

**ORTECH Power**

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**Consultation Report  
to the Ministry of the Environment**

*Exhibit J  
Project No. 70287*

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**Exhibit J: Agency Consultation: MOE**  
(54 pages)

Date	Milestone	Contact	Purpose
November 11, 2009		Sandra Guido	guidance on notification
November 12, 2009		Sandra Guido	guidance on notification
November 12, 2009		Sandra Guido	PDR availability notification
November 13, 2009		Sandra Guido	guidance on notification
November 13, 2009		Sandra Guido	notice review
November 17, 2009	<b>Notice of Engagement</b>	Doris Dumais	Notice of Project
November 17, 2009	<b>Notice of Engagement</b>	District Manager/London	Notice of Project
November 18, 2012		Sandra Guido	timeline clarification
November 18, 2009	<b>PDR Submission</b>	Sandra Guido	PDR submission
November 19, 2009		Sandra Guido	timeline clarification
November 25, 2009		Sandra Guido	Phone log - PDR review timeline
December 3, 2009		Sandra Guido	Follow up on PDR
December 3, 2009		Sandra Guido	Aboriginal list review timeline
December 4, 2009		Sandra Guido	Question regarding communities
December 15, 2009		Sandra Guido	Invitation to open house
December 15, 2009		Kanina Blanchard	Invitation to open house
January 14, 2010		Sandra Guido	Aboriginal list timeline
January 15, 2010		Sandra Guido	Phone log - aboriginal list
January 22, 2010		Sandra Guido	environmental effects plan clarification
February 23, 2010		Sandra Guido	Aboriginal list review timeline
February 23, 2010		Sandra Guido	Aboriginal communities list
July 7, 2011		Sandra Guido	Reactivate project file/change to Narren Santos
July 8, 2011		Narran Santos	Change in contact information
July 11, 2011		Narran Santos	Call to update on project, change of project location
August 2, 2012	<b>Notice of Open House and Draft Review</b>	Doris Dumais	Referred to website for all documents
August 2, 2012		Sandra Guido/Narran Santos	Referred to website for all documents
August 2, 2012	<b>Notice of Open House and Draft Review</b>	Mark Dunn (London District)	Referred to website for all documents
August 16, 2012		Narran Santos	Website difficulties
October 25, 2011		Doris Dumais/Zeljko Romic	Presubmission Meeting/Minutes
October 25, 2012		MOE presubmission meeting	Meeting minutes
November 21, 2012	<b>Notification of Proposed Minor Modifications</b>	Doris Dumais	Proposed Minor Modifications
November 22, 2012	<b>Confirmation of Proposed Changes</b>	Doris Dumais	Letter confirming approach

## Leah Deveau

---

**From:** Nadiya Bogush  
**Sent:** Thursday, November 12, 2009 3:00 PM  
**To:** 'Guido, Sandra (ENE)'  
**Cc:** Scott Manser  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Hi Sandra,

Thank you very much for reviewing the notice and for providing templates. We are currently working on the Project Description and I will send it to you when it is ready. It will be posted on the project website, as required per section 16(3).

Best regards,

**Nadiya Bogush, B.Sc., M.E.S.**

ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
1-877-774-6560, ext. 223  
Fax: (905) 855-0406  
[nbogush@ortech.ca](mailto:nbogush@ortech.ca)

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---

**From:** Guido, Sandra (ENE) [<mailto:Sandra.Guido@ontario.ca>]  
**Sent:** Thursday, November 12, 2009 11:38 AM  
**To:** Nadiya Bogush  
**Cc:** Scott Manser  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Hi Nadia,

The form looks fine. I have attached the 2 Notice Templates we've created to help proponents in preparing the Notices. Please take a look and compare to ensure it includes the same content. As per section 15(4), a Notice of Proposal and Notice of Public Meeting can be combined.

These forms, along with others, will be posted on our website shortly.

As a reminder, please prepare the Project Description Report in accordance with section 10 of Table 1 (Table 1 is located near the back of Reg 359) and submit to me so we can identify for you which aboriginal communities need to be consulted. These communities should also receive your Notice of Proposal/Public Meeting (as per section 15(6)3).

Thank you,  
Sandra

Sandra Guido  
Senior Program Support Coordinator  
Renewable Energy Team  
Environmental Assessment and Approvals Branch  
Ministry of the Environment

2 St. Clair Avenue West, Floor 12A Toronto, ON M4V 1L5  
Tel: 416.314.6802 Fax: 416.314.8452  
[sandra.guido@ontario.ca](mailto:sandra.guido@ontario.ca)

---

**From:** Nadiya Bogush [<mailto:NBogush@ortech.ca>]  
**Sent:** November 11, 2009 3:46 PM  
**To:** Guido, Sandra (ENE)  
**Cc:** Scott Manser  
**Subject:** Notice of Proposal Silvercreek Solar Park project

Hello Sandra,

Following up on our recent conversation, I am sending you the Notice of Proposal for the Silvercreek Solar Park project. I really appreciate your kind offer to review it. Please advise about stakeholders, which we have to be notified about the project.

We need to send the notice to the newspaper on Friday, November 13 and I would be very appreciative for your prompt reply.

Best regards,

**Nadiya Bogush, B.Sc., M.E.S.**  
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804 Southdown Road  
Mississauga, ON, L5J 2Y4  
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## Leah Deveau

---

**From:** Nadiya Bogush  
**Sent:** Friday, November 13, 2009 1:11 PM  
**To:** 'Guido, Sandra (ENE)'  
**Cc:** Scott Manser  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project  
**Attachments:** Notice of Proposal Silvercreek Solar Project V6.doc

Hi Sandra,

We have changes the Notice of Proposal/Public Meeting for the Silvercreek Solar Project based on the proposed templates, I have attached the revised notice to this letter. The notice has to go to the newspaper today to meet the deadlines. Please let me know if you have any comments.

I would be very appreciative for your reply.

Regards,

**Nadiya Bogush, B.Sc., M.E.S.**

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Sandra Guido

Senior Program Support Coordinator  
Renewable Energy Team  
Environmental Assessment and Approvals Branch  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A Toronto, ON M4V 1L5  
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## Leah Deveau

---

**From:** Guido, Sandra (ENE) <Sandra.Guido@ontario.ca>  
**Sent:** Friday, November 13, 2009 5:27 PM  
**To:** Nadiya Bogush  
**Cc:** Scott Manser  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Hi Nadiya,

As long you as followed the templates provided, it is fine.

