



**BOW LAKE WIND FARM
CONSULTATION REPORT**

File No.: 160960734

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Prepared for:

**Nodin Kitagan Limited Partnership and
Nodin Kitagan 2 Limited Partnership**
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Executive Summary

Nodin Kitagan Limited Partnership and Nodin Kitagan 2 Limited Partnership, by their General Partners Shongwish Nodin Kitagan GP Corp. and Shongwish Nodin Kitagan 2 GP Corp., respectively (the “Proponent”), are proposing to develop Phase 1 and Phase 2 of the Bow Lake Wind Farm on Provincial Crown Land within the unorganized Townships of Smilsky and Peever, in the District of Algoma, Ontario (the “Project”). The Project is located approximately 80 km north of Sault Ste. Marie and roughly six kilometres east of Montreal River Harbour. The Project has three Feed-in Tariff Contracts with the Ontario Power Authority for the sale of electricity generated by the Project.

As part of the Project’s design, construction, and operational activities, and understanding the Project falls within the territory of the Batchewana First Nation of Ojibways (“BFN”), the Proponent has engaged directly with the BFN. As a result of these efforts, the BFN:

- Has entered the Project as partner;
- Has entered into various business and relationship agreements with the Proponent to guide Project activities; and
- Has issued Development and Power Generation Permits, which provides the BFN’s approval to construct, operate, repower, and decommission the Project.

The English name of the Project is the *Bow Lake Wind Farm*, however, the BFN know and refer to the Project as *Chinodin Chigumi Nodin Kitagan*.

As proposed, the Project will include 36 wind turbines for a total installed nameplate capacity of 58.32 MW. In addition, the operation of the Project will require 34.5 kV above and below ground electrical collector and communication lines, pad-mounted transformers, crane pads, two permanent meteorological towers, access roads, operations and maintenance building, welfare buildings, a transformer station, construction compounds and laydown yards, and other ancillary facilities. The Project will connect to the provincial power grid via existing 115 kV transmission lines located adjacent to the Project’s transformer station.

The Proponent has retained Stantec Consulting Ltd. to prepare a Renewable Energy Approval (“REA”) Application, as required under Ontario Regulation 359/09 - Renewable Energy Approvals under Part V.0.1 of the *Environmental Protection Act* (“O. Reg. 359/09”). Based upon the criteria set out in subsection 6.(3) of O.Reg.359/09, the Project is classified as a Class 4 Wind Facility and has and will continue to follow the requirements identified in O. Reg. 359/09 for such a facility.

This Consultation Report is one component of the REA application for the Project and has been prepared in accordance with O. Reg. 359/09, the Ontario Ministry of Natural Resources’ *Approval and Permitting Requirements Document for Renewable Energy Projects* (September 2009) (the “APRD”), and the Ontario Ministry of the Environment’s *Technical Guide to*

Renewable Energy Approvals. Due to the historical context of the Project, this Consultation Report has been prepared in conjunction with the Proponent and in part is based upon consultation activities which predated Stantec’s involvement with the Project.

The following table summarizes the requirements of this Report as specified under O. Reg. 359/09:

Consultation Report Requirements (as per O. Reg. 359/09 – Table 1)

Requirements	Completed	Section Reference
Set out information relating to consultations conducted in respect of the renewable energy project, including the following: 1. A summary of communication with any members of the public, aboriginal communities, municipalities, local roads boards and Local Services Boards regarding the project.	✓	2.0 – 3.0
2. Evidence that the information required to be distributed to aboriginal communities under subsection 17 (1) was distributed.	✓	2.2.5, 3.3 and Appendix H
3. Any information provided by an aboriginal community in response to a request made under paragraph 4 of subsection 17 (1).	✓	3.3 and Appendix H
4. Evidence that a consultation form was distributed in accordance with subsection 18 (1)	N/A	3.2.1
5. The consultation form distributed under subsection 18 (1), if any part of it has been completed by a municipality, local roads board or Local Services Board.	N/A	3.2.1
6. A description of whether and how, i. 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,	✓	2.0 – 4.0
ii. the documents that were made available under subsection 16 (5) were amended after the final public meeting was held, and	✓	2.2.3 and 3.1.4
iii. the proposal to engage in the project was altered in response to comments mentioned in subparagraph i.	✓	2.2.3 and 3.1.4
7. A description of the manner in which the location of the wind turbines was made available to the public, if a person proposing to engage in a project in respect of a class 4 or 5 wind facility relied on paragraph 4 of subsection 54 (1.2) or paragraph 4 of subsection 55 (2.2).	✓	3.1.3
8. If paragraph 7 applies, proof of the date on which the location of the wind turbines referred to in that paragraph was made available to the public.	✓	3.1.3 and Appendix D

Initial consultation and engagement efforts were carried out under Ontario Regulation 116/01 (“O. Reg. 116/01”), as well as the MNR’s Class Environmental Assessment for MNR Resource

Stewardship and Facility Development. Throughout the evolution of the Project, the regulatory regime in which the Project was subject to transitioned from O. Reg. 116/01 to O. Reg. 359/09 (including various amendments). As such, consultation activities were also carried out to meet the new regulatory requirements. Part of the transition involved the Proponent combining Phase 1 and Phase 2 of the originally proposed Project into one REA application. This approach was considered to be more accessible for stakeholders and understandable with comprehensive, consolidated Project information focused on a single, in depth review process.

The overall consultation program has involved five public meetings and numerous opportunities for stakeholders, agencies and Aboriginal communities to provide input and comments and identify potential issues, which have been considered and addressed as documented within this report as highlighted herein.

The Proponent has conducted a comprehensive stakeholder consultation and Aboriginal engagement program that began in 2007 and has identified the key issues of interest to the local community and incorporated them into the Project design where possible. Examples of Project design changes to address stakeholder issues of interest include:

- Minimisation of plans for gating of the Project access roads so that Crown Land users would be able to have continued access to the Project area.
- Preparation of visual simulations from key vantage points including the shoreline of Lake Superior to address concerns related to visual impacts.
- An assessment of potential tourism impacts as part of the cultural heritage assessment report including extensive consultation with local cultural heritage experts.

As this Project has transitioned from O. Reg. 116/01 to O. Reg. 359/09, the consultation activities have been conducted to meet the requirements of both regulations in addition to the MNR's APRD process.

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1.0 Project Overview

Nodin Kitagan Limited Partnership and Nodin Kitagan 2 Limited Partnership, by their General Partners Shongwish Nodin Kitagan GP Corp. and Shongwish Nodin Kitagan 2 GP Corp., respectively (the “Proponent”), are proposing to develop Phase 1 and Phase 2 of the Bow Lake Wind Farm predominantly on Provincial Crown Land within the unorganized Townships of Smilsky and Peever, in the District of Algoma, Ontario (the “Project”). The Project is located approximately 80 km north of Sault Ste. Marie and roughly six kilometres east of Montreal River Harbour. The Project has three Feed-in Tariff (“FiT”) Contracts with the Ontario Power Authority for the sale of electricity generated by the Project.

As part of the Project’s design, construction, and operational activities, and understanding the Project falls within the territory of the Batchewana First Nation of Ojibways (“BFN”), the Proponent has engaged directly with the BFN. As a result of these efforts, the BFN:

- Has entered the Project as partner;
- Has entered into various business and relationship agreements with the Proponent to guide Project activities; and
- Has issued a Development and Power Generation Permit, which provides the BFN’s approval to construct, operate, repower, and decommission the Project.

The English name of the Project is the *Bow Lake Wind Farm*, however, the BFN know and refer to the Project as *Chinodin Chigumi Nodin Kitagan*.

As proposed, the Project will include 36 wind turbines for a total maximum installed nameplate capacity of up to 58.32 MW. In addition, the Project will require 34.5 kV above and below ground electrical collector and communication lines, pad-mounted transformers, crane pads, two permanent meteorological towers, access roads, operations and maintenance building, welfare buildings, a transformer station, construction compounds and laydown yards, and other ancillary facilities. The Project will connect to the provincial power grid via existing 115 kV transmission lines located adjacent to the Project’s transformer station. A full description of Project infrastructure is provided in the **Project Description Report**.

The Project Location is defined in O. Reg. 359/09 to include all land and buildings/structures in, on or over which the Proponent proposes to engage in the Project and any air space in which the Proponent proposes to engage in the Project. A “Zone of Investigation” has been identified based upon the requirements of Ontario Regulation 359/09 (“O. Reg. 359/09”) and the Ontario Ministry of Natural Resources’ (“MNR”) *Approval and Permitting Requirements Document for Renewable Energy Projects*, September 2009 (“APRD”). The Zone of Investigation encompasses the Project Location plus an additional 120 m surrounding the outer edges of the Project Location.

According to subsection 6. (3) of O. Reg. 359/09, the Project is classified as a Class 4 Wind Facility. This Consultation Report is one component of the Renewable Energy Approval (“REA”) application for the Project, and has been prepared in accordance with O. Reg. 359/09, the MNR’s APRD, and the Ontario Ministry of the Environment’s (“MOE”) *Technical Guide to Renewable Energy Approvals*.

