

## **Response to Algonquin Power Co. Report: Construction and Operations Use of Loyalist Township Roads and Right of Way Space on Amherst Island**

### **Association to Protect Amherst Island – November 2012**

The prospect of 11,000 heavy truckloads and the same number of return trips hauling turbine components, aggregate and concrete around the island is, at the least, distressing. In addition there will be the dust, mud, inconvenience, noise and environmental damage. We would urge Council not to be swayed by the promises offered in the Hatch report. The presentation to Council by APAI and SaveAI in November 2011 is added to this report as Appendix A. Similar promises were made by Stantec and Canadian Hydro Developers for the Wolfe Island project; the reality proved to be otherwise.

#### **Use of Present Island Roads**

Hatch writes that: "The route has been developed in order to minimize exposure of public roads to construction roads". But, looking at the "Transportation Roads" map, Algonquin plans to use almost all of Second Concession Road, most of Third Concession Road, half of Front Road, half of the Stella 40', probably all of the lower 40', parts of the South Shore Road and a quarter of the Art McGinn Road.

One quarter of all truck deliveries will pass through the hamlet of Stella. All of the deliveries will pass close to the school, one quarter directly in front and three quarters on a construction road within 450 metres. 11,000 truck deliveries and their return over 18 months equates to one every 10 minutes. Most of the deliveries will probably take place over a shorter period of 6 months; that translates into a truck every 3 minutes.

Second Concession Road west of the Emerald 40' is a no exit road. If this road is blocked by one or more delivery vehicle there is no alternate route for island traffic or emergency vehicles.

There is need to revise the "Transportation Roads Plan" to, at the least, avoid the hamlet and the school.

#### **Batch Plant**

Algonquin plans to produce concrete on the island. This will add traffic to the west of the school. The prevailing wind will carry dust (and noise) to the school and to the large concentration of residents in the hamlet. It is known that access to water is a problem away from the shoreline. How will the batch plant access water? If a drilled well is used, what will be the impact on the ground water for other uses? If water is trucked to the batch plant, what additional traffic will result?

### **Ownership of the Island Roads**

We understand that the Township does not own the full forty feet of road allowance in some parts of the island and maybe in one or two instances does not own any of the travelled road. There needs to be research to determine where Algonquin Power can and cannot access a full forty feet of roadway.

### **Environmental Impact**

As part of the Renewal Energy Approval process, Algonquin Power Co. is obligated to consider the environmental impact of the road use plan. This has not been done. We ask that before Council takes any action, Algonquin Power should revise the report to include the environmental impact.

We have a contract with an independent field naturalist. His reports have been submitted to the Ministry of Natural Resources. A copy of his report on the unopened road allowance between the Stella 40' and the lower 40' is included as Appendix B.<sup>1</sup> We do not want to make this report public and trust that you can respect this. We are aware that there are breeding sites of species-at-risk along this unopened road allowance. We are also aware that throughout the island there are breeding sites for a variety of species-at-risk. We presume that Stantec has also been gathering similar information. This information is fundamental for the siting of the access roads. Without their impact report the Algonquin Power road use report is incomplete.

### **Noise Bylaw**

There is a Township noise bylaw. This limits the hours for construction and for truck deliveries. In addition the by-law stipulates that the noise at homes be inaudible. There needs to be very clear evidence that Algonquin Power understands this. We note that the bylaw was revised so that the parts of the island zoned shore-line residential are now designated.

### **Tree Bylaw**

As noted in Appendix A, there was disregard for mature trees on Wolfe Island during construction. Our consultant naturalist advises us that hedgerows are also a vital environmental concern for breeding and nesting sites, and in many cases the hedgerows meet the criteria of Significant Wildlife Habitat (SWH). SWH are protected by the Ministry of Natural Resources and this ministry must be consulted prior to any wholesale destruction of habitat.

Loyalist Township needs to obtain an agreement that any mature trees that are removed be replaced by mature trees after construction; any ground cover and hedgerows that are removed be replaced by topsoil and native hedgerow plants.

We note that after ploughing land for the archaeological study the land was not refinished. The grassland has been left ploughed and subject to weed growth.

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<sup>1</sup> Note that Ministry of Natural Resources protocol does not allow detailed specification of the bird or nesting sites in reports. However, these sites have been logged into the Ministry data-base.

### **Transmission Lines**

It was the wish of the previous Council, in formulating the Official Plan Amendment for Renewable Energy, that all transmission lines be buried. That is also our wish. Having to contend with the visual intrusion of the turbines is more than enough. We ask Council to insist that all transmission lines be buried. We understand the Director of Engineering's concern; however, there must be methods for burying cables under roadways and under culverts. It is up to Algonquin's engineers to design the burials so as to meet the Director's concerns.

### **Ferry Use**

We ask that Loyalist Township enter an agreement on the use of the ferry in the event that the island dock needs to be constructed from the island. For instance, the Township could request that all workers be "bussed" across on the ferry and to their work site.

### **Extended Hours**

Hatch mentions the possible need for extended hours for project commitments. Islanders should not be penalized for Algonquin Power's delayed progress on the Renewal Energy Approval process. Loyalist Township must make it clear to Algonquin that extended hours are to be requested only for the safety of its workers. If Algonquin has to pay penalties for falling behind schedule it has only itself to blame.

### **Independent Consulting Engineer**

We ask that the Township engage an independent consulting engineering company, experienced in the management of large projects, to set up a site office and be given the authority to oversee all the construction operations. The company should be of the same stature as Stantec or Hatch. A. C. Acres is one company that has been suggested; the Registrar of Professional Engineers Ontario can be approached for suggestions. The role will be to ensure that the contractors conform to the agreements between Loyalist Township and Algonquin Power and meet the various by-laws that protect trees, noise, dust levels, environment and habitats, cultural and historic heritage items such as the stone walls, road widths etc. etc. Further, the consultant should be retained to ensure that all the promises to restore road curves and widths, re-planting of destroyed trees and turf, and general site clean-up afterwards is done.

If necessary, the amenities agreement should be re-negotiated to allow for the cost of this consulting work.

### **Dispute Resolution Mechanism**

The rebuilding, realignment and use of the roads is clearly going to be an inconvenience and annoyance to islanders. There has to be a dispute resolution mechanism during construction, and indeed during the operation of the wind

energy generating system. This mechanism needs to be in place before the Township approves the road use agreement. We have on the island a professional in this field. He is a member of the Canadian Armed Forces and has performed this role in Afghanistan and elsewhere. As far as we know he has taken no stand for or against turbines on the island. He would be able to guide Loyalist Township on how to find an expert in dispute resolution.

The cost of this should be covered by the amenities agreement; again, there may need to be re-negotiation of the agreement.