Thank you,  
Sandra

---

**From:** Nadiya Bogush [<mailto:NBogush@ortech.ca>]  
**Sent:** November 13, 2009 1:11 PM  
**To:** Guido, Sandra (ENE)  
**Cc:** Scott Manser  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Hi Sandra,

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I would be very appreciative for your reply.

Regards,

**Nadiya Bogush, B.Sc., M.E.S.**

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Thank you,  
Sandra

Sandra Guido  
Senior Program Support Coordinator  
Renewable Energy Team  
Environmental Assessment and Approvals Branch  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A Toronto, ON M4V 1L5  
Tel: 416.314.6802 Fax: 416.314.8452  
[sandra.guido@ontario.ca](mailto:sandra.guido@ontario.ca)

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Best regards,

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**ORTECH**  
**Environmental**  
a division of ORTECH Consulting Inc.

November 17, 2009

Director  
Environmental Assessment and Approvals Branch  
Ministry of the Environment  
2 St. Clair Ave W, Floor 12A  
Toronto, ON M4V 1L5

**Subject:** Notice of Proposal and Public Meeting for Silvercreek Solar Park project

Dear Director,

Silvercreek Solar Park Inc. is proposing a 10 MW ground mounted solar facility in the Township of Malahide, Elgin County, 9 km south from the Town of Aylmer. Enclosed is the Notice of Proposal and Public Meeting for this project as required by section 15 of the Ontario Regulation 359/09 under the Environmental Protection Act. The first of two public postings will appear in the local newspaper [the Aylmer express] on November 18, 2009.

If you have any questions, please contact Leah Deveaux at (905)-822-4120 ext. 305 or 1-877-774-6560.

Regards,

Nadiya Bogush  
ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
1-877-774-6560, ext. 223  
Fax: (905) 855-0406  
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**ORTECH**  
**Environmental**  
a division of ORTECH Consulting Inc.

November 17, 2009

District Manager  
London Regional Office  
Ministry of the Environment  
733 Exeter Road  
London, ON  
N6E 1L3

**Subject:** Notice of Proposal and Public Meeting for Silvercreek Solar Park project

Dear District Manager,

Silvercreek Solar Park Inc. is proposing a 10 MW ground mounted solar facility in the Township of Malahide, Elgin County, 9 km south from the Town of Aylmer. Enclosed is the Notice of Proposal and Public Meeting for this project as required by section 15 of the Ontario Regulation 359/09 under the Environmental Protection Act. The first of two public postings will appear in the local newspaper [the Aylmer express] on November 18, 2009.

If you have any questions, please contact Leah Deveaux at (905)-822-4120 ext. 305 or 1-877-774-6560.

Regards,

Nadiya Bogush  
ORTECH Environmental  
804 Southdown Road  
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Tel: (905) 822-4120, ext. 223  
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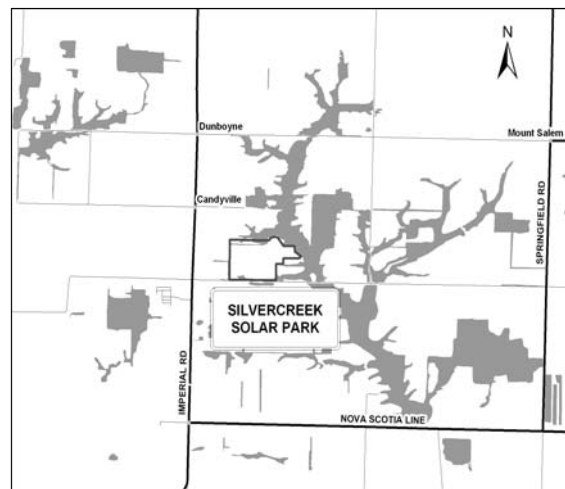
# NOTICE OF A PROPOSAL & NOTICE OF PUBLIC MEETING

By Silvercreek Solar Park Inc. to Engage in a Renewable Energy Project

Dated at Malahide Township, this 18th of November, 2009

Silvercreek Solar Park Inc. is proposing the development of a new 10MW ground mounted solar photovoltaic facility on privately held lands in the Township of Malahide, Elgin County, 9 km south of the town of Aylmer. The project utilizes polycrystalline solar photovoltaic panels mounted on single-axis trackers to maximize energy production. A new 4.5 km distribution line will be built along existing municipal road easements to the point of connection with the Dunboyne Distribution Station. ORTECH Environmental has been retained to assist in the Renewable Energy Approvals process.

The project is subject to the provisions of the Environmental Protection Act Part V.0.1 and Ontario Regulation 359/09 and requires a Renewable Energy Approval as a Class 3 Solar Facility. A Draft Project Description Report titled "Project Description Silvercreek Solar Park" describing the facility will be posted on the proponent's website ([www.silvercreeksolar.com](http://www.silvercreeksolar.com)) on December 11, 2009. A written copy of the report will be available at the public meeting for review. This notice must be distributed in accordance with section 15 of the Regulation prior to an application being submitted and assessed by the Ministry of the Environment. Public consultation is an integral component of this process.



The first **Open House** is scheduled for:

**Date:** Friday, **December 18, 2009**

**Time:** **4pm to 8pm**

**Place:** German Canadian Club  
522 Talbot St.W.  
Aylmer, ON  
(519)-773-5271

For further information on this project, public meetings or to communicate concerns, please contact:

Leah Deveau  
**ORTECH Environmental**  
804 Southdown Road  
Mississauga, ON; L5J 2Y4  
Phone: (905)822-4120 ext. 305; 1-877-774-6560  
Email: [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)  
**[www.silvercreeksolar.com](http://www.silvercreeksolar.com)**

Information will be collected and used in accordance with the Freedom of Information and Protection of Privacy Act, and solely for the purpose of assisting Silvercreek Solar Park Inc. in meeting Renewable Energy Approvals requirements. This material will be maintained on file for use during the study and may be included in project documentation. With the exception of personal information, all comments will become part of the public record.



## Leah Deveau

---

**From:** Nadiya Bogush  
**Sent:** Wednesday, November 18, 2009 4:30 PM  
**To:** 'Guido, Sandra (ENE)'  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Thank you so much Sandra. I really appreciate your reply.