1.1 REGULATORY OVERVIEW

The Proponent has conducted a comprehensive stakeholder consultation and Aboriginal engagement program that began in 2007 under Ontario Regulation 116/01 (“O. Reg. 116/01”), and the MNR’s Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects (“Class EA”), and has identified the key issues of interest to the local community and other interested stakeholders and incorporated them into the Project design where possible (**Table 1.1** shows the chronology of major consultation and engagement events throughout the life of the Project).

As this Project has transitioned from O. Reg. 116/01 to O. Reg. 359/09, the consultation and engagement activities have been conducted to meet the requirements of both regulations in addition to those of the MNR’s APRD. The overall consultation program has involved five public meetings and numerous opportunities for stakeholders, agencies, and public and Aboriginal communities to provide input and comments and identify any potential issues, including the opportunity to review two sets of Draft REA reports.

The Project was originally proposed in two phases: Phase 1 - 20 MW, Phase 2 - 40 MW, and as such, initial consultation activities were conducted separately for each. Amendments to O. Reg. 359/09 came into force on July 1, 2012, and as a result of the amendments both phases of the Project were combined in to one REA application, the Proponent was required to reissue its public notices and restart its public meetings. The assessment of the combined Project under one REA application was also considered to be more accessible for stakeholders and provide comprehensive, consolidated Project information focused on a single, in depth review process. To meet the requirements of the amended O. Reg. 359/09 the REA process was reinitiated (with notice of the first public meeting for the combined Project being published on August 1 2012), including the continuation of consultation and engagement activities. Given that over the development history of the Project it has been subject to multiple regulations and approvals processes, this Consultation Report has been divided into two main sections:

- A description of the consultation and engagement activities conducted between 2007, the year in which the Project was initiated, and July 31, 2012, prior to which the Project was being developed as two separate phases. This period includes consultation and engagement activities conducted under the previous requirements of O. Reg. 116/01 and the MNR’s Class EA.
- A description of consultation and engagement activities conducted since August 1, 2012, when the notice of the combined Project was issued and the REA process reinitiated.

Table 1.1: Chronology of Major Consultation and Engagement Activities

Date	Consultation / Engagement Activity
2007	
June	Introductory letters sent on 29 June, 2007 by MNR to the Batchewana, Garden River, Michipicoten, Chapleau Ojibway and Métis (SSM Métis Council and MNO Consultation Unit).
August	Meeting MNR and BFN to discuss several wind power proponents applications for Applicant of Record on BFN traditional territory. BFN seeks development of consultation protocol with MNR.
November	Public and Aboriginal consultation and engagement continued – notifications sent by MNR regarding the Project and proposed establishment of a meteorological tower.
2008	
January	Notice of Commencement issued under O. Reg. 116/01 for Phase 1 of the Project
February	Ministry of Aboriginal Affairs advises that three First Nations may have an interest in the Project: <ul style="list-style-type: none"> • BFN • Michipicoten First Nation (“MFN”) • Garden River First Nation (“GRFN”) Public Meeting #1 for Phase 1 of the Project (under O. Reg. 116/01) held (21 February)
2009	
September	<i>Green Energy and Green Economy Act, 2009</i> and O. Reg. 359/09 come into force. Project was transitioned into the new REA process and was required to meet the regulatory requirements associated with the REA process.
2010	
January	MOE advises that the February 2008 public meeting satisfied the requirement under O. Reg. 359/09 to hold a first public meeting, and that an additional first public meeting was not required.
April	MOE advises that additional First Nations and Métis Communities may have an interest in the Project: <ul style="list-style-type: none"> • Chapleau Ojibway First Nation • Historic Sault Ste. Marie Métis Council • Métis Nation of Ontario
June – July	Draft Project Description Report (“PDR”) posted to Project website and distributed to Aboriginal communities.
October	Ministry of Tourism, Culture and Sport (“MTCS”) issues confirmation letter with respect to the archaeological and heritage assessments.
November	Notices of Proposal to Engage published and distributed for both Phase 1 and Phase 2. Updated Draft PDR posted to Project website and distributed to Aboriginal communities.
December	MNR provides confirmation letter for the Natural Heritage Assessment/Environmental Impact Study (NHA/EIS) for Phase 1 (21 December).
2011	
January	Notice of Additional Public Meeting for Phase 1 published and distributed (29 & 31 January).

Table 1.1: Chronology of Major Consultation and Engagement Activities

Date	Consultation / Engagement Activity
	Draft REA documents made available on Project website and at public viewing locations.
March	Notice of Additional Public Meeting for Phase 2 published and distributed (22 March)
April	Two Public Meetings held for Phase 1 (4&5 April) Public Meeting held for Phase 2 (28 April)
July	MNR approves a NHA/EIS amendment that was filed in June 2011. MOE advises that, contrary to their January 2010 guidance, the February 2008 meeting held for the purpose of complying with O. Reg. 116/01 would not be acceptable for the purpose of complying with O. Reg. 359/09. In effect, this direction deemed the April 2011 public meetings to be the first public meetings for both Phase 1 and Phase 2 for the purpose of complying with O. Reg. 359/09. Memorandum of Understanding executed with BFN.
November	Community Information Sessions held at the BFN communities of Batchewana, Goulais, and Rankin.
2012	
January	Community Information Sessions held at the BFN communities of Goulais and Rankin.
February	MTC issues confirmation letter regarding the Cultural Heritage Report. Notice of Commencement issued for a Class EA for the upgrades to public-multi use access roads.
August	Based on guidance provided by the MOE and the requirements of O. Reg. 359/09 as amended July 1, 2012, the Project phases were merged and the REA process for the combined Project was restarted (current proposed Project). Notice of Proposal and Public Meeting published and distributed (1 & 2 August) as required by O. Reg. 359/09. Draft Project Description Report distributed to Aboriginal communities and made available to the public (via website and public viewing location). Roads that were previously being assessed under the Class EA process are incorporated into the Project and assessed under O. Reg. 359/09, further to guidance from the MOE and MNR.
September	Public Meeting held (6 September). Note that despite this being the third round of public meetings hosted by the Project, in order to comply with the amendments to O. Reg. 359/09, this meeting was considered the first public meeting for the combined Project.
October	Newsletter issued (5 October) identifying the following Project updates: <ul style="list-style-type: none"> • Migration of the upgrades to public-multi use access roads into the REA process and thus the termination of the Class EA process for these works. • Change of proponent name to Nodin Kitagan Limited Partnership and Nodin Kitagan 2 Limited Partnership due to the partnership with the BFN. Draft REA Reports, Project Summary Report and Notice of Final Public Meeting distributed to each Aboriginal community (09 October). Notice of Final Public Meeting issued and distributed (10 October). In conjunction with the publication of the Notice, Draft REA Reports were made available on the Project website and at a

Table 1.1: Chronology of Major Consultation and Engagement Activities

Date	Consultation / Engagement Activity
	public viewing location.
November	Letters distributed to each Aboriginal community reminding them of the Final Public Meeting and to request feedback with respect to the Draft REA Reports (28 November).
December	Themed Response Summary Table issued in response to comments received at the September public meeting (posted to Project website and distributed at the public meeting). Final Public Meeting held (13 December).
2013	
January	Completion of Consultation Report

1.2 CONSULTATION & ENGAGEMENT PROCESS

1.2.1 Purpose

The stakeholder consultation and Aboriginal engagement process is a two-way information exchange that seeks to inform interested parties about the Project, including its scope, location, purpose, potential environmental effects, and proposed mitigation measures. It also serves to allow for input into the Project’s development. Aboriginal communities, government agencies, and interested members of the public were encouraged to respond with their ideas, comments, and suggestions, as well as to request any further information they may desire.

1.2.2 Methodology

Listening to stakeholder issues and feedback can be a valuable source of information that can improve project design and outcomes. The iterative nature of the consultation and engagement process is essential to implementing a successful program that is meaningful for all participating communities and groups and the Project. To this end, the Project implemented a five step methodological approach as discussed below.

Step One: Planning

Before commencing its stakeholder consultation process, the Project considered, guided by the requirements of the O. Reg. 116/01, Class EA, APRD, and REA processes, who should or needs to be consulted, regarding what topics, and for what purpose.

The Project began planning activities by considering the following:

- **purpose** – what are the strategic reasons and benefits for consulting with stakeholders and over what topics?

- **requirements** – what are there legislative requirements for consultation that need to be met?
- **stakeholders** – who are the key stakeholder groups that need to be consulted?
- **scoping of priority issues** – are there any high risk groups or issues requiring special attention?
- **techniques** – which techniques and methods will be most effective in communicating with the different stakeholder groups?
- **responsibilities** – who within the Project is responsible for what activities?
- **documentation** – how will the results of the process be captured, recorded, tracked, and disseminated?

Step Two: Underpinning Principles

The following underpinning principles were followed during the planning of the consultation program and applied during the consultation and engagement activities:

- **targeted** at those most likely to be affected by or interested in the Project
- **early** enough to scope key issues and have a contribution to the project decisions to which they relate
- **informed** as a result of relevant information being disseminated in advance
- **documented** to keep track of who has been consulted and the key issues raised.

Step Three: Incorporate Feedback

Part of the consultation and engagement efforts entail considering the feedback received during the consultation process and making reasonable efforts to address issues raised through sharing additional information, answering questions, modifications to project layout, proposed mitigation measures, or development benefits and opportunities. To be sure, however, there are limitations in the degree to which stakeholder issues can be met.

