

Presenter: Mandy Smith

I, Mandy Smith, of the township of West Lincoln, Niagara Region in the Province of Ontario, MAKE OATH AND SAY:

1) I am alarmed about the close proximity of proposed turbine T83 to my property. Proposed Turbine T83 is closer than the required 135 meter setback. The turbine pad is a 90.1 meters from my property boundary and the laydown area is depicted by the blue area which appears to be within 95 meters. (Exhibit A1-4)

2) T83 is being proposed on lands that are regulated by the Niagara Peninsula Conservation Authority. (B1) My property includes provincially significant wetlands and the properties adjacent to mine are partially deemed as same.

Niagara Peninsula Conservation Authority map showing the tributaries running through my property. The proposed turbine is within NPCA regulated lands. Where are the reports that confirm that drainage patterns will not be affected by the construction of this turbine? (B2) MNR Regulated Wetlands are shown in yellow (B3) the pink dot denotes the T 83 turbine location and the area circled in red is my property.

(B4 – reference page) The Conservation Ontario / Development, Inference & Alteration Regulations defines “Wetland” as

(B4a) [A wetland is an area that is seasonally or permanently covered by shallow water or has a water table close to or at its surface. Wetlands help control flooding, store excess water, improve water quality and recharge underground water sources ...]

(B4a)[Removal, filling, dredging, or changing wetlands can result in reducing the capacity of wetlands to retain water,]

(B4a)[Development in wetlands has the potential to interfere with many of the natural features and ecological functions.]

One of the three ways (B4a) through which Conservation Authorities address wetlands within the regulations is they regulate activities within wetlands to ensure that they do not interfere with its natural feature and hydrologic and ecological functions. They also regulate development ADJACENT to a wetland to ensure that the hydrologic function of the adjacent wetland is not affected. 2.1.8 of the Provincial Policy Statement (B5) reads;

[Development and site alterations shall not be permitted on ADJACENT LANDS to the NATURAL HERITAGE FEATURE AND AREAS identified in policies 2.1.4 – 2.1.5. and 2.1.6 unless the ECOLOGICAL FUNCTION of the ADJACENT lands **has been evaluated** and it has been demonstrated that there will be **no NEGATIVE IMPACTS** on the natural features or on ECOLOGICAL FUNCTIONS.] (B5a)

How can the ecological functions have been evaluated when no one asked for my permission to do a survey of the natural features on my property? How can the MOE grant the REA approval without this study being complete? This is in contravention of the Provincial policy statement 2.1.8

My property has Shagbark Hickory and red oak, two upland species (their root systems do not thrive with excess moisture in the soil) that will be affected by changes to the drainage levels on my property. (B6) Both Species need well-drained soil.

I've seen no documents to say NRWC applied to NPCA for permits to ensure no negative impacts with location and or appurtenances. Both the turbine location as well as the appurtenances is within the 15 m water course set back of North Creek.

As seen in the photo's (Exhibit B7 – B11) show that there are many habituates which live and thrive on my property.

3) The decision on the MOE website for this wind energy approval state that no impacts on drainage, flooding or adjacent woodland areas *are anticipated*. (C1) (C1a) How can the MOE approve a project before the drainage assessments are completed? T 83 is only 90.1 meters from my lot line but more importantly the natural drainage that runs off the property into the next farmers' field is a

natural waterway as deemed by the Ministry of Natural Resources. **(C 2)** The severe soil compaction (from over 1300 transports and delivery trucks on the 3 acre construction area of land due north of my property) where T 83 will be constructed will result in drainage patterns upstream on my property. This will cause irreversible harm to the plants (ie. Shavark Hickory, Red Oak and other upland plants will die) and wildlife that inhabitant my property will be irreversibly displaced. It is reasonable to believe that Phragmites, an extremely invasive plant that invade wet areas and disrupts native plantings in Ontario, will move into my property due to the severe disturbances just north of my property, causing SERIOUS HARM to the natural ecosystem. If the turbine is allowed to be erected it will interfere with the natural flow of this water that is needed for the wildlife and plant life on my property as well as the water supply to my pond which facilitates my water usage in my house. The flow of this water will run right by or on top of the turbine that will be erected. **(C3 – C9)** show images of the water flowing from my property and it is easy to envision what would happen if that flow was disrupted.

4) My Property supports Swamp Thicket and Meadow Marsh Communities and is part of the LOWER TWENTY MILE CREEK WETLAND COMPLEX. **(D1)** Many animals use my property for habitat and reproduction. Wild turkeys nest on my property; deer congregate and bed down regularly. There are a great number of species of birds ie; Great Blue Herons, Hawks, Blue Jay, Cardinals, Finches, Pheasants, and Geese etc. are on my and neighbouring properties as well as Fox, Coyotes, Rabbits, Snakes, Frogs, Turtles and the very important bat population and many more. Much of the plant life that exists on the property feeds these animals and birds and these animals are a very important part of the food chain that sustains each population. The photos **(D2 – D8)** clearly show that there is a healthy ecosystem on my property, nesting birds, and squirrel nests, areas where deers bed and turkey are a common site and have not be disrupted by human or mechanical means.

5) No one from NRWC or Stantec asked for my permission to visit my property to see what animals and plants live here. (E1) (E2) There have been no studies done on my property by the wind company, so how does NRWC and Stantec know that no impacts are anticipated? (E3) No physical site survey was completed on my property. No one asked my permission to do a physical site survey and no assessments were conducted for other natural features, such as breeds of bird habitats, bat maternity colonies, plant communities, etc. A site survey from my PROPERTY LINE would not confirm the presence of reptile hibernacula, seeps, springs, vernal pool features – to date, these are inconclusive. (E4) I am requesting that the Ministry of Natural Resources and Stantec take the time to conduct studies to ensure that the Ministry of Natural Resources guidelines are maintained on my property and the Devries property including the natural waterway drainage.

In conclusion:

I am convinced that in future, should the turbines be sited as proposed, my property will not be able to sustain the wildlife that exists there now, and I am dissatisfied by the FIT process when I see that STANTEC did not do the proper studies and reports to support this community in our common goal for a “green West Lincoln”.

I, and my neighbours, expect that Stantec/ NRWC is just as concerned about the future of our township as we are; consequently it is hard to believe that they would neglect to do proper due diligence in the application process for the approval of the NRWC project. I, as a presenter, am expected to prove that the project will not cause serious harm, and this can only be done with the proper completion and documentation of all studies and field visits. The final results of these visits and studies must demonstrate the cooperation of the residents who will be affected by the siting of the IWT's. Then and only then can I and my community be satisfied that this project will NOT cause “serious harm”.

For the reasons noted in my presentation I request that this Industrial Wind Turbine Project be moved or revoked.

Thank You
Mandy Smith

ERT CASE NO.14-096