Nadiya Bogush, B.Sc., M.E.S.  
ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
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-----Original Message-----

From: Guido, Sandra (ENE) [mailto:Sandra.Guido@ontario.ca]  
Sent: Wednesday, November 18, 2009 4:25 PM  
To: Nadiya Bogush  
Subject: RE: Notice of Proposal Silvercreek Solar Park project

The Notices should be distributed 30 days (Section 15) in advance of the public meeting to all individuals/groups that you are required to send it too.

Please find attached the REA forms/templates.

Thank you,  
Sandra

---

From: Nadiya Bogush [mailto:NBogush@ortech.ca]  
Sent: Wed 11/18/2009 10:33 AM  
To: Guido, Sandra (ENE)  
Subject: RE: Notice of Proposal Silvercreek Solar Park project

Hi Sandra,

Please advise if there is any deadline for distributing the Notice of Proposal/Public Meeting to aboriginal communities.

We are planning to start consultation with municipalities soon and I would be very appreciative if you could send me the municipal consultation form.

Regards,

Nadiya Bogush, B.Sc., M.E.S.

ORTECH Environmental

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Mississauga, ON, L5J 2Y4

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## Leah Deveau

---

**From:** Nadiya Bogush  
**Sent:** Thursday, November 19, 2009 12:04 PM  
**To:** 'Guido, Sandra (ENE)'  
**Subject:** RE: Notice of Proposal Silvercreek Solar Park project

Hi Sandra,

I would be very appreciative if you could clarify timelines for submission of supporting documents mentioned in the municipal consultation form (Part A, Section 2) to municipalities and local authorities.

Regards,

Nadiya Bogush, B.Sc., M.E.S.  
ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
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Sent: Wed 11/18/2009 10:33 AM



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---

From: Guido, Sandra (ENE) [mailto:Sandra.Guido@ontario.ca]

Sent: Thursday, November 12, 2009 11:38 AM  
To: Nadiya Bogush  
Cc: Scott Manser  
Subject: RE: Notice of Proposal Silvercreek Solar Park project

Hi Nadia,

The form looks fine. I have attached the 2 Notice Templates we've created to help proponents in preparing the Notices. Please take a look and compare to ensure it includes the same content. As per section 15(4), a Notice of Proposal and Notice of Public Meeting can be combined.

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Thank you,

Sandra

Sandra Guido

Senior Program Support Coordinator

Renewable Energy Team

Environmental Assessment and Approvals Branch

Ministry of the Environment

2 St. Clair Avenue West, Floor 12A Toronto, ON M4V 1L5

Tel: 416.314.6802 Fax: 416.314.8452

sandra.guido@ontario.ca

---

From: Nadiya Bogush [mailto:NBogush@ortech.ca]  
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Best regards,

Nadiya Bogush, B.Sc., M.E.S.

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Personal communication with Sandra Guido (3:45 PM, November 25, 2009)

S.G.: The project Description for Silvercreek Solar project has been sent for a review. There are many other projects that are well ahead in the line.

N.B. Could you give me an idea about timelines? We have to post the Project description on the project website by December 11, as was mentioned in the Notice of Proposal/Public Meeting.

S.G. I cannot provide a specific timeline.

N.B. We have already sent notifications to several aboriginal communities as we have to meet the deadline set in the Regulation.

S.G. You can go ahead and send notifications to other aboriginal communities that have not been notified about the project. You can also contact municipalities.

N.B. What about timelines for submitting draft reports to the local municipality?

S.G. The draft reports should be available 60 days prior the final public meeting as per Regulation 359/09. If you have them ready, you could send them to municipalities with the municipal consultation form.

## Leah Deveaux

---

**From:** Nadiya Bogush  
**Sent:** Thursday, December 03, 2009 3:30 PM  
**To:** 'Guido, Sandra (ENE)'  
**Subject:** Silvercreek Solar Park project : FN communities

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Senior Program Support Coordinator  
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Ministry of the Environment  
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## Leah Deveaux

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**From:** Guido, Sandra (ENE) <Sandra.Guido@ontario.ca>  
**Sent:** Thursday, December 03, 2009 4:59 PM  
**To:** Nadiya Bogush  
**Subject:** RE: Silvercreek Solar Park project : FN communities

Hi Nadiya,

The review of the Aboriginal Communities list is under way by our Aboriginal Affairs Branch. There are a number of these reports that have been received in the last month and each of them are being reviewed under these timelines. I appreciate the timelines you are under...we are doing our best to complete the review expeditiously. I will provide the list to you as soon as it is received.

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Tel: 416.314.6802 Fax: 416.314.8452  
[sandra.guido@ontario.ca](mailto:sandra.guido@ontario.ca)

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**From:** Nadiya Bogush [mailto:NBogush@ortech.ca]  
**Sent:** December 3, 2009 3:30 PM  
**To:** Guido, Sandra (ENE)  
**Subject:** Silvercreek Solar Park project : FN communities

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Regards,

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## Leah Deveaux

---

**From:** Nadiya Bogush  
**Sent:** Friday, December 04, 2009 1:31 PM  
**To:** 'Guido, Sandra (ENE)'  
**Subject:** Silvercreek Solar Park project : Métis Nation communities and NGO

Hi Sandra,

I have a couple of questions and would be very appreciative if you could clarify them:

- I would like to know whether we also have to notify Métis Nation communities about our project;
- There is no mentioning in the Regulation about NGO notifications, but we have several environmental NGOs in the area. Should we send them the Notice directly?

Kind regards,

**Nadiya Bogush, B.Sc., M.E.S.**

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**From:** Nadiya Bogush  
**Sent:** Thursday, December 03, 2009 5:04 PM  
**To:** 'Guido, Sandra (ENE)'  
**Subject:** RE: Silvercreek Solar Park project : FN communities

Thank you very much Sandra, I really appreciate your prompt reply. I look forward to receiving this information.

Kind regards,

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**Leah Deveau**

---

**From:** Nadiya Bogush  
**Sent:** Tuesday, December 15, 2009 4:31 PM  
**To:** Guido, Sandra (ENE)  
**Subject:** Silvercreek Solar Park Project Open House Invitation  
**Attachments:** 15122009 Silvercreek Solar Park Project Open House Invitation.pdf

Hi Sandra,

We would like to invite you for the Silvercreek Solar Park Project Open House, which is scheduled for this Friday, December 18, 2009.

If you have any questions regarding this meeting, please feel free to contact me.