Step Four: Process Documentation

Documenting consultation and engagement activities and their outcomes is key to effectively managing the stakeholder engagement process. While important towards fulfilling the consultation and engagement requirements of the REA, documentation is also a useful tool in demonstrating that the views of stakeholders have been incorporated into the Project's environmental and social mitigation strategies. Such documentation also provides the basis for reporting back to stakeholders on how their views have been considered.

As such, the Project implemented a clear documentation process as demonstrated herein. Within the documentation process, the Project utilized the following communication tools:

- Project website
- e-mails
- letters
- public open houses
- community meetings
- comment cards and surveys
- newspaper notices.

Step Five: Reporting to Aboriginal Communities and Stakeholders

The process of reporting back to Aboriginal Communities and stakeholders on the consideration of their issues, as well as explaining what suggestions were not implemented and the reasons why, is a key element of the consultation process. On this basis, the Project implemented a clear reporting process as demonstrated herein.

1.2.3 Aboriginal Engagement Objectives

In addition to the above, the objectives of the Project's Aboriginal engagement efforts were:

- providing information to the Aboriginal community on the Project;
- obtaining information on potentially affected Aboriginal treaty rights;
- listening to any concerns raised by the Aboriginal community; and
- considering potentially adverse impacts and determining how to address these concerns, including attempting to avoid, minimize, and/or mitigate adverse impacts on Aboriginal or treaty rights.

2.0 Consultation & Engagement Activities Prior to August 1, 2012

The following provides a description of the consultation and engagement activities conducted since the initiation of the Project in 2007 until July 31, 2012. These consultation and engagement activities were conducted under the requirements of O. Reg. 116/01, the MNR's Class EA, MNR's APRD, and O. Reg. 359/09 when the Project was being developed as two separate phases.

2.1 O. REG. 116/01

Initially, the Project was classified as a 'Category B' electricity project under Ontario Regulation 116/01 (the Electricity Sector Regulation) and was subject to the provincial environmental screening process as outlined in the Guide to Environmental Assessment Requirements for Electricity Projects administered by the MOE, Environmental Assessment and Approval Branch (EAAB). A Project Description Report and a draft Environmental Screening Report were prepared for Phase 1 of the Project. The Project continued to be subject to this regulation until September 2009, at which time the enactment of the *Green Energy and Green Economy Act, 2009* and O. Reg. 359/09 required the Project to a transition to meet the requirements of O. Reg. 359/09.

Consultation and engagement activities under O. Reg. 116/01 included correspondence with Local, Provincial and Federal Agencies, one Public Open House held on February 21, 2008, distribution of a Project newsletter, and the direct response via e-mail, mail or telephone of all enquiries from public stakeholders. A record was kept of all correspondence received and responses provided.

2.1.1 Notices

Initial notifications regarding the Project and the proposed installation of a meteorological tower were sent out in June 2007, when the Project was granted Applicant of Record status by the MNR. A Notice of Commencement was issued in January 2008 that formally initiated the Project under the requirements of O. Reg. 116/01.

2.1.2 Public Meeting

Following Project initiation, the first public meeting for Phase 1 of the Project was held on February 21, 2008 at the community centre in Goulais River. Aboriginal communities identified on the initial ACL (**February 2008**) were also invited to attend the first public meeting (see s.2.1.3). Twenty-three (23) stakeholders attended the meeting.

A summary of the comments and frequently asked questions, organized by topic, that were provided at the public meeting and throughout the time period the Project was subject to the requirements of O. Reg. 116/01 is provided in **Appendix A**. In general, comments and issues

were related to potential environmental and visual effects, tourism effects, and a misconception related to the number of potential projects along the Lake Superior coastline and the associated cumulative effects of those projects.

Consultation efforts under O. Reg. 116/01 resulted in the following modifications and additional studies by the Project:

- To address concerns about the night-time aviation safety lights it was communicated that all turbines would not require lighting and the Proponent would light the minimum number of turbines required to meet Transport Canada requirements.
- Minimised plans for gating of the Project access roads so that Crown Land users would be able to continue to do activities that would have occurred on the site prior to the Project being constructed.
- Preparation of additional visual simulations from the shoreline of the Lake Superior and showed where there was potential visibility using the Zone of Visibility maps.

2.1.3 Aboriginal Engagement

With respect to aboriginal engagement efforts, the Ministry of Aboriginal Affairs (“MAA”) issued the initial ACL (February 2008), advising the proponent which Aboriginal communities may have an interest in the Project and thus should be consulted with throughout the development of the Project. The following Aboriginal communities were identified by the MAA:

- Batchewana First Nation (“BFN”)
- Michipicoten First Nation (“MFN”)
- Garden River First Nation (“GRFN”).

In addition to the three First Nations listed above, the MNR had sent the initial June 29, 2007 notification to the Métis Nation of Ontario. These four Aboriginal communities were added to the Project contact list and have been engaged throughout this phase of the Project’s development. Engagement efforts at the outset of the Project included direct correspondence such as letters, phone conversations, and meetings along with the distribution of Project materials; additional details are provided in **Appendix H**.

The Proponent met directly with the BFN on February 22, 2008 and it was expressed by the BFN that the Project was situated on BFN territory, agreements would need to be reached with BFN Chief and Council, a Work Permit would be required by BFN for the collection of wind data, Environmental studies would be shared with the BFN for their review, BFN local and traditional knowledge could benefit project investigations, and for the Proponent to keep BFN Chief and Council informed about the Project. The Project Description Report was shared with the BFN on March 3, 2008. The BFN issued a permit for the erection of a MET mast on the site on August 11, 2008.

The MFN expressed interest in the Project in response to the June 29, 2007 notification by the MNR. The Proponent had followed up with a telephone call and met with Chief Buckell in person in February 2008. The Chief confirmed during this meeting that the Michipicoten First Nation was satisfied with the activities occurring and that the Project site was not in an area that formed part of the Michipicoten lands. He indicated that he wished to be updated during the development of the project.

Neither the Garden River First Nation nor the Métis Nation of Ontario responded during this timeframe.

2.2 O. REG. 359/09

2.2.1 Transition Activities

O. Reg. 359/09 came into force on September 24, 2009 and given the state of development of the Project at that time, the Project was required to transition into the new REA process.

During the transition period, the MOE provided guidance with respect to consultation and reporting requirements. For example, the MOE advised in January 2010 that the first public meeting conducted under the O. Reg. 116/01 satisfied the requirements of O. Reg. 359/09 for the “first” public meeting. This guidance was later reversed by the MOE in July 2011 and the Proponent was informed that two public meetings, held according to the requirements of O. Reg. 359/09, would be required. Effectively, this direction rendered the public meetings held by the Proponent in April 2011 as the “first” public meetings for both Phase 1 and Phase 2 of the Project for the purposes of O. Reg. 359/09.

During this stage of the Project’s development, the proponent continued to provide a variety of avenues for all interested stakeholders and Aboriginal communities to learn about the Project and provide their input. The communication tools used included:

- Public Notices (newspaper and direct distribution);
- Issuance of Draft REA reports;
- Public Meetings;
- Individual stakeholder and Aboriginal community meetings;
- Project website (www.dpenergy.com/bowlake);
- Dedicated Project email address/ mailing address/ phone number; and
- Agency meetings.

2.2.2 Notices and Draft REA Reports

The Notice of Proposal to Engage in a Renewable Energy Project was published for Phase 1 and Phase 2 of the Project in local newspapers, posted on the Project website, and distributed to all appropriate contacts (e.g., stakeholders, Aboriginal communities, agencies) in November 2010. This Notice formally introduced Phase 1 and Phase 2 of the Project under the new REA process. At this same time, a Draft Project Description Report (“PDR”) was posted to the Project website and distributed to the Aboriginal communities on the ACL.

A Notice of Public Meeting for Phase 1 was published and distributed in January 2011, which advertised the: i) details related to public meetings planned for April 4th (Goulais River) and 5th (Sault Ste. Marie) 2011; and ii) release of Draft REA reports for stakeholder review and comment. A Notice of Public Meeting for Phase 2 was also published and distributed in March 22, 2011, which advertised the: i) details related to a public meeting planned for April 28th, 2011 (Sault Ste. Marie); and ii) release of Draft Phase 2 Project Description Report for stakeholder review and comment. The Draft REA reports were made available on the Project website and hard copies of the reports were made available at the three locations:

- Sault North Planning Board Office (669 Wellington St E, Sault Ste. Marie);
- Sault Ste. Marie Main Library (50 East St., Sault Ste. Marie); and
- Northgate Service Centre (Highway 17 North, Montreal River Harbour).

2.2.3 Public Meetings

As noted above, public meetings were held on April 4, 2011 in Goulais River and on April 5, 2011 in Sault Ste. Marie for Phase 1 and on April 28, 2011 for Phase 2. Each meeting was structured as an open house format with display panels with information about the Project placed around the venues. Representatives from the proponent and M.K. Ince and Associates Ltd. (consultant to the Proponent) were on hand to answer questions. The meetings also included copies of all applicable Draft REA reports, additional visual simulations, copies of a Q&A document, and a bibliography for studies and references used on display panels.

