

## WIND TURBINES – THE PROCESSES

(A backgrounder on decisions and processes that have taken place by the Provincial government and Grey Highlands Municipal Council and the processes that have yet to occur with references to relevant important documents)

- 2004 – Grey Highlands Council, under pressure from wind turbine developers to allow them to proceed, had the foresight to pass an interim control by-law that would temporarily restrict such developments to allow Council time to formulate policy and an Official Plan Amendment; Jones Consulting was hired to research and prepare the Amendment; three public meetings were held and several discussion papers were created over the next two years; the province is asked for guidance at the outset but they offer none, encouraging the Municipality to develop its own policy.
- 2005 – Council extends interim control by-law for another year.
- 2005 – Ontario’s Ministry of Municipal Affairs and Housing releases policy statement saying, in 1.8.3,  
“Alternative energy systems and renewable energy systems *shall* be permitted in settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements. In rural areas and prime agricultural areas, these systems should be designed and constructed to minimize impacts on agricultural operations.”  
Although the previous section, 1.8.2, states,  
“Increased energy supply should be promoted by providing opportunities for energy generation facilities to accommodate current and projected needs, and the use of renewable energy systems and alternative energy systems, where feasible”, the issue of feasibility as it applies to location would seem to be largely overridden by 1.8.3.
- Fall, 2005 – Council retained University of Guelph to undertake a project to assess the landscape character units in the Municipality and the visual impacts from the development of large scale commercial wind facilities. Report entitled “Landscape and Visual Assessment Guidance for Wind Energy Farm Development,” completed March 24, 2006. (This document is a must read and is available on the GWAG website).
- 2006 - Findings incorporated into final draft of Municipality’s Energy Generation and Transmission policies.
- Oct., 2006 – Policies incorporated into Amendment # 10 to the Municipality of Grey Highlands Official Plan and submitted to Grey County for approval.
- 2007 – County requested a number of changes to Amendment # 10, but the main one had to do primarily with Area 1 of Schedule “D”; County required Area 1 to be broken down into component areas, represented on the maps of “D” by colour coding.
- Late 2007 – Amendment # 10 finally approved and passed by Grey County. (This document is a must read and can be viewed on the GWAG website)
- In the preamble to Amendment # 10, it states that, “Large scale wind energy systems are permitted without amendment to the Official Plan provided they are located outside of provincially significant wetlands, the habitat of endangered and threatened species and the wind energy management area number one.” In other words, if proposed sites are within area one, an Official Plan amendment would be required; if in area two, no such amendment would be required.

- Amendment # 10 states, “Preliminary consultation shall occur between the applicant, Council and municipal staff regarding new or expanded energy systems, prior to the submission of any applications and the commencement of any Environmental Assessment processes”. It has been reported by municipal staff that no such consultation has taken place by any developer; there are other requirements in Section 7.4.1 of the Amendment that have not been fulfilled by any developer to date.
- 2008– Municipality passed Comprehensive Zoning By-Law Amendment 2008-56 that contains the Renewable Energy Zoning By-Law Provisions, including defining Adverse Effects and the detailed provisions for Wind Energy Systems (This document is a must read and can be found on the GWAG website).
- 2002 and ongoing – Concurrently with the foregoing, developers have signed leases with landowners; landowners directed by developers not to talk to anyone re-the terms of the leases.
- 2004 and ongoing – Developers have commenced Environmental Screening Processes under the Environmental Assessment Act; this Process is a proponent driven, self-assessment process; there are definitive requirements within the Process for public consultation throughout the process and for addressing public concerns; most developers fail to meet these requirements!
- 2004 and ongoing – Developers have signed 20 year contracts with Ontario Power Authority (OPA) to deliver specified amounts of electricity to the power grid under Ontario’s Standard Offer Program (SOP); according to the OPA the only criteria is whether the grid can absorb the power output; there is no screening or background check on the companies involved; developers receive a basic 11 cents per kWh with a modest inflation indexing. This basic rate is reviewed periodically (at least every two years is suggested) but does not apply retroactively to already executed contracts. The developers can receive an additional 1 cent/kWh from the federal government under the Ecoenergy for Renewable Power Program.
- When the proponent has completed the Environmental Screening Process, a report must be made available to the Municipality for Council and public review (government agencies, such as conservation authorities may also be involved); there is a 30 day review period during which the public and governmental agencies may request that the project be elevated (often referred to as “bumped-up”) with cause, to an Environmental Review or to an individual Environmental Assessment; if such an elevation or bump-up request is made, MOE allows the developer to address and to try to resolve the issues on their own.
- The Ministry of the Environment (MOE) does not approve the Screening reports and may not even receive them unless there is a request for elevation; if such a request has been submitted, MOE will then review the report; it appears that this review amounts to a simple check list that the components of the Screening Process have been completed.
- It is reported that MOE has received numerous requests for elevation but has yet to grant one; **MOST PRACTITIONERS IN THE FIELD ADMIT THAT THE ENVIRONMENTAL ASSESSMENT PROCESS IS SERIOUSLY FLAWED!**

If no requests for elevation are received during the 30 day review period, the requirements of the Screening Process are deemed to have been completed and the proponent prepares a “Statement of Completion” and submits it to the Director of the Environmental

Assessment Approvals Branch of MOE; at this point the proponent may apply for building permits from the Municipality.

- It should be noted that the last three bullets describing the Environmental Screening Process are as it is presented in MOE’s Guide to Requirements for Electricity Projects; in practice, it appears that the chronology of events may vary; for example, the Statement of Completion is usually issued by the developer at the beginning of the 30-day period; further, there is nothing to stop developers from applying for building permits prior to the end of the Screening Process, but it is unlikely that they would do so; on the other hand, Melancthon II did take the chance that there would be no problems and started building turbine bases before receiving MOE approval even though they faced the possibility of having to remove them.
- **IT IS THEREFORE ESSENTIAL THAT THE PUBLIC SERIOUSLY AND CRITICALLY REVIEW THE SCREENING REPORT AND LOUDLY PROCLAIM THEIR CONCERNS;** because of the self-assessment nature of the Screening Process and the lack of substantive review by MOE, the quality of the reports has varied widely but generally have been of an extremely low quality, lacking in substantive evidence to support obviously biased reporting.
- The Municipal Council and staff must satisfy themselves and the public that the proponent has met all the requirements of Amendment# 10 and the Zoning By-law before approving the application and granting permits.
- **IT IS ESSENTIAL THAT THE CONCERNED PUBLIC ATTEND COUNCIL MEETINGS AND SPEAK TO COUNCILLORS TO ASSURE THAT THE PROPONENTS MEET REQUIREMENTS TO THE LETTER!**