Regards,

**Nadiya Bogush, B.Sc., M.E.S.**

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December 15, 2009

Sandra Guido  
Senior Program Support Coordinator  
Renewable Energy Team  
Environmental Assessment and Approvals Branch  
Ministry of the Environment  
2 St. Clair Ave West, Floor 12A  
Toronto, ON, M4V 1L5

**Subject:** Silvercreek Solar Park Project Open House

Dear Sandra,

ORTECH Environmental is pleased to invite you on behalf of the Proponent (the Silvercreek Solar Park Inc.) for the Silvercreek Solar Park Project Open House, which will be held on Friday, December 18, 2009 from 4 PM to 8 PM at the German Canadian Club located at 522 Talbot St. W. in the Town of Aylmer.

If you have any questions about this meeting, please do not hesitate to contact me or Leah Deveaux at (905) 822-4120 or 1-877-774-6560, Ext. 305.

Regards,



**Nadiya Bogush, B.Sc., M.E.S.**

ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
1-877-774-6560, ext. 223  
Fax: (905) 855-0406  
nbogush@ortech.ca

cc: S. Manser, ORTECH Environmental  
L. Deveaux, ORTECH Environmental

fax



ORTECH Environmental  
804 Southdown Road  
Mississauga, Ontario, Canada L5J 2Y4  
**PHONE: (905) 822-4120 FAX: (905) 855-0406**  
**1-877-774-6560**

<b>Date:</b> December 16, 2009	<b>No. of Pages:</b> 2 (including cover sheet)
<b>To:</b> Kanina Blanchard	<b>Company:</b> Ministry of the Environment London District Office
<b>Phone:</b>	<b>Fax:</b> (519) 873-5020
<b>From:</b> Nadiya Bogush	<b>Ext. #:</b> (905) 822-4120, ext. 223

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**ORTECH**  
**Environmental**  
a division of ORTECH Consulting Inc.

December 15, 2009

Ministry of the Environment  
London District Office  
733 Exeter Road  
London, ON  
N6E 1L3

Attn: Kanina Blanchard  
District Manager

**Subject:** Silvercreek Solar Park Project Open House

Dear Kanina Blanchard,

ORTECH Environmental is pleased to invite your office on behalf of the Proponent (the Silvercreek Solar Park Inc.) for the Silvercreek Solar Park Project Open House, which will be held on Friday, December 18, 2009 from 4 PM to 8 PM at the German Canadian Club located at 522 Talbot St. W. in the Town of Aylmer.

If you have any questions about this meeting, please do not hesitate to contact me or Leah Deveaux at (905) 822-4120 or 1-877-774-6560, Ext. 305.

Regards,

**Nadiya Bogush, B.Sc., M.E.S.**  
ORTECH Environmental  
804 Southdown Road  
Mississauga, ON, L5J 2Y4  
Tel: (905) 822-4120, ext. 223  
1-877-774-6560, ext. 223  
Fax: (905) 855-0406  
nbogush@ortech.ca

cc: S. Manser, ORTECH Environmental  
L. Deveaux, ORTECH Environmental

# Contact Documentation

Project: **Silvercreek Solar Park**

Contact	Sandra Guido	Date:	January 15, 2010
Organization	MOE		
Address	2 St. Clair Ave West, Toronto, ON, M4V 1L5	Copies To	
Phone	416-314-6802		
Contacted By	Nadiya Bogush	in person	
		by phone <input checked="" type="checkbox"/>	
Purpose of contact	Speeding up the process of obtaining aboriginal communities list to be notified about the project		
Summary of Discussion	MOE are handling applications in order of their receipt		
	MOE Aboriginal Affairs Branch reviewed the Silvercreek Solar Park Project Description, but it has to be reviewed by other crown agencies		
	Sandra is recognizing very tight project timelines and asked reviewers to gave the project a high priority		
	Sandra is the primary MOE contact for the project		
Follow-up Required			
Action Taken By		Date:	

**Ministry of the Environment**

Environmental Assessment and  
Approvals Branch

2 St. Clair Avenue West  
Floor 12A  
Toronto ON M4V 1L5  
Tel.: 416 314-8001  
Fax: 416 314-8452

**Ministère de l'Environnement**

Direction des évaluations et des  
autorisations environnementales

2, avenue St. Clair Ouest  
Étage 12A  
Toronto ON M4V 1L5  
Tél. : 416 314-8001  
Télec. : 416 314-8452



February 22, 2010

MOE File #: SW-09-SF-0013

Nadiya Bogush  
ORTECH Environmental  
804 Southdown Road  
Mississauga, ON L5J 2Y4

Dear Ms. Bogush:

**RE: Director's Aboriginal Communities List – Silvercreek Solar Park**

The Ontario Ministry of Environment has reviewed the information provided in the draft of the Project Description Report (PDR) received for the Silvercreek Solar Park. We have reviewed the anticipated negative environmental effects of the project (as described in the PDR) relative to our current understanding of the interests of aboriginal communities in the area.

In accordance with section 14 of the *Renewable Energy Approval Regulation* (O.Reg. 359), please find below the list of Aboriginal Communities that:

*i) have or may have constitutionally protected aboriginal or treaty rights that may be adversely impacted by the project; or*

*ii) otherwise may be interested in any negative environmental effects of the project. (O. Reg 359/09 s14(b)(i) and (ii))*

Aboriginal Community
<b>Common Name:</b>
<b>Reserve Name:</b>
<b>Contact Information:</b>
Oneida Nation of the Thames Oneida 41 Chief Joel Abram RR 2, SOUTHWOLD, ON Postal code N0L 2G0 Phone (519) 652-3244 Fax (519) 652-9287
Chippewas of the Thames FN Chippewas of the Thames 42 Chief Joe Miskokomon RR 1, MUNCEY, ON Postal code N0L 1Y0 Phone (519) 289-5555 Fax (519) 289-2230



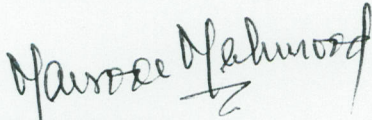
Munsee-Delaware Nation Muncey 1 Chief Patrick Waddilove R.R. 1 MUNCEY, ON Postal Code N0L 1Y0 Phone (519) 289-5396 Fax (519) 289-5156
Six Nations of the Grand River Six Nations (Part) 40 Chief William Montour and Joanne Thomas PO BOX 5000 OHSWEKEN, ON Postal code N0A 1M0 Phone (519) 445-2201 Fax (519) 445-4208
Six Nations of the Grand River Haudenosaunee Confederacy Council Chief A. MacNaughton RR2 Oshwken, ON, NOA 1MO PH: (519) 755-2769
Bkejwanong Territory Walpole Island FN Walpole Island 46 RR 3, WALLACEBURG, ON Postal code N8A 4K9 Phone (519) 627-1481 Fax (519) 627-0440

**NOTE:** None of the foregoing should be taken to imply approval of this project or the contents of the draft of the PDR. This response only addresses the requirement of the Director to provide a list of aboriginal communities to you as required in s. 14 of O. Reg. 359/09. You should also be aware that information upon which the above comments are based is subject to change. Aboriginal communities can make assertions at any time, and other developments can occur that might require additional communities to be notified. Should this happen, the ministry will contact you. Similarly, if you receive any feedback from any aboriginal communities not included in this list as part of your public consultation, we would appreciate being notified.