Attendees were encouraged to fill out voluntary surveys and questionnaires regarding their opinions about the Project and wind energy in general. A total of 171 people attended the meeting in Goulais River and 350 attended in Sault Ste. Marie. Comments and issues were similar to those provided at the public meeting in 2008 and were generally related to potential environmental and visual effects, tourism effects, and the number of potential projects along the Lake Superior coastline. A summary of the comments and frequently asked questions, organized by topic that were provided at the public meetings is provided in **Appendix A** (note that the summary of comments also includes those received throughout the time period the Project was subject to the requirements of O. Reg. 116/01).

Following the release of the Draft REA reports and the public meetings, a number of changes were made to the Project design and Project information based upon input from stakeholders. Specifically:

- the Project committed to and completed a detailed Heritage and Tourism Impact Assessment study in response to comments from some attendees of the initial public meetings regarding impacts to tourism.
- the Project undertook additional visual simulations to show the level of visibility from specific locations identified by stakeholders;
- additional ecological assessments, specifically bird surveys, were completed as a result of stakeholder input; and
- wind turbine locations within seven kilometres of the Environment Canada (“EC”) weather radar station were aligned into radial corridors to address EC comments regarding potential radar signal interactions;

2.2.4 Agency Approvals

The following provides an overview of agency approval activities, culminating with the provision of confirmation letters, with the MNR and Ministry of Tourism, Culture, and Sport (“MTCS”) as specifically required by O. Reg. 359/09. Significant consultation efforts were also undertaken with several other federal, provincial and local agencies regarding the Project and details related to those efforts along with copies of correspondence are provided in **Appendix G**.

Ministry of Natural Resources

Considerable effort was undertaken by the Project to conduct field studies in accordance with the requirements of O. Reg. 116/01, O. Reg. 359/09, the MNR’s APRD, and additional guidance documents that were released throughout the development of the Project. Following the completion of field studies, separate Draft NHA reports were prepared for Phase 1 and Phase 2, and were submitted to the MNR for review and comment. On December 21, 2010, the MNR provided its confirmation letter for Phase 1 NHA in accordance with O. Reg. 359/09.

Subsequent to receipt of this confirmation letter minor amendments to the Project were necessary. Additional field work, analyses and reporting was conducted and updated Draft NHA submissions were made for both Phase 1 and Phase 2 to the MNR (see Section 3.2.2 for additional detail). Copies of correspondence as well as a summary of comments received from the MNR are provided in **Appendix G**.

Ministry of Tourism, Culture and Sport

A number of archaeological assessments, and a heritage and tourism impact study, have been completed throughout the development of the Project based upon guidance issued by the

MTCS. Copies of correspondence as well as a complete summary of comments received from the MTCS are provided in **Appendix G**.

Phase 1 Archaeological Assessment

A Stage I Archaeological Assessment, which concluded that a Stage II Archaeological Assessment would be required for the Project, was submitted to MTCS in July 2009. This assessment was subsequently accepted by MTCS in August 2009.

The Stage II Archaeological Assessment was subsequently completed and filed with MTCS in July 2010. In October 2012 the MTCS confirmed the assessment to be in compliance with MTCS guidelines and that the Ministry was satisfied with the recommendations made within the report. The Stage II Archaeological Assessment concluded that no archaeological resources were found in the Project Location.

An amendment to the 2010 Stage II Archaeological Assessment was subsequently filed with MTCS in January 2012 to assess changes to the design of the Project. The amended Stage II Archaeological Assessment concluded that no archaeological resources were found in the amended Project Location. In April 2012 the MTCS confirmed the assessment amended Stage II to be in compliance with MTCS guidelines and that the Ministry was satisfied with the recommendations made within the report.

Phase 2 Archaeological Assessments

A combined Stage I and II Archaeological Assessment, which concluded that no archaeological resources were encountered within the Project Location, was filed with the MTCS in November 2010. MTCS confirmed (April 2011) that the assessment was in compliance with MTCS guidelines and that the Ministry was satisfied with the recommendations made within the report.

An amendment to the 2010 Stage II Archaeological Assessment was subsequently filed with MTCS in January 2012 to assess changes to the design of the Project; the amended Stage II noted that no archaeological resources were found in the amended Project location. The MTCS once again confirmed in a letter (April 2012) that the amended Stage II was in compliance with MTCS guidelines and that the Ministry was satisfied with the recommendations made within the report.

Heritage and Tourism Impact Assessment

A comprehensive Heritage and Tourism Impact Assessment was completed for both phases of the Project and was filed in final draft form with the MTCS in February 2012. While heritage assessments may be required at the discretion of MTCS under O. Reg. 359/09, the Project went above and beyond regulatory requirements and additionally commissioned the tourism impact assessment specifically to address comments received from stakeholders throughout the development of the Project.

The scope of the Heritage and Tourism Impact Assessment included a two-part approach to identify potential cultural heritage effects. First, an evaluation of the Project location itself was undertaken. Subsequently, the project location was considered as a component of a larger cultural landscape in order to allow the assessment of potential effects on heritage resources such as Group of Seven painting locations, by considering a more expansive area than strictly required by the Renewable Energy Approvals (REA) process. The HTIA concluded that in terms of the project location and property itself there are no significant heritage resources on or abutting the property that could be negatively affected by development, and therefore no mitigation was required. With respect to the broader cultural landscape, including the identified Group of Seven painting locations, it was concluded that although the wind project will change the visual landscape in the area, this change does not constitute an impact on any specific cultural heritage resource or regional cultural heritage values that would require further mitigation. No further recommendation beyond what had already been done in siting the Project was recommended. MTCS advised that they were satisfied with the conclusions of the Assessment and subsequently issued their confirmation letter (February 2012).

2.2.5 Aboriginal Engagement Activities

A Draft PDR for Phase 1 and Phase 2 of the Project was provided to the MOE according to subsection 14. (1)(b) of O. Reg. 359/09 to obtain an updated ACL of Aboriginal communities in April 2010.. The ACL lists Aboriginal communities who have or may have constitutionally protected Aboriginal or treaty rights that may be adversely affected by the Project, or otherwise may be interested in any potential negative environmental effects of the project. The ACL identified the following Aboriginal communities in addition to those already on the MMA's ACL (Section 2.1.3):

- Chapleau Ojibway First Nation;
- Historic Sault Ste. Marie Métis Council; and
- Métis Nation of Ontario.

Following the receipt of the updated ACL, these communities were added to the Project contact list and in June/July 2010 all communities were distributed a copy of the Draft PDR to inform them of the details of the Project (was also posted to the Project website).

The Project worked diligently to conduct meaningful engagement with all identified Aboriginal communities and to keep them apprised of Project activities. This included delivery of Project materials such as notices and Draft REA reports for review and comment, direct communications (meetings, letters/email, and phone conversations), community engagement sessions, opportunities to provide assistance in conducting background and on-site field studies, and the development of a Memorandum of Understanding and initiation of partnership and environmental agreements and permits with the BFN.

In general, comments received from Aboriginal communities identified issues related to potential effects to natural resources (e.g., fish, moose, wetlands, etc.), archaeological/heritage resources, and the use of traditional lands. These issues were addressed via direct responses, community engagement sessions, and the distribution of Project materials such as the NHA and Archaeological/Heritage Assessments for review and comment. A complete summary, as well as copies of correspondence with each Aboriginal community throughout the development of the Project, is provided in **Appendix H**.

2.3 MNR CLASS EA – PHASE 1

On February 29, 2012 the Project issued a *Public Notice for a Category B Project Evaluation* under the MNR's Class EA process. This Notice was issued with respect to proposed upgrades to existing roads and the construction of three "spur" roads in Phase 1 of the Project, to allow access for cranes, turbine components, and other equipment and materials related to the project development.

The roads proposed for upgrading under the Class EA are public roads, with multiple users, and because the proposed upgrades were to continue to support public, multi-use access, these works were required at the time to be assessed under the Class EA process as opposed to the REA process.

On July 1, 2012, amendments to O. Reg. 359/09 under the Environmental Protection Act came into force. The amendments permitted the assessment of public, multi-use access roads that are to be used to access renewable energy projects to occur through the REA process, removing the requirement to evaluate these components under a separate and parallel Class EA process under the *Environmental Assessment Act*.

As mentioned above, In order to comply with the June 2012 amendments to O. Reg. 359/09, Phase 1 and Phase 2 of the project were combined into one REA Application. The amalgamation of both phases of the Project into one REA Application is considered a change to the scope of the work and project initially captured in the Class EA Notice, which only considered Phase 1 of the Project. As a result of this change, and to ensure all the access roads were assessed as efficiently and consistently as possible, the Project terminated the Phase 1 Class EA process that was initiated in February 2012 and instead evaluated these roads under and in accordance with the O. Reg. 359/09.

The decision to use this approach allowed for the evaluation of the multi-purpose road works together with the rest of the Project activities to ensure all potential Project effects are considered under the rigor of the REA process, and in a cohesive manner. The assessment of the complete Project, including both phases and multi-purpose roads, under the REA process was considered to be easier for the public to access and understand comprehensive Project information focused on a single, in depth review process.

Comments from stakeholders were sought and received by the Project through the Class EA process. The Project has considered this feedback, and has incorporated the comments as applicable in the REA assessment.

A “Summary of Public Comments and Responses” document prepared as part of the Class EA process has been prepared by Great Lakes Environmental Services (consultant to the Proponent) and is included in **Appendix B**.

