg 359/09, the Project itself is not required to include an ESDM in the REA

¹ See Chapter 10, Section 2.1.

application, as it is not one of the specified project types requiring an ESDM. Nonetheless, the Project committed in the original REA application to ensure that an updated ESDM report is completed for the temporary batch plant to ensure appropriate setbacks from the emission sources are calculated and imposed to mitigate any potential effects associated with air emissions from the batch plant. The proposed modification does not change that commitment.

Summary

In summary, the proposed modification clarifies the description of the permitting requirements applicable to the temporary concrete batch plant. Because this modification has no bearing on the environmental effects of the Project or the associated mitigation measures, and will not result in any physical change in the design, construction or operation of the project, it is properly classified as an Administrative Change under Chapter 10, Section 2.1 of the Technical Guide. Therefore, we request confirmation from you that, if submitted as described above, the proposed modification would be classified as an Administrative Change.

In any event, given that the modification does not cause any physical change in the Project, or affect its environmental effects or mitigation measures, we request confirmation that the Modification Report need only be posted on the Project's website, and that no posting for public comment is required. Finally, it is understood that the current Project REA technical review process, which commenced on January 2, 2014, will not be halted by a submission of this proposed modification.

If you have any questions or require any further information please do not hesitate to the undersigned at 905-465-4518 or Alex Tsopelas at 905-829-6388.

Regards,

Algonquin Power Co.
On behalf of Windlectric Inc.

A handwritten signature in black ink, appearing to be 'S. Fairfield', written over a horizontal line.

Sean Fairfield
Senior Manager – Project Planning

cc: Alex Tsopelas, Algonquin Power Co.
Kerrie Skillen, Stantec Consulting

**Ministry of the Environment
and Climate Change**

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February 24, 2015

Sean Fairfield
Senior Manager – Project Planning,
Algonquin Power Co.
2845 Bristol Circle,
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via e-mail only at Sean.Fairfield@algonquinpower.com

Dear Mr. Fairfield,

The Ministry of the Environment and Climate Change (MOECC) has reviewed the letter from Algonquin Power Co. dated February 12, 2015 regarding the proposed Amherst Island Wind Energy Project within Loyalist Township, County of Lennox and Addington.

In reviewing the proposed change, the MOECC referred to Chapter 10, “Making Changes to Renewable Energy Approval (REA) Projects” in the MOECC’s Technical Guide to Renewable Energy Approvals, in order to confirm the type of change and determine the next steps.

The MOECC understands that Algonquin Power (on behalf of Windlectric Inc.) is proposing to:

1. Include the temporary batch plant as part of the REA application.

The modification as outlined in the letter will not require the applicant to obtain confirmation from the Ministry of Natural Resources and Forestry (MNR) or the Ministry of Tourism, Culture and Sport (MTCS) as the batch plant was assessed for natural and cultural heritage as part of the REA application.

Based on the information provided to the MOECC in the February 12, 2015 letter and our previous meetings, the MOECC has determined that the proposed change should be classified as a project design change as the public, stakeholders, and Aboriginal communities have not had the opportunity to review and comment on information regarding the emissions from the temporary batch plant facility.

The MOECC requests that Windlectric Inc. provide a notice of project change(s) in the form approved by the Director. The notice of project change(s) must include the following information:

- OPA Reference Number;
- Name and contact information of the applicant;
- A brief description of the project;
- A map identifying the project location;
- A description of the proposed change(s) and the rationale for the change(s); and
- A description of where information and documentation regarding the proposed change(s) can be located.

The notice must be published and circulated in accordance with paragraph 16.0.1(3) or 32.3(1)1 of O. Reg. 359/09, whichever applies.

This notification constitutes the minimum requirement, and proponents are encouraged to give copies of the notice to other potentially interested persons or groups, including those that attended public meetings or submitted comments regarding the project. Please also ensure that you provide the MOECC with a copy of the notice, and information on how it was distributed, and to whom (these items can be included in the Modifications Document that must be submitted to the MOECC, see Chapter 10 of the Technical Guide to Renewable Energy Approvals for additional details).

The MOECC will not require Windlectric Inc. to host an additional public meeting. However, once the MOECC has received and screened the Modifications Document, the MOECC will post an Instrument Proposal Notice on the Environmental Bill of Rights (EBR) Registry for 30 days to allow the public the opportunity to comment directly to the MOECC. At that time, Windlectric Inc. should ensure all new and amended reports, including the Emission Summary and Dispersion Modelling report and the Noise Assessment Report, are posted on the project website.

Finally, the letter from Algonquin Power dated February 12, 2015 is also expected to be made publically available.

Yours sincerely,



Sue Edwards
Senior Project Evaluator
MOECC, Environmental Approvals Branch

cc. Vic Schroter, MOECC