Please contact Sandra Guido at (416) 314-6802 should you have any questions or require additional information.



Sincerely,

A handwritten signature in black ink, appearing to read "Mansoor Mahmood", with a stylized flourish at the end.

For Doris Dumais  
Director  
Environmental Assessment and Approvals Branch  
Ministry of Environment

cc: Mansoor Mahmood, Renewable Energy Team, Ministry of the Environment  
Joe de Laronde, Aboriginal Affairs Branch, Ministry of the Environment

# Contact Documentation

Project: **Silvercreek Solar Park**

Contact	Narren Santos	Date:	July 11, 2011
Organization	MOE		
Address	2 St. Clair Ave West, Toronto, ON, M4V 1L5	Copies To	
Phone	416-314-6802		
Contacted By	Leah Deveau	in person	
		by phone <input checked="" type="checkbox"/>	
Purpose of contact	Restarting Silvercreek Solar		
Summary of Discussion	Call to discuss the status of the Silvercreek solar park		
	Gave update on what was done in 2009		
	She said the existing work was fine but that we should notify the public of the site layout changes		
	As a result notices would be prepared and sent to landowners along the new area affected		
Follow-up Required			
Action Taken By			Date:



August 2, 2012

To Whom It May Concern:

ORTECH Power (ORTECH) has been retained by Silvercreek Solar Park Inc. (SSPI) to complete the Renewable Energy Approval (REA) for the Silvercreek Solar Park, a 10MW ground mounted solar PV project in the Township of Malahide. In accordance with Ontario Regulation 359/09 a Notice of Public Meeting was posted in the Aylmer Express indicating the date of the second and final public open house on October 4, 2012. As well this Notice detailed the availability of the Draft REA submission public review and comment. This review and comment period will run from **August 2, 2012 until November 5, 2012**.

In accordance with Ontario Regulation 359/09 these draft reports are being made available for review and comment from **Thursday August 2, 2012 until 4:30 pm Monday November 5 2012**. The documents may be reviewed on the project website: [www.silvercreeksolar.com](http://www.silvercreeksolar.com). Two hard copies and two electronic copies of these documents may be found during this review period at the following public location:

**The Elgin County Library  
Aylmer Branch  
38 John St. S.  
Aylmer, ON**

In accordance with O.Reg 359/09, stakeholders are invited to submit comments and questions on the draft reports directly to Silvercreek Solar Park Inc. at the address below:

**Silvercreek Solar Park Inc. c/o**  
Leah Deveau  
ORTECH Power  
804 Southdown Rd. Mississauga ON; L5J 2Y4  
Phone: 1-877-774-6560 x.305  
Fax: 905-855-0406  
Email: [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)

Following the conclusion of this comment period on Monday November 5, 2012 Silvercreek Solar Park will evaluate all comments received and prepare its final REA submission for the Ministry of the Environment.

We appreciate your input into this process and look forward to your continued input in the future.

Thanks kindly,

Leah Deveau, BES  
**ORTECH Power**  
[www.silvercreeksolarpark.com](http://www.silvercreeksolarpark.com)

*-enclosures*

**c.c.** Dave Moerman, Silvercreek Solar Park Inc.

# NOTICE OF PUBLIC MEETING

To be held by Silvercreek Solar Park Inc. regarding a Proposal to Engage in a Renewable Energy Project

Project Name: Silvercreek Solar Park Inc.  
Project Location: Malahide Township (see map)  
Dated at Malahide Township this 2<sup>nd</sup> day of August 2012

Silvercreek Solar Park Inc. is planning to engage in a renewable energy project in respect of which the issuance of a renewable energy approval (REA) is required. The proposal to engage in the project and the project itself is subject to the provisions of the Environmental Protection Act (ACT) Part V.0.1 and the Ontario Regulation 359/09 (Regulation). This notice must be distributed in accordance with section 15 of the Regulation prior to an application being submitted and assessed for completeness by the Ministry of the Environment.

**Meeting Location:** **Date:** October 4, 2012  
**Time:** 5:30pm – 8pm  
**Place:** German Canadian Club  
522 Talbot St. West; Aylmer, ON

**Project Description:** Pursuant to the Act and Regulation, the facility, in respect of which this project is to be engaged in, is a Class 3 ground mounted Solar Facility. If approved, this facility would have a total maximum name plate capacity of 10 MW. The project location is described in the map below. Additionally, the project will require installation of a new 34.5kV distribution line to be installed primarily below ground, to a new 115kV substation adjacent to the existing Aylmer Transmission Station.