3.0 Consultation Activities after August 1, 2012

3.1 CONSULTATION & ENGAGEMENT PROCESS

Amendments to O. Reg. 359/09 came into force on July 1, 2012. To comply with the amendments, the Proponent reissued its public notices and restarted its public meetings, and as a result, the Proponent combined both phases of the Project under one REA application. The assessment of the combined Project under one REA application was considered to be more accessible for stakeholders and understandable with comprehensive, consolidated Project information focused on a single, in depth review process. To meet the requirements of the amended O. Reg. 359/09 the REA process was reinitiated (with notice of the first public meeting for the combined Project being published as soon as possible, in early August 2012), including the continuation of consultation and engagement activities.

3.1.1 Communication Tools

The Project utilized a wide range of communication tools for both disseminating Project information to, and collecting information from, interested parties, including but not limited to, the public, Aboriginal communities, and agencies.

The communication tools used for the Project included:

- Project notices published in local newspapers;
- Direct mailings to landowners in proximity to the Project and to interested stakeholders who had requested to be added to the contact list;
- Two Public Meetings (post August 2012);
- Public Meeting feedback forms;
- Project newsletter;
- A Project website (<http://www.blueearthrenewables.com/bowlakewind>);
- A Project e-mail address (bowlakewind@bluearth.ca);
- Telephone numbers and mailing addresses for both the Proponent and Stantec key contacts; and
- Meetings with Aboriginal communities.

3.1.2 Contact List

A Project contact list was developed during the initiation of the Project in 2007 and was updated throughout the development of the Project to identify mandatory, interested, and other key contacts that may have a potential interest in the Project, including stakeholders identified

during the O. Reg. 116/01 and Class EA processes. The Project's current contact list is provided in **Appendix C** and includes local, provincial and federal agencies, and Aboriginal communities.

Aboriginal Communities

On October 10, 2012, following the re-initiation of the REA process, the MOE provided an updated ACL in accordance with O. Reg. 359/09. The ACL confirmed that there were no additional Aboriginal communities to be engaged by the Project beyond those identified by the MOE in 2010.

Updates to the Project Contact List

The Project's stakeholder contact list was regularly updated throughout the REA process. Additions to the list occurred primarily as a result of stakeholder attendance at the Public Meetings, or as a result of requests received via e-mail or telephone calls. At an individual's request, their name was either added to or removed from the Project contact list. Changes to the Project contact list for agencies were generally made by the Proponent at the direction of these groups.

3.1.3 Project Notices

Notice of Proposal and Public Meeting

The Notice of Proposal to Engage in a Project and Notice of Public Meeting for the combined Project was published in local newspapers in August 2012 (**Appendix D**). As shown in Table 3.1, as required under O. Reg. 359/09, the Notice was posted more than thirty (30) days prior to the Public Meeting held on September 6, 2012. This was the "first" public meeting for the combined Project under amended O. Reg. 359/09.

Table 3.1: Newspaper Distribution of the Notice of Proposal and Public Meeting

Newspaper	Published Date
Sault Ste. Marie This Week	August 1, 2012
The Sault Star	August 2, 2012

The purpose of the Notice was to advise stakeholders of the Project being combined into a single Project under the REA process, to publicise the date of the public meeting, and to publicly release the new Draft Project Description Report, which was made also available for public viewing at the Sault Ste. Marie North Planning Board office and on the Project website. In addition the Draft Heritage and Tourism Impact Assessment was posted on the Project website for public review and comment.

The Notice was also couriered directly to the Aboriginal communities identified in the ACL on July 30, 2012, and directly mailed or e-mailed (where preferred) during the week of August 6, 2012, to the Project contact list including agencies and Project stakeholders.

Notice of Final Public Meeting

The Notice of Final Public Meeting was published in local newspapers in October 2012 (**Appendix D**). As shown in Table 3.2, as required under O. Reg. 359/09, the Notice was posted more than sixty (60) days prior to the Final Public Meeting held on December 13, 2012.

Table 3.2: Newspaper Distribution of the Notice of Final Public Meeting

Newspaper	Published Date
Sault Ste. Marie This Week	October 10, 2012
The Sault Star	October 12, 2012

The purpose of the Notice was to advise stakeholders of the release of the Draft REA Reports for 60-day review and to publicise the date of the final public meeting. The Draft REA Reports were made available for public viewing at the Sault Ste. Marie North Planning Board office and on the Project website. Given the location of the Project in unorganized Townships and predominantly on Crown land, there are no applicable municipalities or local authorities described in section 18(1) of O. Reg. 359/09 that required 90-days' notice of the final public meeting pursuant to section 18(3)(b) of O. Reg. 359/09.

The Notice was also couriered directly to the Aboriginal communities identified in the ACL on October 9, 2012, and directly mailed or e-mailed (where preferred) during the week of October 8, 2012, to the Project contact list including agencies and Project stakeholders. A reminder of the Final Public Meeting, along with another request for any comments as part of their review of the Draft REA Reports and continuation of the engagement process, was couriered to Aboriginal communities on the ACL on November 28, 2012.

In addition to the Notice, all stakeholders were sent a Project Newsletter and Project update letter on October 5, 2012 (**Appendix D**). These documents provided further information to stakeholders and Aboriginal communities on Project timing and activities, the Proponent, regulatory changes, the combination of the Project phases into one Project.

3.1.4 Public Meetings

September 6, 2012

The purpose of the September 6, 2012 public meeting, which was the fourth round of public meetings held by the Project, was to re-introduce the Project as a combined Project and provide stakeholders the opportunity to provide additional input into the Project and to satisfy the requirements of the 'first' public meeting for the combined Project under O. Reg. 359/09.

Stakeholder comments were gathered such that they could be discussed, addressed, and/or incorporated into the Project design where feasible.

Display boards provided background information on the Proponent, Project development history and regulatory changes, an overview of the Project, information on the REA process, and specific technical information such as visual simulations, archaeological assessments and the Heritage and Tourism Impact Assessment. In addition, copies of the updated Draft Project Description Report (which included an updated Draft Site Plan) were available for community members to review. The Project was approached at the meeting by a member of Save Our Algoma Region (SOAR) who requested space to distribute SOAR materials. SOAR was permitted to set up a table, distribute materials and speak with the public at the meeting. **Table 3.3** shows the key information from the public meeting.

Table 3.3: September Public Meeting: Key Information

Date	September 6, 2012
Location	Aweres Public School, Sault Ste. Marie, Algoma District, Ontario
Attendees	70 (approximate, based upon voluntary sign in)
Information Presented and Made Available	<ul style="list-style-type: none"> • Display boards (Appendix E) • Draft Project Description Report • Project Contact Information and comment cards; academic and industry studies, and Project fact sheets • Project representatives included Proponent, including BFN representatives, key consultants, and technical support staff

Information gathered from the public meeting was considered by the Project team during Project planning and siting (as appropriate) and during the preparation of the REA Reports. A themed summary of all comments received at the meeting along with the related responses was prepared and was posted to the Project website and distributed at the final public meeting in an effort to provide feedback to all Project stakeholders, not just those that submitted comments.

Based upon previous stakeholder feedback related to visual change created by the Project, the Proponent presented visual simulations of the Project to further increase understanding of the potential visual change. These simulations were provided at the public meeting via display boards and additional print outs were available for stakeholders to view.

Additionally, based upon previous stakeholder feedback related to potential tourism effects and effects associated with cultural heritage resources (e.g., Group of Seven paintings), the authors of the Heritage and Tourism Effect Assessment were present at the public meeting to further discuss the methodology, findings and recommendations of the HTIA as well as speak to related issues with attendees.

Representatives of the BFN, including Chief Sayers and members of the BFN's Department of Natural Resources, were also in attendance to speak with stakeholders about BFN involvement

with the Project, their historical and cultural ties to the land, as well as their understanding and relationship to the Project’s environment. The BFN also provided information demonstrating that the Project is within their traditional territory and original reserve.

December 13, 2012 Public Meeting

The purpose of the final public meeting, which was the fifth such meeting held by the Project, was to provide further opportunity for stakeholders to ask questions related to the Project to specifically address the Draft REA Reports which were released for review in October, 2012 and to satisfy the requirement of the “final” public meeting for the combined Project under O. Reg. 359/09. It also provided stakeholders an additional opportunity to provide their input into the Project, such that their comments could be discussed, addressed, and/or incorporated into the Project design where feasible. At the meeting the Project was approached at the meeting by a member of Save Our Algoma Region (SOAR) who requested space to distribute SOAR materials. SOAR was permitted to set up a table, distribute materials and several members of SOAR circulated the venue to speak with the public at the meeting. **Table 3.4** shows the key information from the public meeting.

Table 3.4: December Public Meeting: Key Information

Date	December 13, 2012
Location	Aweres Public School, Sault Ste. Marie, Algoma District, Ontario
Attendees	80 (approximate, based upon voluntary sign-in)
Information Presented and Made Available	<ul style="list-style-type: none"> • Display boards (Appendix E) • Draft REA Reports • Project Contact Information and comment cards; academic and industry studies, and Project fact sheets • Project representatives included Proponent, including BFN representatives, and Stantec technical support staff

Additional information was provided at the public meeting via display boards related to the MNR’s approvals and permitting processes. Specifically, details were provided about the Crown Land Disposition for the Project (e.g., leases, purchases, and easements) and the various MNR permits and approvals which are envisioned to be required for construction and operation of the Project following completion of the REA process. In addition, a map identifying the proposed land tenure locations associated with the Project was provided.