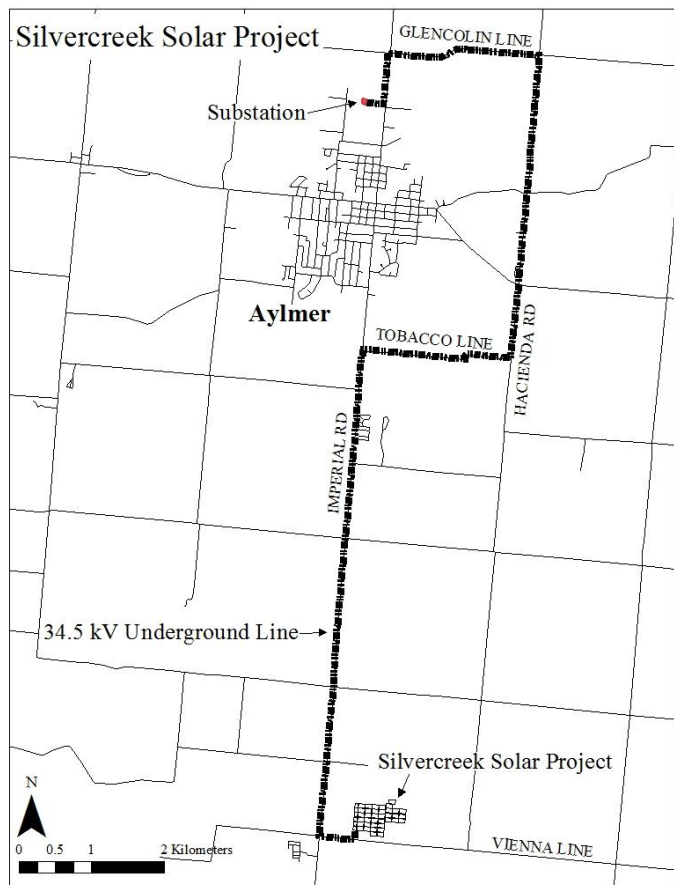
**Documents for Public Inspection:** The Draft Project Description Report titled "Project Description: Silvercreek Solar Park" describes the project as utilizing up to 46,000 polycrystalline solar photovoltaic panels, with a rated power output of 290 W, each to be mounted on horizontal beam single-axis trackers totaling 10 MW. The project will require installation of a new 34.5kV distribution line to be installed primarily below ground to a new 115kV substation adjacent to the existing Aylmer Transmission Station. A written copy of the Draft Project Description Report was made available for public inspection on November 18, 2009.

Further, the applicant has prepared supporting documents in order to comply with the requirements of the Act and Regulation. Written copies of the draft supporting documents will be made available for public inspection on August 2, 2012 at the following locations:

**Elgin County Library – Aylmer Branch, 38 John St. South Aylmer and [www.silvercreeksolar.com](http://www.silvercreeksolar.com)**

To learn more about the project please contact:

**Silvercreek Solar Park Inc. c/o**  
Leah Deveau  
ORTECH Power  
804 Southdown Rd. Mississauga ON; L5J 2Y4  
Phone: 1-877-774-6560 ext. 305  
Email: [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)  
[www.silvercreeksolar.com](http://www.silvercreeksolar.com)



Information will be collected and used in accordance with the Freedom of Information and Protection of Privacy Act, and used solely for the purpose of assisting Silvercreek Solar Park Inc. in meeting their Renewable Energy Approvals requirements. This material will be maintained on file for use during the study and may be included in project documentation. With the exception of personal information, all comments will become part of the public record.

## Leah Deveaux

---

**From:** Santos, Narren (ENE) <Narren.Santos@ontario.ca>  
**Sent:** Thursday, August 16, 2012 2:59 PM  
**To:** Leah Deveaux  
**Subject:** RE: Silvercreek Solar Farm website

[Google chrome](#)

Narren Santos | Senior Program Support Coordinator | Environmental Approvals Access & Service Integration  
Branch | Ministry of the Environment  
2 St. Clair Avenue West, 12a Floor Toronto, ON M4V 1L5 | Phone: 416.314.8442 | Fax: 416.314.6810 | Email:  
[narren.santos@ontario.ca](mailto:narren.santos@ontario.ca)



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---

**From:** Leah Deveaux [<mailto:LDeveaux@ortech.ca>]  
**Sent:** August 16, 2012 2:42 PM  
**To:** Santos, Narren (ENE)  
**Subject:** RE: Silvercreek Solar Farm website

Hi Narren,  
please let me know which web browser you are using including version numbers as we have not received any complaints prior to this and have had a good number of web traffic and downloads. there are also two hard copies in the local library and two cds.

I do know we have had difficulties internally testing the website using google chrome. If you switch over to Internet explorer you may find better results. Our IT group is still resolving the chrome problems.

I hope that is sufficient to meet our requirement even though you are having difficulties downloading the documents at this time.

Leah

---

**From:** Santos, Narren (ENE) [Narren.Santos@ontario.ca]  
**Sent:** Thursday, August 16, 2012 8:44 AM  
**To:** Leah Deveaux; [info@silvercreeksolar.com](mailto:info@silvercreeksolar.com)  
**Subject:** Silvercreek Solar Farm website

Hi Leah:  
This is a follow up to Silvercreek Solar Farm's notice of final public meeting and project website.

Please note that the links to view the draft REA documents at  
[http://www.silvercreeksolar.com/index\\_files/documents.htm](http://www.silvercreeksolar.com/index_files/documents.htm) do not work.

Please advise when this is addressed.

As you are aware, the regulation provisions require that during a period of at least 60 days before a final public meeting is held, a person proponent must make available drafts of all documents (mentioned in subsection 16(6) of O.Reg.359/09) by posting the drafts on the proponent's website, if the proponent has a website.

Regards,  
Narren

Narren Santos | Senior Program Support Coordinator | Environmental Approvals Access & Service Integration  
Branch | Ministry of the Environment | 2 St. Clair Avenue West, 12a Floor Toronto, ON M4V 1L5 | Phone: 416.314.8442  
| Fax: 416.314.6810 | Email: [narren.santos@ontario.ca](mailto:narren.santos@ontario.ca)



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# MEETING AGENDA

## Silvercreek Solar Park Project

---

**To:** Doris Dumais, Ministry of the Environment  
**From:** ORTECH Power  
**Copy:** Uwe Roeper, Scott Manser, Leah Deveaux, Dave Moerman  
**RE:** **AGENDA FOR THE MEETING ON THE SILVERCREEK SOLAR PARK PROJECT,**

---

### **DATE AND TIME:**

Thursday, October 25, 2012 – 10am

### **PARTICIPANTS:**

Doris Dumais – Ministry of the Environment

Dave Moerman – Silvercreek Solar Park

Uwe Roeper – ORTECH Power

Scott Manser - ORTECH Power

Leah Deveaux – REA, ORTECH Power

### **AGENDA ITEMS**

1. summary of public/municipal/FN consultations and issues raised with these groups
2. Approval timelines and construction concerns
3. Application Submission Discussion
  - a. the quality of the application.
  - b. process that could be used to assist the MOE in application review such as an initial kick-off review meeting where

October 25, 2012

## MEETING AGENDA

Meeting Information	
<b>Subject:</b>	<b>Pre-submission Meeting with Ministry of the Environment Re: Silvercreek Solar Park</b>
<b>Date/Time:</b>	October 25, 2012 2 St. Clair Ave. W. Toronto, ON 10am – 11am

Participants	
<b>Attendees:</b>	Doris Dumais – MOE Zeljko Romic – MOE Dave Moerman – Silvercreek Solar Uwe Roeper – ORTECH Power Scott Manser – ORTECH Power Leah Deveaux – ORTECH Power

Meeting began with introductions from all parties

SM gave an overview of the project including the past status and important dates for the project.