A display board was also presented that specifically documented the Project updates since the issuance of the Draft REA Reports for public review and comment. The Project updates included the preparation and distribution of the themed response document which addressed the comments received from the first public meeting and the enhancement of the Project Location mapping. The mapping of the Project Location was refined to include corridors for the routing of Project specific access roads, collector lines, and the Project’s transmission line, which reflected the Project Location as described in the Draft REA Reports.

In addition, to further visually communicate the Project Location (i.e., the components of the Project that are being assessed and permitted under the REA process), the approved FMP roads and existing FMP roads (i.e., being forestry roads currently planned and approved under the MNR's Forest Management Planning process) layers were removed from the site plans as they are not included within the Project Location. Removal of these mapping layers provides additional clarity with respect to the proposed location of Project infrastructure that is being assessed under the REA process.

Key findings of the field studies and the results of the natural heritage assessment were presented via display boards. Significant natural features identified included groundwater seeps and springs, wetlands, and species of conservation concern. Details of the post-construction bird and bat monitoring plan were also presented including the commitment of a minimum three year monitoring program.

Representatives of the BFN, including Head Councillor Harvey Bell, members of the BFN's Department of Natural Resources and their consultants were also in attendance to speak with stakeholders about their involvement with the Project and the importance of the project to the BFN. In addition, the BFN addressed questions that were raised about the MFN, natural ecology, cultural and heritage matters and the alignment of renewable energy with the value system of the First Nation.

In response to various comments received at the September public meeting, which were related to wind power in general and Ontario's electricity grid rather than specifics to the Project, an additional display board was presented that addressed common questions and answers related to these comments.

A themed summary of all comments received at the meeting along with the related responses are provided in Appendix E. Copies of this themed response document have also been posted to the Project website in an effort to provide feedback to all Project stakeholders, not just those that submitted comments.

Comments received via comment cards were considerably similar to those received at previous consultation events (see **Appendix E** for a summary of the comments received). This included several comments related to potential impacts to the local economy/tourism which have been addressed as part of the Heritage and Tourism Impact Assessment. Very few comments were received related to the public's review of the Draft REA reports that were made available at least sixty days prior to the meeting.

3.2 MUNICIPAL AND AGENCY CONSULTATION

3.2.1 Municipal Consultation

The Project is located in the unorganized townships of Smilsky and Peever and based on section 18. (1) of O. Reg. 359/09, there are no municipal or local authorities in the Project area that must be provided draft documents and a Municipal Consultation Form. In particular, see **Table 3.5**

Table 3.5: Consultation with Municipalities, Local Authorities

Contact	Applies to the Project
Clerk of each local municipality and upper-tier municipality in which the project location is situated	Does not apply – project is in an unorganized territory
Secretary-treasurer of the local roads board of each local roads area in which the project location is situated	Does not apply – no local roads board exists for the project location
Secretary of the Local Services Board of each board area in which the project location is situated (within the meaning of the <i>Northern Services Boards Act, Regulation 737</i>)	Does not apply - no Local Services Board listed in Regulation 737 exist for the Project location

Given that none of the municipal or local authority contact points summarized in **Table 3.5** apply to the Project, draft documents including a Municipal Consultation Form were not required to be distributed for the Project.

Although not a requirement under section 18. (1) O. Reg. 359/09, consultation with the Sault North Planning Board proceeded throughout the development of the Project in a manner consistent with overall stakeholder consultation. The Sault North Planning Board (“SNPB”) was sent all mandatory notices throughout the REA process, including the opportunity to review draft REA documents and attend public meetings. Details of the consultation with the SNPB are provided in section 3.2.2 and **Appendix G**.

3.2.2 Correspondence with Agencies and Organizations

Numerous federal and provincial government departments and authorities were included on the Project contact list and were therefore notified and kept updated regarding the Project. Details regarding key agency and organization comments, and how the Project considered each comment, are provided in **Appendix G**. Key elements from this consultation work are summarized below.

Ministry of Natural Resources Confirmation Letter

The Project team maintained regular communications with the MNR throughout the REA process. Discussions were generally related to the NHA/EIS, as well as APRD requirements and Crown land tenure.

Natural heritage information was obtained, reviewed, and assessed by Stantec throughout the REA process, including records review, site investigations, and coordination of data from BFN's Natural Resources Department. Under O. Reg. 359/09, Stantec submitted various draft revisions of the NHA/EIS to the MNR for review and comment. The MNR issued their confirmation letter on January 25, 2013, verifying that the requirements under O. Reg. 359/09 for the Project's NHA/EIS were fulfilled.

The MNR also provided additional details related to pre and post-construction monitoring requirements that have been incorporated into the Environmental Effects Monitoring Plan ("EEMP") as set out in the Design and Operations Report. On January 25, 2013 the MNR also confirmed that the EEMP was prepared, with respect of birds and bats, in accordance with the MNR's: *Birds and Bird Habitats: Guidelines for Wind Power Projects (2011)*, and *Bats and Bat Habitats: Guidelines for Wind Power Projects (2011)*.

Ministry of Tourism, Culture and Sport

Correspondence with MTCS, including confirmation letters that apply to the Project are documented in **Section 2.2.4**. In addition to those activities, in September 2012, a Stage II Archaeological Assessment Amendment for the proposed component laydown areas and transformer station was filed with MTCS. Consistent with the first reports, no archaeological resources were encountered during the assessment and the assessment was determined by MTCS (September 2012) to be in compliance with MTCS guidelines and that the Ministry was satisfied with the recommendations made within the report.

As noted above in **Section 2.2.4**, the Heritage and Tourism Impact Assessment (which was completed for both phases of the Project) was submitted and subsequently confirmed by the MTCS in February 2012. Copies of correspondence as well as a complete summary of comments received from the MTCS are provided in **Appendix G**.

Ministry of Transportation

The Ministry of Transportation (MTO) has been contacted throughout the development of the Project with respect to installation of the commercial entrance from Hwy 17N for the construction and operation of the Project. The MTO has issued an entrance permit in accordance with the *Public Transportation and Highway Improvement Act, (1990)*. In addition, as part of the consultation activities with respect to the Environment Canada Weather Radar described below, MTO has been consulted with respect to the winter maintenance and snow clearing operations on Hwy 129 and Hwy. 556.

Transport Canada

The Proponent has consulted with Transport Canada throughout the development of the Project, including submission of Aeronautical Obstruction Clearance Forms for the two temporary development stage MET towers, which were signed off by TC. The Proponent has

also submitted Aeronautical Assessment Form for Obstruction Marking and Lighting in November 2012 to Transport Canada for the combined 36 Wind Turbines and the two permanent MET towers, which is currently under assessment by Transport Canada.

NAV Canada

The Proponent has consulted with NAV Canada throughout the development of the Project. In addition to the submission and approval of Land Use Proposal forms for the two development stage MET towers, the Proponent had submitted a Land Use Proposal and received a letter on June 25, 2012 from NAV Canada stating no objection to the 12 turbines and one permanent MET tower in Phase 1 of the Project. In November 2012, the Proponent has since re-submitted a Land Use Proposal to NAV Canada for the current 36 wind turbine project and two permanent MET towers, which is currently under screening by NAV Canada.

Environment Canada

An Environment Canada (“EC”) weather radar station designated as WGJ is located in Montreal River, Ontario, and is approximately three kilometers northwest from the nearest wind turbine. The WGJ radar station is located within the recommended 80 kilometre consultation zone and accordingly Environment Canada has been contacted and supplied with a Project layout to inform consultations about potential effects to the weather radar signal since 2009.

EC had expressed concern that the Project might, in certain circumstances, cause interference with the weather radar (e.g., partial blockage of the radar beam). The cursory analysis performed by EC indicated that this interference might affect the issuance of snow squall warnings for discrete portions of Highways 129 and 556 in the local area.

To address this concern, EC recommended consultation with end users of the weather radar data that may have concerns about the potential effects to its data quality. The end users identified by EC were the Ministry of Transportation Ontario (“MTO”) and Ontario Provincial Police (“OPP”). Private operators of snow clearing equipment were also mentioned in general by EC.

The Proponent contacted both the MTO and OPP and consulted about the potential effects described by EC to determine if the potential effects on Highways 129 and 556 could be of concern to them. Through discussions with MTO, it was determined that private contractors used by MTO to clear snow do not themselves use the EC weather radar data, but rely on the MTO for direction on where snow clearing is needed.

The MTO noted that their highest concern related to the prediction of snow squalls was for Highway 17 and not Highways 129 and 556. For high priority highways such as Highway 17 the MTO has both roadside weather stations and cameras to provide all their required snowfall information. In any event, due to the location of Highway 17 between the weather radar and the Project, there are no predicted Project-related effects on radar coverage anywhere on Highway

17. The MTO noted that Highways 129 and 556 are “Level 5” highways, their lowest service level when it comes to snow clearing. The MTO also noted that in their view both Highways 129 and 556 were too far from EC’s WGJ weather radar station for accurate low-level snowfall information, and consequently MTO instead relied on the use of patrol vehicles over the winter period to monitor snow conditions. These patrols are the main sources of information to determine when snow clearing was required for Highway 129 and 556.