DD – ensure you submit the checklist with the application, put everything that is available for the project in with the application. When it comes to consultation give all the information that is available including how comments were addressed including all documentation for phone calls. Doris stated that her department would contact the aboriginal communities to notify them of the application approval and that the project would be approved

UR – asked a question regarding past experiences with the MOE providing notification to aboriginal communities that was broader than lists given to proponents from other ministries

DD – issue was resolved for REA projects

UR – what if the aboriginal communities wait to engage in the process until the end

DD – her ministry will call and notify the community that the application is complete. Consultation doesn't end with that discussion. Consultation begins when the MOE notifies the community that the project has submitted a project description. The MOE will not delay an application from being deemed complete because the aboriginal community has decided to participate in consultation at the last minute (*provided the consultation has met the appropriate requirements*) consultation can continue during MOE technical review period

DM – Gave over view of HDI discussions and meetings

DD – stated that resources of aboriginal communities are stressed due to multiple requirements to review projects, there is no capacity to manage resources with all the processes ongoing

SM – we have given them resources to hire consultants and entered into their process

UR – gave details about the process and ongoing consultations

DD – it is important that they are speaking now as they have refused to talk to some proponents. Stated that not all of the consultation had to be wrapped up prior to submission, if HDI needs additional 30 days for comment, we can put that into the consultation report, but prior to making that decision we should contact ZR and DD for advice to ensure that comments are complete. Consultation will be ongoing throughout MOE technical review including EBR comments

UR – discusses the issues HDI had including archaeology, loss of traditional use including the 1701 treaty, accommodation, loss of 88 acres and compensation for loss of land. They stated it was a small project they wouldn't be able to participate in. UR wanted to know if agreements had to be made before submission was made

DD – the MOE does not get involved in agreements or letters of support, they do not act against proponents. Cautioned that there should be a good understanding of what loss of use means and how they would use the property.

UR – having one may help close the file with compensation agreement. Asked, what if another aboriginal group comes in at the last minute with a request for compensation?

DD – The MOE is not looking at economic agreements, only looking at environmental and treaty rights

DM – state that they haven't been using the treaty area and setbacks in place maintain the area

DD – MOE is only interested in environmental protection, not interested in contractual agreements

DM – how do you deal with elevation requests because HDI or someone else doesn't get their way

DD – appeals process is very high, there is no longer an elevation request. There is a 40 business day period for submission of application be screened for completeness. Application is then posted to EBR for 30 days. Some are posted for 60 days depending on local area conditions and consultation. Technical review starts at the 30 day reiw period. Technical review is to validate information within the report. Once approval is in hand work can begin, there have been no appeals on solar. Only way a project can be forced to stop work is if a stay is filed. Consultation is not enough to create an appeal, it has to be an environmental impact

DM – discussion regarding a possible change from trackers to a fixed tilt system

DD – look at noise report. Send MOE a letter to describe changes, talk about footprint changes, will it result in less noise? Describe impacts. You may be required to do additional notifications or consultations, most likely just one notification to distribution list and landowners. Do before the submission not after.

SM – construction constraints discussion, how can we be of assistance to help application review process go smoother

DD – we cannot commit to expedited review. We meet with opa regularly to discuss status of approvals. Haven't seen opa withdraw applications. Important thing you can do is give best quality applications. Applications are reviewed based on NTP date priority. Directors meet weekly to review all applications in system, brief ministers on their status, projects are tracked by many levels of government.

LD – this project is following the 2011 regulation, how should we describe that

DD – describe which parts of the 2011 requirements you will be following.



November 21, 2012

Doris Dumais  
Director, Environmental Approvals Access & Service Integration  
Environmental Approvals Access and Service Integration Branch  
2 St Clair Ave W; Floor 12A  
Toronto ON  
M4V 1L5

Tel: 416-314-8171  
Email: [doris.dumais@ontario.ca](mailto:doris.dumais@ontario.ca)

**Re: Renewable Energy Approval Process for the Silvercreek Solar Park;  
Proposed Minor Modifications to development (MOE File: SW-09-0013)**

Silvercreek Solar Park Inc. (Silvercreek) is proposing the installation of a 10 MW ground mounted solar photovoltaic (PV) facility in Elgin County within the Township of Malahide. This project is a Class 3 Solar Facility under the Renewable Energy Approval (REA) requirements. The project was awarded a Feed-in Tariff (FIT) contract in July 2011 as a result of the Bruce to Milton Transmission Line Expansion.

Recent developments regarding equipment availability and stakeholder consultation identified a need to incorporate minor modifications to the project design, as presented to various provincial agencies and stakeholders leading up to and including the second and final public open house. A brief description of the proposed modifications follows:

**Fixed Tilt Solar Array:**

The current Draft REA submission documents posted to the public on August 2, 2012 presented an installation which utilized a single axis tracking system. Due to equipment availability and the requirements for domestic content levels under the FIT program the proponent has concluded that it is necessary to alter the technology to a fixed tilt system for the solar arrays. The proposed change avoids introducing new negative impacts and presents several benefits including:

- Reduced project footprint: allows for increased setback distances from municipal roadways, adjacent properties and natural areas as less racking will be required;
- Elimination of additional equipment and ease of maintenance: The small ¼ hp tracking motors are no longer required, lubrication of motors will not be required, and
- Reduced construction impacts: fewer support posts will be required to support the solar arrays.

The manufacturer of the single axis tracking system proposed no longer manufactures in Ontario, impacting Domestic Content requirements which necessitated this change to the project design. The change in this design would not alter the racking system, panels would still be installed on similar racking systems to what was described to the public.

### **Internal Access Roads:**

A minor change in the alignment and layout of internal access roads presented in the August 2, 2012 draft REA submission is proposed to improve emergency access on-site. Associated with this proposed change is the relocation (ie: more than 5m) of two (2) inverter / transformer enclosures away from the nearest residential receptor. The proposed addition of a second west-east access road avoids introducing new negative impacts and presents several benefits including:

- Reduced noise levels: the proposed addition of a second west-east access road allows two (2) inverter/transformer stations to be relocated farther away from the nearest residential receptor resulting in a decrease in the maximum predicted sound levels by approximately 1 dBA (HGC, November 2012), and
- Improved access for emergency vehicles: in the event emergency vehicles are called to the site entrance and egress from the interior portions of the project will be improved.