From consultations with the OPP, they noted that for Highways 129 and 556 they also utilized patrols to inform police deployment rather than weather alerts and weather radar information from EC. As such, the OPP had no further concern or interest in this potential issue.

The Proponent presented the feedback from these end users back to EC. In spite of the lack of concern from the end users identified by EC, in order to minimize any potential data interference, the Proponent implemented alterations to the Project layout, which reduced potential effects from the wind turbines by creating several line of sight ‘corridors’ that permit the weather radar signal to pass unimpeded through the wind plant. Based upon the results of the consultations with end users described above, and also on mitigation measures implemented by the Project, EC and the Project agreed (June 9, 2010) upon the currently proposed wind farm layout as a workable solution for both parties.

Following the agreement to mitigation strategies, EC subsequently revised its position and issued a letter stating they had additional concerns. The Proponent provided an initial response to EC noting that it would undertake additional analyses to better understand and address new EC concerns. To assist with the technical evaluation of the new EC concerns, the Proponent retained additional technical experts, including Professor Isztar Zawadski from the University of McGill Department of Ocean and Atmospheric Sciences, and WestSlope Consulting, radar interference specialists out of the United States. Both experts have experience working with wind turbines and weather radars. After several requests by the Proponent for additional technical information and a meeting, and one cancelled meeting by EC, the Proponent and EC met on January 9, 2013 to discuss EC’s new concerns.

At the January 9, 2013 meeting, it was acknowledged by both parties that further movement of turbines was not practical at this stage of Project development, and that operational mitigation such as curtailment of turbines would likely not be an effective mitigation technique. It was agreed that further assessment of the actual impact to the weather radar signal was required in order to further understand the need (or lack thereof) for, and effectiveness of potential mitigation strategies. Examples of mitigation under consideration include changes to the radar’s signal processor algorithms or the use of an infill radar location going forward.

To aid the on-going evaluation of the need, or lack thereof, of the additional mitigation strategies, EC has committed to provide the Proponent with data specific to the Montreal River weather radar which would in turn be utilized by the Proponent to complete additional analyses; the results of which will be shared with EC to aid in their future data analysis and planning. Once this analysis is complete the Proponent will share the results with EC and further meetings

will be arranged to evaluate and determine appropriate additional mitigation measures if required.

Sault North Planning Board

Consultation with the SNPD occurred throughout the development of the Project in a manner consistent with overall stakeholder consultation as demonstrated in **Appendix G**. The SNPD was sent all mandatory notices throughout the REA process, including the opportunity to review draft REA documents and attend public meetings.

The SNPB General Manager attended the September 2012 public meeting and regular communications and information sharing via email and telephone occurred between the Project and the SNPB to identify and understand their issues and requirements. The Project offered to meet with the SNPB, but the SNPB did not pursue an in person meeting.

During consultations with the SNPB it was agreed to that the Project would share copies of the site Legal Survey, once completed. In addition, the Project clarified the location of surrounding receptors in the vicinity of the Project and the predicted sound levels at neighbouring receptors, which are compliant with MOE noise guidelines for a quiet rural environment as confirmed in the Acoustic Assessment Report prepared by HGC Engineering Ltd.

Based upon the consultation and information exchanges completed by the Project, the SNPB indicated they had no further questions or comments with respect to the Project.

3.3 ABORIGINAL ENGAGEMENT

The Project has undertaken numerous measures and participated in multiple activities and meetings to ensure that it has met the Crown's expectations related to engagement with all Aboriginal communities and interests identified on the ACL or who otherwise may or may not have a claim on the basis of their Aboriginal and/or Treaty Rights and whose rights may be affected by the Project. Although the Proponent was able to meaningfully engage and accommodate several Aboriginal communities, and made repeated efforts to engage all other communities on the ACL, the Project has made it very clear to the Crown that its efforts to engage and accommodate have not always received cooperation from those parties who were identified on the ACL. Nevertheless, the Project has and will continue to engage any reasonable Aboriginal interests that would potentially be affected by the Project.

The updated ACL provided by the MOE on October 10, 2012 did not include any changes to the second ACL that was provided by the MOE in 2010. As such, engagement efforts with the previously identified Aboriginal communities, as identified below, continued throughout the development of the Project:

- Batchewana First Nation
- Michipicoten First Nation
- Garden River First Nation
- Chapleau Ojibway First Nation
- Historic Sault Ste. Marie Métis Council
- Métis Nation of Ontario (“MNO”).

Depending upon any new or continued expression of interest by an Aboriginal community, the Project remains willing to engage and build relationships and has confirmed its willingness to participate in future meetings and information sharing with the identified Aboriginal communities. A summary of the engagement efforts to date with each Aboriginal community, and copies of correspondence, is provided in **Appendix H**.

3.3.1 O. Reg. 359/09 Required Consultation Activities

While detailed in **Appendix H**, the following provides a summary of the engagement efforts that were conducted by the Project with each ACL Aboriginal community in compliance with the requirements of O. Reg. 359/09.

Notice of Proposal and Public Meeting

Personalized letters were sent to each Aboriginal community on July 30, 2012 to provide the updated Draft Project Description Report, the Notice of a Proposal to Engage in a Renewable Energy project and Public Meeting, and to advise that the Notice would be published in local newspapers starting August 1, 2012. The Project encouraged each Aboriginal community to publish the Notice in their community newspaper or provide information regarding any newspaper in which they would like the Proponent to publish the Notice. Each addressee was also requested to post a paper copy of the updated Draft PDR (that the Project supplied) within the community or at a location of their choice. No communities requested the Notice to be published in a community newspaper, or an additional copy of the draft PDR.

Project Summary Report

A Project Summary Report (“PSR”) was provided to all Aboriginal communities on the ACL on October 9, 2012. The PSR included a description of the Project along with a summary of the REA reports that would be submitted as part of the REA application. Through a cover letter appended to the PSR, the Project requested any information that should be considered in

preparing the final REA reports and any information each community may have about any adverse effects the Project might have on constitutionally protected Aboriginal or treaty rights and any measures for mitigating those adverse effects.

To ensure that comments could be incorporated into the final REA Reports, comments were requested by December 13, 2012 (the same date as the final public meeting). No formal comments were received with respect to the PSR from any Aboriginal community identified on the ACL. The Project also offered to provide additional copies of the PSR so that copies could be made available for community members to review, however, no requests were received.

Notice of Final Public Meeting and Draft REA Report Package

The Project provided the Notice of Final Public Meeting along with a copy of the Draft REA Report Package to each First Nation community identified on the ACL on October 9, 2012 (prior to the date that the same documents would be released for public review). Each Aboriginal community on the ACL was encouraged to publish the Notice in their community newspaper or provide information regarding any newspaper in which they would like the Proponent to publish the Notice in. No communities requested the Notice to be published in a community newspaper or elsewhere.

As part of the package that was provided, the Project again requested each community provide in writing any information available that should be considered in preparing the final REA documents. In particular, any information the community may have about any potential adverse effects that the Project may have on Aboriginal or treaty rights and any measures for mitigating those adverse effects. The deadline for comments and information was December 13, 2012, to ensure that any comments provided could be incorporated into the REA Application for the Project.

A subsequent letter was distributed on November 28, 2012, reminding each Aboriginal community on the ACL of the upcoming final public meeting and to reiterate earlier requests to provide any information the community may have about any potential adverse effects that the Project may have on Aboriginal or treaty rights and any measures for mitigating those adverse effects.

No formal comments on the Draft REA Reports, including the PSR, have been received at the time of the preparation of this document.

Copies of all comments provided by the Aboriginal communities throughout the development of the Project and responses are provided in **Appendix H**.

3.3.2 Additional Engagement

In addition to the engagement requirements of O. Reg. 359/09 the Project's extensive engagement activities included additional Aboriginal engagement initiatives and Project information sharing. For example, as part of the release of Draft REA Documents and the Notice of Final Public Meeting, offers were made to each Aboriginal community on the ACL for members of the Project team to visit their community to share information about the Project via a community information session. These additional engagement activities, and outcomes for each, are described in more detail below. Copies of correspondence related to these additional engagement efforts can be found in **Appendix H**.

Batchewana First Nation

Engagement with the BFN has been ongoing since September 2007 when the Project was in the early stages of development. Communications and cooperation with the BFN have continued throughout the development of the Project resulting in the issuance of various development agreements and permits.

The Batchewana Natural Resources department (BNR) is responsible for managing the Natural Resources within BFN's Territory in a sustainable manner that reflects their Anishinabe responsibilities as protectors of the land. The BNR was the responsible BFN department for review of the Project proposal and to provide recommendations to the Chief and Council. The BNR have completed a Field Exploration Environmental Report that includes completion of field surveys by BFN Natural Resources Department and incorporation of current use and Traditional Ecological Knowledge. A copy of the Field Exploration Environmental Report is included in Appendix H.

Throughout the Project development, Project information and reports, including the draft REA reports, were shared with the BFN Chief and Council, BNR, and their consultants for review and to provide comment. The Project also shared all archeological assessment reports referred to in section 2.2.4 with the BFN. The BFN review of these reports was completed by Brandy George, the only licensed First Nation archeologist in Ontario, who concurred with the reports and their conclusions.