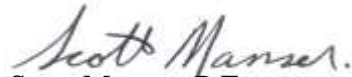
Recent consultation with the local fire and rescue department resulted in a recommendation that a second west-east access road be incorporated into the design to improve access and egress from the site. The total length of internal access roads will increase by approximately 450 m and is not considered significant in the context of the studies conducted to date.

In arriving at these preliminary conclusions ORTECH has reviewed the proposed project changes with consultants in the field of Natural Heritage (Natural Resource Solutions Incorporated) and Acoustics (HGC Engineering). The overall noise reduction of 1 dBA is based upon updated acoustic modelling whereas impacts to natural features are based upon comments from the MNR that they have no concerns with the proposed change and will be issuing a re-confirmation letter within the next few days. A summary of the addendum conclusions is provided in Attachment 1. A review of other supporting studies, including the Stormwater Management Report (CJL Engineering) was conducted to assess the potential for changes to these documents. The proposed change is not predicted to impact surface or stormwater runoff due to the rapid infiltration characteristics of the soils and the vegetative buffer which will be maintained around the perimeter of the project as discussed within the stormwater report.

Figure 1 in Attachment 1 provides an aerial imagery of the proposed project superimposed with a layout of the project as presented to agency and public stakeholders as part of the August 2, 2012 posting and during the second public open house. ORTECH is currently assembling the final REA application for submission to the Ministry of Environment for Review.

As part of the ongoing consultation process Silvercreek Solar Park intends to notify landowners within 120 m of the Solar Park array of the proposed changes to internal access roads and inverter locations. The notice will include a discussion, similar to that provided above, of predicted changes to impacts and an opportunity to provide feedback to the proponent. The REA submission will include a copy of this to landowners. Please advise at your earliest convenience if, in the opinion of the MOE, any additional stakeholder consultations are required by the regulation prior to submission of the REA application to the ministry.

Regards;



Scott Manser, P.Eng  
Senior Project Manager  
ORTECH Environmental  
Tel: (519) 966-8798  
Email: [smanser@ortech.ca](mailto:smanser@ortech.ca)

cc: Romic, Zeljko  
Program Support Coordinator - SERVICE INTEGRATION  
12A  
2 St Clair Ave W  
Toronto ON M4V1L5  
Tel: 416-314-8204  
Email: [zeljko.romic@ontario.ca](mailto:zeljko.romic@ontario.ca)

**Summary of Natural Heritage Addendum – DRAFT Submitted to MNR**

In accordance with the REA Regulation, NRSI biologists have completed a comprehensive records review, site investigation, evaluation of significance, and EIS of the Silvercreek Solar Park project area (NRSI 2012). Following the review of proposed adjustments to the project location (as discussed above), NRSI has re-considered all aspects of the Natural Heritage Assessment within this memo to determine if there are new natural features, changes in distances to project location, or new mitigation measures or monitoring commitments required to ensure that potential permanent or adverse environmental impacts are mitigated or studied appropriately. The summary of the result of this review of changes to the project location is summarized in Table 1 below.

**Table 1. Summary of Natural Heritage Addendum for the Silvercreek Solar Park**

Addendum Changes	Addendum Result
Significant Features	NRSI has not identified any additional significant natural features or wildlife habitats within the project area. No previously identified significant natural features have been removed from the project area.
Changes in Distances to Project Location	<p>The distances from the project location to candidate and significant natural features and wildlife habitats have changed due to minor adjustments to the project layout. These changes in distances to project location are associated with a total of 5 significant natural features.</p> <p>Changes in distances from the project location to significant natural features are shown in Table 2 of this memo.</p>
Mitigation Measures	Based on the minor adjustments of the project location, NRSI biologists have identified no additional significant features within 120m of the project location that require mitigation measures to be applied. All other mitigation measures, as outlined in the Natural Heritage Environmental Impact Study (NRSI 2012) will provide the appropriate protection to significant natural features to ensure any potential permanent and adverse impacts are mitigated.
Monitoring Commitments	NRSI has identified that, based on the minor shifts in project location, the monitoring commitments outlined in the Natural Heritage Environmental Impact Study (NRSI 2012) are still appropriate to monitor any potentially adverse impacts of this project.

With this addendum, it is maintained that with the implementation of the planned mitigation measures, monitoring programs, and contingency plans as presented in the Silvercreek Solar Park: Natural Heritage Environmental Impact Study (NRSI 2012), along with any additional mitigation measures and monitoring commitments provided above, there is unlikely to be any significant impacts to natural heritage features, including woodlands, wetlands, valleylands, or significant wildlife habitat.

**Figure 1: Proposed and Current Project Features**



**Ministry of  
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November 22, 2012

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**Re: Renewable Energy Approval Process for Silvercreek Solar Park;  
Proposed Minor Modifications to Development**

Dear Mr. Manser,

Thank you for your October 21, 2012 letter outlining recent modifications to the proposed Silvercreek Solar Park project. I understand from your letter that the proponent (Silvercreek Solar Park Inc.) is proposing to make the following changes to the project after the final public meeting has taken place:

- Changing the single axis tracking system originally proposed, to a fixed tilt system due to lack of availability of equipment domestically
- Modifying access road configuration on the site in order to improve access for emergency vehicles, which also allows for the relocation of 2 inverters within the site, further away from noise receptors

I understand that through your consultation efforts and technical assessments you have concluded that these changes are minor in nature and avoid introducing new negative impacts while offering several benefits related to efficiency, safety and reduced noise. You also indicate that landowners within 120 meters of the Solar Park array will be notified of this change, and that a copy of the notice to landowners will be included as part of the Renewable Energy Approval application you plan to submit to the ministry for review.

Based on the information you have provided and the minor nature of the changes you are proposing to make to the project, I agree that your proposed approach for consultation and notification as discussed in your letter is reasonable.

Should you have any further questions for the ministry about your project, please do not hesitate to contact Zeljko Romic, Senior Program Coordinator, at 416-314-8204 or via email at [zeljko.romic@ontario.ca](mailto:zeljko.romic@ontario.ca).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Doris Dumais', with a large, stylized 'D' and a long horizontal stroke.

Doris Dumais  
Director  
Environmental Approvals Access and Service Integration Branch

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