A total of five Community Engagement Sessions were held on the three BFN reserves in November 2011 and January 2012 to provide Project information and to gather feedback from BFN community members.

Concurrently, and in addition to these extensive engagement activities, the BFN has:

- entered the Project as partner;
- entered into various business and relationship agreements with the Proponent to guide Project activities; and

- issued Development and Power Generation Permits, which provide the BFN's approval to construct, operate, repower, and decommission the Project.

Michipicoten First Nation

Engagement with the MFN has been ongoing since September 2007 when the Project was in the early stages of development (See section 2.1.2 and **Appendix H**). In addition to provision of the required notices and information required under O. Reg. 359/09, additional engagement activities completed with the MFN included Project updates via email, telephone conversations, meetings with the MFN Chief, and presentations to Chief and Council.

The result of these engagement activities culminated with the MFN issuing a letter of no interest in the Project on April 2, 2012. However, this letter of no interest was subsequently rescinded by the MFN on April 12, 2012, at which time the Chief made the first indication to the Project that MFN believed the Project may also be within the MFN's traditional territory contrary to previous indications (see Section 2.1.2).

As the main concern raised by the MFN was with respect to interpretation of traditional territories, rather than any specific issues with the Project itself or the application of O. Reg. 359/09, the BFN and the MFN commenced First Nation to First Nation discussions in order to come to a mutually acceptable territorial resolution. For clarity, this issue and associated discussions are beyond the Project's engagement activities and is thus outside the scope of the REA. However, for reference purposes only, these meetings occurred on June 27, July 18, Oct 12, and December 12 2012 and on January 15, 2013. The MNR and MOE participated in the October 12 and December 12 meetings between the BFN and MFN and have been kept informed by the Project on the overall progress of the First Nation to First Nation discussions. The Project participated as required in the First Nation to First Nation discussions to provide Project-related updates and information.

Based upon feedback from the MFN at the October 12, 2012 meeting, the Project arranged for a subsequent meeting between the Chief and Councils of the BFN and MNF on November 15, 2012 in Sault Ste. Marie and a Community Information Session on the MFN reserve which was scheduled for November 21, 2012. Afterwards, at the request of the MFN Chief, both the November BFN-MFN meeting and community information session were cancelled and rescheduled to December 12 and December 18, 2012 respectively. However, at the December 12, 2012 First Nation to First Nation meeting the MFN elected to cancel the planned December 18 community information session. Agreement was reached at the December 12 meeting that the MFN would contact the Project when they were ready for a community information session; no such request had been made as of the date of this report.

The BFN and MFN met again on January 15, 2013. During this meeting, the BFN formally presented their proposal to offer accommodation in the nature of Project participation to MFN. This accommodation proposal, however, if terms can be agreed upon between the First Nations, contemplates participation for MFN after the Project has achieved its Commercial

Operation Date. First Nation to First Nation discussions are on-going between the BFN and the MFN to see if an agreement can be reached well in advance of the Commercial Operation Date, but presently there is no final agreement.

Notwithstanding the First Nation to First Nation on-going discussions related to territory, which for clarity are separate and distinct from the Project's engagement activities, as shown in the record of engagement at no point has the MFN put forward a claim, or made any representations, under the requirements of O. Reg. 359/09. As such, while the offer remains open by the Project to host a community information session at the desire of the MFN, no additional engagement activities are presently planned with the MFN.

Garden River First Nation

In addition to provision of the required notices and information required under O. Reg. 359/09, additional engagement activities completed with the GRFN included provision of Project updates via mail and No issues or specific concerns were raised by the GRFN during these discussions or in response to the notices and requests sent to the First Nation. The result of these engagement activities culminated with the GRFN issuing a letter of no interest in the Project on April 12, 2012.

Chapleau Ojibway First Nation

Project information was first circulated to Chapleau Ojibway First Nation ("COFN") in June 2010 following receipt of the updated ACL issued by the MOE when the Project commenced the REA approvals process under O. Reg. 359/09. Prior to that time the COFN were not included in the Crown's ACL for the Project to engage.

Project related notices and information have been shared with the COFN since 2010 through present day (**Appendix H**). There has been very limited response from the COFN in response to the Project's engagement efforts. However, on November 16, 2010 the Project made contact by phone with the assistant to Chief Stephens, who confirmed that the COFN had received the Project information and correspondence to date. The chief's assistant further indicated that the Chief had been provided with the information, and the Chief would respond if there were any comments from the COFN. At the time of writing this report, the Chief had not responded with any comments or expressions of interest in the Project.

Project notices and information continued to be shared with the COFN, including formal written offers to arrange a community information session and meeting with the Chief and Council. To date the COFN have not responded to these offers.

The Project has undertaken a comprehensive sharing of Project information and has provided the COFN opportunity to provide feedback and identify issues to the Project since June 2010. Based upon the engagement activities undertaken by the Project, no potential adverse effects of the Project on the COFN, nor to their Aboriginal or Treaty Rights, have been identified.

Historic Sault Ste. Marie Métis Council and Métis Nation of Ontario

The MNO and the Métis Community Councils have executed a Regional Consultation Protocol for the Historic Sault Ste. Marie traditional territory to guide Métis Nation engagement for this Project. The Protocol established a Regional Consultation Committee that included the MNO regional councillor as well as representation from the Community Councils in the traditional territory identified by the Historic Sault Ste. Marie Métis Council.

Commencing in 2010, and throughout the development of the Project, the Project has maintained an open dialogue regarding the Project, culminating in the execution of a Mutual Support Agreement between the Project and the Métis. The Métis and the Project have committed to an ongoing relationship including planned future meetings to provide updates on the Project.

As a result of the engagement activities, and the ongoing relationship between the Project and the Métis, the Métis issued a letter in support of the Project to the Minister of Environment and Minister of Natural Resources on 16 November 2012 (**Appendix H**). The letter of support indicates that Métis have received meaningful engagement, and that the Project has fulfilled any obligations with regard to engagement, consultation, or accommodation.

4.0 Ongoing Consultation & Engagement

The following describes the Project's plan for ongoing consultation and engagement activities following submission of the REA application and what is planned to occur during construction, operation, and decommissioning of the Project.

4.1.1 Community Updates

The Project will continue contact with Project stakeholders (e.g., public, Aboriginal communities, agencies) as required during the construction and operation phases of the Project for as long as this seems an effective two-way channel of communication, including providing Project updates on the Project website (<http://www.bluearthrenewables.com/bowlakewind>). With an anticipated presence in the community over the long term, the Project will continue to develop local relationships and channels of communication, which are anticipated to benefit the local area.

In the event of an emergency, the Project will initiate the Emergency Response Plan and will directly contact (via phone or in-person) anyone who may be directly affected so that the appropriate actions can be taken to protect the health and safety of the community. Additional updates (non-emergency related) may be provided via the website, letters/newsletters, newspaper notices, or direct contact.

4.1.2 Community Contact Information

Ongoing stakeholder communication will allow the Project to receive and respond to community issues on an ongoing basis. The mailing / e-mail address for contacting the Project will continue to be posted on the Project website (<http://www.bluearthrenewables.com/bowlakewind>) throughout construction and into the operations phase and provided directly to the MNR and MOE. The Emergency Response Plan will include key contact information for emergency service providers, a description of the chain of communications, and how information would be disseminated between the Project and the relevant emergency responders.

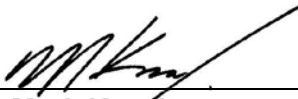
A telephone number, provided for the reporting of issues, will be equipped with a voice message system used to record the name, address, telephone number of the complainant, time and date of the complaint along with details of the complaint. All messages would be recorded to maintain a record of all correspondence. All reasonable efforts would be made to take appropriate action as a result of actual concerns as soon as practicable. The actions taken to remediate the cause of the complaint and the proposed actions to be taken to prevent reoccurrences of the same complaint in the future would also be recorded. If appropriate, the MOE Spills Action Centre would be contacted to notify them of the complaint. Correspondence would be shared with other agencies as appropriate, such as the MOE and MNR.

5.0 Closure

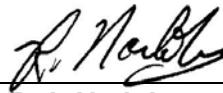
This Consultation Report for the Project has been prepared by Stantec for the Proponent in accordance with Item 1, Table 1 of O. Reg. 359/09, the MNR's *APRD*, and the MOE's *Technical Guide to Renewable Energy Approvals*.

This Consultation Report has been prepared by Stantec for the sole benefit of the Proponent and may not be used by any third party without the express written consent of the Proponent. The data presented in this Consultation Report are in accordance with Stantec's understanding of the Project as it was presented at the time of reporting.

STANTEC CONSULTING LTD.



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6.0 References

Ontario Ministry of the Environment. As amended. Technical Guide to Renewable Energy Approvals.

Ontario Ministry of Natural Resources. 2009. Approval and Permitting Requirements Document for Renewable Energy Projects. Available online at:
<http://www.mnr.gov.on.ca/stdprodconsume/groups/lr/@mnr/@renewable/documents/document/277097.pdf>

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O. Reg. 359/09. 2012. Ontario Regulation 359/09 made under the Environmental Protection Act Renewable Energy Approvals Under Part V.0.1 of the Act.

Ontario Ministry of Natural Resources. 2003. A Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects.